STATE OF IOWA
1933-1934

Journal of the House

OF THE

Forty-fifth General Assembly
Extraordinary Session

CONVENED NOVEMBER 6, 1933
ADJOURNED MARCH 12, 1934

CLYDE L. HERRING Governor
NELSON G. KRASCHEL, President of the Senate
GEORGE E. MILLER, Speaker of the House

Published by
THE STATE OF IOWA
Des Moines

Digitized by Google

J87
I 5 C
4-Ed.
of

FORTY-FIFTH GENERAL ASSEMBLY

Extraordinary Session

OFFICERS OF THE HOUSE

GEORGE E. MILLER, Speaker of the House.....Harlan
P. H. DONLON, Speaker Pro Tempore.....Ruthven
VIRGIL LEKIN, Chief Clerk.....Parnell
WM. F. REINECKE, Assistant Chief Clerk.....Manchester
P. L. SHUTT, Reading Clerk.....Independence
JENNIE GREGG, Special Clerk.....Des Moines
H. A. MITCHELL, Journal Clerk.....Des Moines
LOUISE O'CONNOR, Assistant Journal Clerk.....Imogene
HAZEL SHOWALTER, Engrossing Clerk.....Corydon
MARGARET GARVER, Enrolling Clerk.....Des Moines
NONA ADKINS, Clerk of Enrolled Bills.....Grinnell
J. G. COOK, Filing Clerk.....Des Moines
HERB HEYER, Bill Clerk.....Sumner
HARRY WINTERS, Assistant Bill and File Clerk.....Buffalo Center
MARY DONOVAN, House Postmistress.....Iowa City
OLEY NELSON, Sergeant-at-Arms.....Slater
JESSE GARDNER, Assistant Sergeant-at-Arms.....Atlantic
EDNA J. KILGORE, Speaker's Clerk.....Creston
GOLDIE PETERSON, Chief Clerk's Clerk.....Harlan

EXCHANGE

Digitized by Google

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

NAME	Office	Address
Clyde L. Herring	Governor	Des Moines
Nelson G. Kraschel	Lieutenant Governor	Harlan
Mrs. Alex Miller	Secretary of State	Washington
C. W. Storms	Auditor of State	Fort Madison
Leo J. Wegman	Treasurer of State	Carroll
Ray Murray	Secretary of Agriculture	Buffalo Center
Edward L. O'Connor	Attorney General	Iowa City
Charles Webster	Railroad Commissioner	Waucoma
Fred P. Woodruff	Railroad Commissioner	Knoxville
M. P. Conway	Railroad Commissioner	Atlantic
Agnes Samuelson	Superintendent of Public Instruction	Shenandoah
William D. Evans	Judge of Supreme Court	Hampton
Truman S. Stevens	Judge of Supreme Court	Hamburg
James W. Kindig	Judge of Supreme Court	Sioux City
E. G. Albert	Judge of Supreme Court	Jefferson
Maurice F. Donegan	Judge of Supreme Court	Davenport
John W. Kintzinger	Judge of Supreme Court	Dubuque
John W. Anderson	Judge of Supreme Court	Sioux City
Richard F. Mitchell	Judge of Supreme Court	Fort Dodge
George Claussen	Judge of Supreme Court	Clinton

380894

Digitized by Google

MEMBERS OF THE HOUSE—FORTY-FIFTH GENERAL ASSEMBLY—EXTRAORDINARY SESSION

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Aldrich, R. E. Lee	Belmond	63	Farmer	Dem.	75	Wright	45
Alesch, Gustave	Marcus	55	Farmer	Dem.	80	Plymouth	45
Augustine, F. D.	Benton	46	Farm Equipment Dealer	Dem.	7	Ringgold	44
Avery, A. H.	Spencer	63	Insurance	Rep.	83	Clay	44
Beath, F. H.	Corning	60	Farmer	Rep.	13	Adams	44–45
Beswick, C. L.	Stockport	58	Farmer	Dem.	2	Van Buren	45
Bonnstetter, A. H.	West Bend	40	Farmer	Dem.	85	Kossuth	44–45
Bouska, Joseph D.	Protivin	47	Manager Telephone Company	Dem.	92	Howard	45
Bowers, L. C.	Kent	65	Merchant	Rep.	14	Union	45
Brady, John F.	Council Bluffs	30	Lawyer	Dem.	31	Pottawattamie	45
Bruce, Marion	Rolfe	62	Publisher	Rep.	77	Pocahontas	45
Burgess, James	Sioux City	62	Loans, Real Estate	Dem.	58	Woodbury	45
Casey, Jas. G.	Osage	51	Farm Equipment	Dem.	93	Mitchell	45
Craven, J. E.	Kellogg	66	Farmer	Dem.	38	Jasper	36–44–45
Crouch, S. B.	Jefferson	49	Farmer	Dem.	54	Greene	45
Cunningham, Paul H.	Des Moines	42	Lawyer	Rep.	37	Polk	45
Davis, Forest	Moulton	53	Veterinarian, Farmer	Dem.	4	Appanoose	45
Dean, Earl M.	Mason City	37	Farmer	Dem.	87	Cerro Gordo	45
Dole J. Wilbur	Fairfield	63	Farmer	Dem.	19	Jefferson	45
Donlon, P. H.	Ruthven	71	Farmer	Dem.	84	Palo Alto	44–45
Doran, Ben B.	Grand Jct.	48	Farmer	Rep.	53	Boone	45
Dreessen, Wm. J.	Breda	42	Farmer	Dem.	56	Crawford	45
Durant, S. B.	Forest City	60	Farmer	Rep.	86	Hancock	36–44–45
Elliott, E. A.	Des Moines	64	Minister	Rep.	37	Polk	41-42–42X–43–45
Ellsworth, E. O.	Iowa Falls	58	Banking, Farming	Rep.	64	Hardin	43–44–45
Fabritz, Ernest H.	Ottumwa	37	Hardware Merchant	Dem.	18	Wapello	44–45
Falvey, M. C.	Albia	65	Lumberman	Dem.	17	Monroe	45
Felter, Victor	Indianola	55	Farmer	Rep.	27	Warren	44–45
Fletcher, C. L.	Ocheyed n	46	Farmer	Rep.	98	Osceola	
Foster, La Mar P.	West Branch	34	Farmer	Dem.	44	Cedar	45
Frizzell, J. W.	Brooklyn	67	Retired Farmer	Dem.	39	Poweshiek	45
Fuelling, Otto	Farmersburg	43	Lumber Business	Dem.	70	Clayton	45
Fuester, C. E. R.	Ida Grove	56	Farmer, Insurance	Dem.	59	Ida	45
Gallagher, J. P.	Willamsburg	71	Journalist	Dem.	40	Iowa	40-40X–44–45
Garner, Ada	Shell Rock	50	Farming	Dem.	73	Butler	45
Gittinger, G. J.	Charlton	73	Farmer, City Assessor	Dem.	16	Lucas	45
Gissel, W. H.	Independence	60	Farmer	Dem.	67	Buchanan	44–45
Goode, Dewey E.	Bloomfield	34	Produce, Fur Dealer	Rep.	3	Davis	45
Grau, O. J.	Newell	42	Farmer	Rep.	78	Buena Vista	45
Grell, Christian	Donahue	54	Farmer, Saw Milling	Dem.	43	Scott	45
Hanson Arthur C.	Inwood	41	Farmer	Rep.	99	Lyon	45

Digitized by Google

Hanson H. N.	**Leland**	**56**	**Farmer**	**Rep.**	**95**	Winnebago	41-42-42X-43-44-45
Hartman, Henry M.	**Burlington**	**58**	**Boiler Inspector**	**Dem.**	**21**	Des Moines	45
Hook, Chas. S.	**New Market**	**68**	**Farmer**	**Dem.**	**8**	Taylor	44-45
Hough, H. B.	**Oelwein**	**60**	**Stock Buyer**	**Dem.**	**71**	Fayette	45
Hopp, R. C.	**Glenwood**	**62**	**Farmer**	**Dem.**	**11**	Mills	45
Hultman, O. N.	**Stanton**	**45**	**Lumber Business**	**Rep.**	**12**	Montgomery	45
Humeston, Alva	**Humeston**	**80**	**Retired Grain, Live Stock**	**Dem.**	**5**	Wayne	45
Jenkins, John J.	**Columbus Jct.**	**53**	**Farmer**	**Rep.**	**22**	Louisa	45
Jensen, T. G.	**Kimballton**	**58**	**Contractor**	**Dem.**	**34**	Aububon	45
Johnson, Elmer A.	**Cedar Rapids**	**61**	**Lawyer**	**Rep.**	**48**	Linn	45
Koch, Wm.	**Waverly**	**46**	**Real Estate, Insurance**	**Dem.**	**72**	Bremer	44-45
Laughlin, E. P.	**Imogene**	**51**	**Farmer**	**Dem.**	**10**	Fremont	42-42X-44-45
Lichty, E. M.	**Waterloo**	**65**	**Retired Farmer**	**Rep.**	**66**	Black Hawk 40-40	X-41-42-42X-43-44-45
Lookingbill, C. E.	**Nevada**	**56**	**Craftsman, Minister**	**Rep.**	**52**	Story	45
Malone, C. E.	**Atlantic**	**51**	**Farmer**	**Dem.**	**30**	Cass	44-45
Maniece, E. J.	**Estherville**	**42**	**Farmer**	**Dem.**	**96**	Emmet	45
McCarthy, Frank J.	**Sioux City**	**28**	**Salesman**	**Dem.**	**58**	Woodbury	45
McCreery, D. R.	**Alburnett**	**51**	**Farmer**	**Rep.**	**48**	Linn	43-44-45
McDermott, John	**Bridgewater**	**74**	**Farmer**	**Dem.**	**29**	Adair	44-45
McFarlane, Arch W.	**Waterloo**	**47**	**Coal Dealer**	**Rep.**	**66**	Black Hawk 38-38	X-39-42-42X-43-44-45
McKinnon, Curtis L.	**New London**	**42**	**Farmer**	**Dem.**	**20**	Henry	45
McLean, Don V.	**Marshalltown**	**52**	**Farmer**	**Rep.**	**51**	Marshall	45
Mercer, Leroy S.	**Iowa City**	**43**	**Manufacturer**	**Dem.**	**41**	Johnson	45
Metcalf, B. L.	**Nichols**	**64**	**Farmer, Stockman**	**Dem.**	**42**	Muscatine	45
Miller, George E.	**Harlan**	**56**	**Farmer, Stockman**	**Dem.**	**33**	Shelby 40-	40X-41-42-42X-43-44-45
Mitchell, John H.	**Fort Dodge**	**33**	**Lawyer**	**Dem.**	**62**	Webster	45
Millhone, Paul L.	**Clarinda**	**39**	**Lawyer**	**Rep.**	**9**	Page	44-45
Moore, Charles D.	**Urbana**	**53**	**Insurance, Farming**	**Dem.**	**49**	Benton	45
Moore, R. G.	**Dunlap**	**44**	**Veterinarian**	**Dem.**	**32**	Harrison	45
Mooty, W. A.	**Grundy Center**	**69**	**Farmer**	**Rep.**	**65**	Grundy	37-38-45
Osborn, Walter	**Leon**	**54**	**Farmer, Insurance**	**Dem.**	**6**	Decatur	44-45
Ostby, Paul I. D.	**Kensett**	**56**	**Farmer**	**Dem.**	**94**	Worth	45
Paisley, Wm.	**Donnellson**	**66**	**Farmer**	**Dem.**	**1**	Lee	44-45
Peaco, Milton	**Clinton**	**56**	**Machinist**	**Dem.**	**45**	Clinton	44-45
Peet, R. Arno	**Bagley**	**31**	**Editor, Publisher**	**Rep.**	**35**	Guthrie	45
Porter, E. B.	**Delhi**	**70**	**Farmer, Insurance**	**Dem.**	**68**	Delaware	45
Rawlings, Ed.	**Onawa**	**60**	**Farmer**	**Dem.**	**57**	Monona	43-44-45
Reed, I. M.	**Oskaloosa**	**62**	**Auctioneer**	**Dem.**	**25**	Mahaska	44-45
Rice, C. L.	**Delta**	**43**	**Farmer**	**Dem.**	**24**	Keokuk	45
Roe, Ove. T.	**Waukon**	**45**	**Farmer**	**Dem.**	**90**	Allamakee	44-45
Ryder, John	**Dubuque**	**64**	**Real Estate**	**Dem.**	**69**	Dubuque	41-42-42X-43-44-45
Schlatter, Geo. M.	**Bellevue**	**69**	**Grain and Seed Dealer**	**Dem.**	**46**	Jackson	
Schmitz, T. F.	**Ossian**	**58**	**Newspaper Publisher**	**Dem.**	**91**	Winneshiek	45
Schroeder, John H.	**Arcadia**	**67**	**Farmer**	**Dem.**	**55**	Carroll	45
Sheridan, Wm. R.	**Keokuk**	**37**	**Lawyer**	**Dem.**	**1**	Lee	45
Smith, William H.	**Quimby**	**66**	**Farmer**	**Dem.**	**79**	Cherokee	45
Snyder, Frank G.	**Webster City**	**66**	**Auto Dealer, Farmer**	**Rep.**	**63**	Hamilton	44-45
Sours, Roy J.	**Charles City**	**49**	**Farmer, Insurance**	**Rep.**	**88**	Floyd	44-45
Speidel, John	**Washington**	**43**	**Farmer**	**Rep.**	**23**	Washington	45
Stansell, M. R.	**Osceola**	**46**	**Lawyer**	**Dem.**	**15**	Clarke	45

Digitized by Google

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Stanzel, George C.	Sac City	67	Farm Manager	Rep.	60	Sac	44–45
Stewart, Andrew	Rockwell City	60	Farmer, Livestock	Dem.	61	Calhoun	45
Stimpson, Thomas	Anamosa	39	Farmer	Dem.	47	Jones	45
Strachan, W. H.	Humboldt	58	Farmer	Rep.	76	Humboldt	44–45
Swift, Sam	Dubuque	56	Barber, Barber Supplies	Dem.	69	Dubuque	45
Teter, L. D.	Knoxville	63	Attorney	Rep.	26	Marion	45
Thies, William	Avoca	72	Retired Farmer	Dem.	31	Pottawattamie	45
Thiessen, J. H.	Camanche	62	Farmer	Dem.	45	Clinton	44–45
Treimer, Wm.	Hartley	46	Insurance	Dem.	82	O'Brien	45
Weed, A. R.	Winterset	55	Methodist Minister	Rep.	28	Madison	45
Wieben, Edward E.	Dysart	50	Lawyer	Dem.	50	Tama	
Wiese, Louis H.	Davenport	42	Salesman	Dem.	43	Scott	45
Willis, Blake	Perry	40	Lawyer	Rep.	36	Dallas	45
Wolf, A. W.	Hampton	57	Farmer, Brick, Tile	Dem.	74	Franklin	45
Yager, W. A.	Montgomery	44	Merchant, Insurance	Dem.	97	Dickinson	45
Zipse, Lloyd W.	Lawler	42	Farmer	Dem.	89	Chickasaw	45
Zylstra, Charles J.	Hawarden	41	Home Appliance Dealer	Dem.	81	Sioux	45

Digitized by Google

SENATORS—FORTY-FIFTH GENERAL ASSEMBLY—EXTRAORDINARY SESSION

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Anderson, Paul H.	Harcourt	41	Farmer, Feeder	Dem.	27	Webster, Calhoun	45
Aschenbrenner, Carl	Pella	65	Physician, Surgeon	Dem.	15	Marion, Monroe	45
Baldwin, Howard C.	Cascade	29	Publisher	Dem.	35	Dubuque	
Beardsley, Wm. S.	New Virginia	31	Pharmacist, Jeweler	Rep.	11	Clarke, Warren	45
Beatty, Frank M.	Sigourney	40	Lawyer	Rep.	12	Poweshiek, Keokuk	42-42X-43-44-45
Bennett, Oliver P.	Mapleton	40	Lawyer, Farmer	Rep.	34	Crawford, Harrison, Monona	43-44-45
Booth, Chas. D.	Harlan	62	Business Man, Farmer	Rep.	18	Cass, Shelby	42-42X-43-44-45
Byers, Frank C.	Cedar Rapids	49	Lawyer	Rep.	26	Linn	43-44-45
Calhoun, John N.	Keosauqua	29	Lawyer, Farmer	Rep.	2	Jefferson, Van Buren	45
Carden, William	Winfield	56	Insurance, Banker, Farmer	Rep.	10	Washington, Henry	29-30-31-42-42X-43-44-45
Chrystal, I. G.	Coon Rapids	47	Farmer	Dem.	48	Carroll, Greene, Sac	45
Coykendall, Frank I.	Shenandoah	54	Farmer	Dem.	7	Fremont, Page	44-45
Doze, J. E.	Humeston	78	Automobile Dealer	Dem.	4	Lucas, Wayne	35-36-45
Elthon, Leo	Fertile	34	Farmer	Rep.	41	Mitchell, Winnebago, Worth	45
Fisch, Mike G.	Le Mars	40	Clothier, Salesman	Dem.	46	Cherokee, Ida, Plymouth	45
Frailey, Joe R.	Fort Madison	56	Lawyer	Rep.	1	Lee	36-37-38-39-42-42X-43-44-45
Geske, M. X.	McGregor	61	Lawyer	Dem.	36	Clayton	45
Harrington, Vincent F.	Sioux City	29	Mortgage Banker	Dem.	32	Woodbury	45
Hicklin, E. R.	Wapello	37	Lawyer	Rep.	20	Louisa, Muscatine	44-45
Hill, Lafe	Nora Springs	66	Publisher	Rep.	44	Chickasaw, Floyd	41-42-42X-43-44-45
Hopkins, Geo. M.	Guthrie Center	66	Farmer	Rep.	17	Audubon, Dallas, Guthrie	42-42X-43-44-45
Hush, Homer	Essex	43	Farmer	Rep.	8	Mills, Montgomery	43-44-45
Husted, Ora E.	Truro	56	Farmer	Rep.	16	Adair, Madison	44-45
Irwin, Harold L.	DeWitt	35	Lawyer	Dem.	22	Clinton	44-45
Kimberly, D.W.	Davenport	54	Retired Farmer	Rep.	21	Scott	36-37-38-39-40-40X-41-42-42X-43-44-45
Klemme, Wm. H.	Ridgeway	83	Lumber, Implements, Coal	Rep.	42	Howard, Winneshiek	25-26-27-42-42X-43-44
Knudson, Irving H.	Ellsworth	36	Insurance, Real Estate Auct.	Rep.	37	Hamilton, Hardin, Wright	45 41-42-42X-43-44-45
Leo, Richard V.	Dysart	44	Farmer	Rep.	45	Tama, Benton	
Meyer, L. H.	Readlyn	55	Farmer, Live Stock Buyer	Dem.	39	Bremer, Butler	45
Miller, Henry D.	Morley	65	Farmer, Stockman	Dem.	24	Cedar, Jones	45
Miller, Warren F.	Independence	66	Editor	Dem.	33	Buchanan, Delaware	45
Moore, Morris	Walnut	58	Physician, Surgeon	Dem.	19	Pottawattamie	45

Digitized by Google

SENATORS—FORTY-FIFTH GENERAL ASSEBLY—EXTRAORDINARY SESSION—Continued

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Mullaney, T. W.	Waukon	49	Farmer, Stockman, Auct.	Dem.	40	Allamakee, Fayette	45
McArthur, Wm.	Mason City	46	Farmer	Dem.	43	Cerro Gordo, Franklin, Hancock	45
Nelson, Fred W.	Nevada	46	Farmer	Rep.	31	Story, Boone	43–44–45
Patterson G. W.	Burt	45	Farmer	Rep.	47	Kossuth, Emmet, Palo Alto, Dickinson, Clay	40 40X–41–42–42X–43–44–45
Pendray, Carolyn C.	Maquoketa	51	Homemaker	Dem.	23	Jackson	43–44–45
Reese, Chris	Marshalltown	51	Newspaperman	Dem.	28	Marshall	45
Ritchie, W. R.	Marathon	65	Farmer, Auctioneer	Rep.	50	Buena Vista, Pocahontas, Humboldt	44–45
Roelofs, Garritt E.	Sioux Center	32	Editor, Publisher	Rep.	49	Lyon, O'Brien, Osceola, Sioux	45
Schmidt, Paul W.	Iowa City	46	Manufacturer, Jobber	Dem.	25	Iowa, Johnson	45
Shangle, L. T.	Oskaloosa	69	Retired Lawyer, Farmer	Dem.	14	Mahaska	45
Stanley, Claude	Corning	60	Lawyer	Rep.	6	Adams, Taylor	45
Stevens, Frank M.	Garden Grove	60	Merchant	Dem.	5	Decatur, Ringgold, Union	45
Stevens, Roy E.	Ottumwa	54	Merchant, Dairy Farming	Dem.	13	Wapello	44–45
Topping, Clyde H.	Burlington	48	Real Estate	Rep.	9	Des Moines	42 42X 43 44–45
Tripp, D. Myron	Newton	50	Lawyer	Dem.	29	Jasper	45
Valentine, John K.	Centerville	28	Lawyer	Dem.	3	Appanoose, Davis	45
Wenner Edw. J.	Waterloo	52	Lawyer	Rep.	38	Black Hawk, Grundy	44–45
Wilson Geo. A.	Des Moines	48	Lawyer	Rep.	30	Polk	42–42X–43–44–45

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 6, 1933.

Pursuant to the proclamation of the Governor, convening the Forty-fifth General Assembly in extra session the House was called to order at 10:00 o'clock a. m. by Honorable George E. Miller, Speaker of the House.

Prayer was offered by Aimee Semple McPherson, pastor of Angelus Temple, Los Angeles, California.

On motion of Gallagher of Iowa, Virgil Lekin was made acting chief clerk.

Mr. Lekin presented himself to the Speaker and subscribed to the following oath:

I do solemnly swear that I will support the Constitution of the United States and of the State of Iowa, and that I will faithfully perform the duties of my office to the best of my ability, so help me God.

VIRGIL LEKIN.

PROCLAMATION BY THE GOVERNOR

To the Senate and House of Representatives of the Forty-fifth General Assembly:

Whereas, It is deemed necessary and expedient to the Governor of the State of Iowa that certain measures concerning the tax revision, liquor control, emergency relief and other matters of vital public interest be enacted into legislation as speedily as possible, and

Whereas, Because of, and by virtue of the urgent necessity of such legislation as aforesaid, an extraordinary occasion exists within the contemplation of Section Eleven (11), Article Four (IV) of the Constitution of the State of Iowa.

Now, Therefore, I, Clyde L. Herring, Governor of Iowa, do hereby convene the Forty-fifth General Assembly in special session commencing on Monday, November sixth, 1933, at ten o'clock in the morning, for the

Digitized by Google

purpose of enacting legislation on the various matters hereinbefore referred to.

In Testimony Whereof, I have hereunto affixed my signature and impression of the Great Seal of the State of Iowa.

(SEAL)

Done at Des Moines, this thirteenth day of October, A. D., 1933.

CLYDE L. HERRING
Governor of Iowa.

ATTEST:
MRS. ALEX MILLER
Secretary of State.

ELECTION OF SPEAKER PRO TEMPORE

On motion of Foster of Cedar, Donlon of Palo Alto was unanimously elected Speaker pro tempore for the extra session.

Mr. Donlon was escorted to the desk and the oath of office was administered to him by Acting Chief Clerk Lekin.

CREDENTIALS OF NEW MEMBERS

The following communication was received from the office of the Secretary of State:

To the Honorable Speaker of the House of Representatives:

I have the honor to transmit herewith certified list of newly elected members to the House of Representatives as shown by the returns of the special elections held since adjournment of the Forty-fifth General Assembly (Regular Session).

Respectfully,
MRS. ALEX MILLER,
Secretary of State.

CERTIFICATE

I, Mrs. Alex Miller, Secretary of State of the State of Iowa, custodian of the records pertaining to elections in the state,

Do Hereby Certify That at special elections held since the adjournment of the 45th General Assembly (Regular Session), the following persons were elected to fill vacancies in the House of Representatives:

Clay County—A. H. Avery (Republican)
Jackson County—George Schlatter (Democratic)
Tama County—E. E. Wieben (Democratic)
Osceola County—C. L. Fletcher (Republican)

In Testimony Whereof, I have hereunto set my hand and affixed my official seal this 6th day of November, A. D., 1933.

(SEAL)

MRS. ALEX MILLER, *Secretary of State.*

Digitized by Google

The newly elected members presented themselves at the desk of the Acting Chief Clerk and took and subscribed to the following oath of office:

I do solemnly swear that I will support the Constitution of the United States and of the State of Iowa, and that I will faithfully and impartially perform the duties of the office of representative in the General Assembly of Iowa according to law and to the best of my ability, so help me God.

E. E. WIEBEN
GEORGE SCHLATTER
A. H. AVERY
C. L. FLETCHER.

The Speaker announced the presence of a quorum.

PERMANENT CHIEF CLERK

Moore of Harrison moved that Virgil Lekin be made permanent Chief Clerk of the House. Motion prevailed.

COMMITTEE TO NOTIFY GOVERNOR

Burgess of Woodbury moved that a committee of three be appointed to notify the Governor that the House was duly organized and ready to receive any communication he may desire to transmit. Motion prevailed and the Speaker appointed Burgess of Woodbury, McKinnon of Henry and Casey of Mitchell.

COMMITTEE TO NOTIFY THE SENATE

Mitchell of Webster moved that a committee of three be appointed to notify the Senate that the House was duly organized and ready to receive any communication it may desire to transmit. Motion prevailed and the Speaker appointed Mitchell of Webster, Rice of Keokuk and Koch of Bremer.

COMMITTEE TO SELECT COMMITTEE CLERKS

Mercer of Johnson moved that a committee of three be appointed to select the committee clerks for the Extra Session. Motion prevailed and the Speaker appointed Mercer of Johnson, Roe of Allamakee and Augustine of Ringgold.

COMMITTEE ON MILEAGE

Peaco of Clinton moved that a committee of three be appointed to ascertain the mileage due each member and report to the House.

Digitized by Google

Motion prevailed and the Speaker appointed Peaco of Clinton, Bouska of Howard, and Davis of Appanoose.

COMMITTEE TO ARRANGE FOR MINISTERS

Weed of Madison moved that a committee of one be appointed to arrange for ministers to open the House sessions with prayer. Motion prevailed and the Speaker appointed Weed of Madison.

ADOPTION OF RULES

Foster of Cedar moved that the Rules of the Regular Session of the House of Representatives of the Forthy-fifth General Assembly be adopted as temporary rules of the Extra Session. Motion prevailed.

SEATING OF MEMBERS

McCreery of Linn moved that the holdover members occupy the same seats held during the last session and new members occupy the seats held by their respective predecessors, except as arranged for by exchange of seats in the proceedings of the House Journal of the Forty-fifth General Assembly on April 20, 1933. Motion prevailed.

Stansell of Clarke offered the following concurrent resolution:

HOUSE CONCURRENT RESOLUTION NO. 1

Resolved by the House, the Senate concurring, That a joint convention of the two houses be held Tuesday, November 7th at 10:00 a. m. and that the Governor be invited to deliver his message to the General Assembly at that time.

Be It Further Resolved, That the Lieutenant Governor and the Speaker of the House extend this invitation to the Governor.

Unanimous consent having been obtained for the immediate consideration of the resolution Stansell of Clarke moved its adoption.

Motion prevailed and the resolution was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Reed of Mahaska, indefinitely, on account of accident, on request of Gallagher of Iowa; Porter of Delaware, indefinitely, on account of sickness, on request of Fuelling of Clayton.

Digitized by Google

BIRTHDAY TRIBUTE TO SPEAKER MILLER

Donlon of Palo Alto, on behalf of the members of the House, with appropriate remarks presented Speaker Miller with a beautiful bouquet of flowers on the occasion of his fifty-seventh birthday.

Speaker Miller responded, expressing appreciation and thanks for the kind remembrance.

On motion of Johnson of Linn the House adjourned until 10:00 a. m., Tuesday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 7TH, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. E. J. Laird, Spanish-American war veteran and retired minister of the Methodist Church, Des Moines, Iowa.

Journal of November 6th corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Brady of Pottawattamie indefinitely on account of sickness, on request of McCarthy of Woodbury.

INVITATION TO HEAR GEN. HUGH JOHNSON

A letter from J. J. Hughes, chairman of the State Recovery Board, inviting the House to attend the address of Gen. Hugh Johnson at the Shrine Temple in Des Moines on Wednesday afternoon at 2:00 o'clock, was read.

On motion of Crouch of Greene the House adjourned until 10:00 o'clock a. m. Wednesday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 8, 1933.

House met pursuant to adjournment at 10:00 o'clock a. m. Speaker Miller in the chair.

Prayer was offered by Dr. E. G. Williams, Westminster United Presbyterian Church, Des Moines, Iowa.

Journal of November 7 corrected and approved.

COMMITTEE FROM THE SENATE

A committee from the Senate appeared and notified the House that the Senate was duly organized and ready to receive any communication that the House might wish to transmit.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 1 relative to a joint convention of the two houses, to which the Governor is to be invited to deliver his message.

Also, that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 1 relative to the appointment of a joint committee to draft a joint resolution setting forth the pay scale and authorizing the payment of salaries to the officers and employees of the General Assembly.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENT TO HOUSE CONCURRENT RESOLUTION NO. 1

Amend House Concurrent Resolution No. 1 by striking the words

Digitized by Google

"Tuesday, November 7th, at 10:00 a. m." and inserting in lieu thereof the words "Wednesday, November 8, at 11:00 a. m.".

SENATE MESSAGES CONSIDERED

Stansell of Clarke called up Senate amendments to House Concurrent Resolution No. 1 and asked and obtained unanimous consent for its immediate consideration.

The House concurred in the Senate amendments.

Fabritz of Wapello called up Senate Concurrent Resolution No. 1 and asked and obtained unanimous consent for its immediate consideration.

SENATE CONCURRENT RESOLUTION NO. 1

Be It Resolved by the Senate, the House concurring, **That the President of the Senate be authorized to name a committee of three to work in conjunction with three members of the House, to be named by the Speaker, to draft a joint resolution setting forth the pay scale and authorizing the payment of salaries to the officers and employees of the General Assembly.**

The resolution was adopted and the Speaker appointed as members of such committee on the part of the House, Fabritz of Wapello, Moore of Benton and Peaco of Clinton.

Koch of Bremer offered the following concurrent resolution:

HOUSE CONCURRENT RESOLUTION NO. 2

Be It Resolved by the House, the Senate concurring, **That a joint committee of six members to be appointed, three from the Senate to be appointed by the President, and three from the House to be appointed by the Speaker, to nominate such additional employees other than Committee Clerks as may be necessary for the work of this session and that the committee recommend the position to be filled.**

Unanimous consent having been granted for the immediate consideration of the resolution, Mr. Koch moved its adoption.

Digitized by Google

Motion prevailed and the resolution was adopted. As members of such committee, the Speaker appointed the following: Koch of Bremer, Gallagher of Iowa and Rawlings of Monona.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 2 concerning the appointment of a joint committee on extra help. The President appointed as members of the Senate committee Senators Kimberly, Ritchie and Harrington.

BYRON G. ALLEN, *Secretary.*

REPORT OF COMMITTEE ON MILEAGE

Peaco of Clinton, chairman of the committee on mileage, submitted the following report and moved its adoption:

MR. SPEAKER: Your committee appointed to fix the mileage due each member, begs leave to submit the following report:

Name	Miles	Amt.	Name	Miles	Amt.
Aldrich, R. E. Lee	88	$ 8.80	Felter, Victor	18	$ 1.80
Alesch, Gustave	212	21.20	Fletcher, C. L.	225	22.50
Augustine, F. D.		None	Foster, LaMar P.	149	14.90
Avery, A. H.	158	15.80	Frizzell, J. W.	70	7.00
Beath, F. H.	111	11.10	Fuelling, Otto	275	27.50
Beswick, C. L.	139	13.90	Fuester, C. E. R.	151	15.10
Bonnstetter, A. H.	150	15.00	Gallagher, J. P.	100	10.00
Bouska, Joseph D.	190	19.00	Garner, Ada	128	12.80
Bowers, L. C.	90	9.00	Gissell, W. H.	155	15.50
Brady, John F.	140	14.00	Gittinger, G. J.	52	5.20
Bruce, Marion	107	10.70	Goode, Dewey E.	110	11.00
Burgess, James	210	21.00	Grau, O. J.	151	15.10
Casey, Jas. G.	165	16.50	Grell, Christian	190	19.00
Craven, J. E.	44	4.40	Hanson, Arthur C.	250	25.00
Crouch, S. B.	80	8.00	Hanson, H. N.	165	16.50
Cunningham, Paul H.		None	Hartman, Henry M.	168	16.80
Davis, Forest	96	9.60	Hook, Chas. S.	123	12.30
Dean, Earl M.	130	13.00	Hopp, R. C.	150	15.00
Dole, J. Wilbur	117	11.70	Hough, H. B.	132	13.20
Donlon, P. H.	165	16.50	Hultman, O. N.	132	13.20
Doran, Ben B.	61	6.10	Humeston, Alva	70	7.00
Dreessen, Wm. J.	130	13.00	Jenkins, John J.	150	15.00
Durant, S. B.	155	15.50	Jensen, T. G.	97	9.70
Elliott, E. A.		None	Johnson, Elmer A.	142	14.20
Ellsworth, E. O.	76	7.60	Koch, William	133	13.30
Fabritz, Ernest H.	93	9.30	Laughlin, E. P.	160	16.00
Falvey, M. C.	69	6.90	Lichty, E. M.	108	10.80

Digitized by Google

Name	Miles	Amt.	Name	Miles	Amt.
Lookingbill, C. E.	30	$ 3.00	Ryder, John	225	$22.50
McCarthy, F. J.	210	21.00	Schlatter, Geo.	237	23.70
McCreery, D. R.	160	16.00	Schmitz, T. F.	200	20.00
McDermott, John	110	11.00	Schroeder, John H.	112	11.20
McFarlane, Arch W.	108	10.80	Sheridan, William R.	192	19.20
McKinnon, Curtis L.	147	14.70	Smith, William H.	190	19.00
McLean, Don V.	63	6.30	Snyder, Frank G.	73	7.30
Malone, C. E.	82	8.20	Sours, Roy J.	160	16.00
Maniece, E. J.	200	20.00	Speidel, John	125	12.50
Mercer, Leroy S.	125	12.50	Stansell, M. R.	58	5.80
Metcalf, B. L.	149	14.90	Stanzel, Geo. C.	133	13.30
Miller, Geo. E.	100	10.00	Stewart, Andrew	98	9.80
Millhone, Paul L.	136	13.60	Stimpson, Thomas	175	17.50
Mitchell, John H.	100	10.00	Strachan, W. H.	104	10.40
Moore, Chas. D.	142	14.20	Swift, Sam	225	22.50
Moore, R. G.	144	14.40	Teter, L. D.	38	3.80
Mooty, W. A.	80	8.00	Thies, William	101	10.10
Osborn, Walter	68	6.80	Thiessen, J. H.	225	22.50
Ostby, Paul I. D.	142	14.20	Treimer, William R.	207	20.70
Paisley, William	165	16.50	Weed, A. R.	30	3.00
Peaco, Milton	225	22.50	Wieben, E. E.	105	10.50
Peet, R. Arno	58	5.80	Wiese, Louis H.	175	17.50
Porter, E. B.			Willis, Blake	36	3.60
Rawlings, Ed.	199	19.90	Wolf, A. W.	100	10.00
Reed, I. M.	62	6.20	Yager, W. A.	200	20.00
Rice, C. L.	80	8.00	Zipse, Lloyd W.	180	18.00
Roe, Ove T.	265	26.50	Zylstra, Charles J.	250	25.00

MILTON PEACO, *Chairman*
J. D. BOUSKA
F. DAVIS.

COMMITTEE TO NOTIFY THE SENATE

Osborne of Decatur moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention. Motion prevailed, and the Speaker appointed as such committee Osborn of Decatur, Metcalf of Muscatine and Doran of Boone.

The committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that it had performed its duty. The report was accepted and the committee discharged.

The sergeant-at-arms announced the arrival of the President of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station; the secretary to the chief clerk's desk; and the members of the Senate took seats in the west side of the chamber.

Digitized by Google

JOINT CONVENTION

In accordance with concurrent resolution duly adopted the Joint Convention was called to order, President Kraschel presiding.

President Kraschel announced the presence of a quorum.

Malone of Cass moved that a committee of two, consisting of one member from the Senate and one member from the House, be appointed to notify the Governor that the Convention was ready to receive him. Motion prevailed and the President appointed Senator Booth of Shelby on the part of the Senate and Representative Malone of Cass on the part of the House.

The committee waited upon the Governor and escorted him to the speaker's station.

President Kraschel then presented Governor Clyde L. Herring who delivered the following message:

GOVERNOR'S MESSAGE

Mr. President, Mr. Speaker, Members of the Forty-fifth General Assembly and Fellow Citizens:

Pursuant to authority conferred upon me by the constitution, and because it appears advisable and necessary, you have been convened in extraordinary session. I desire to point out briefly, the reasons for such special session.

In the regular session, early in the year, it was conceded by all, that some form of tax revision was necessary. At my request, however, the General Assembly postponed consideration of such legislation pending a study of the entire taxation system in the light of present conditions.

I pledged at that time that I would, immediately upon conclusion of such survey by an Interim Tax Committee composed of members of this General Assembly, call the Legislature in extraordinary session to consider the report of this committee, and such other emergency legislation as conditions might indicate.

In addition to tax revision, there now are several other pressing matters which demand early and definite action.

Very substantial reductions in taxation have been effected due to the action of this General Assembly at its regular session, and there have been large reductions in the expenditures of the various departments of government due to careful administration.

Digitized by Google

The tax burden in 1930 was in excess of $110,000,000. In 1931 there was a reduction of approximately ten millions of dollars, and in 1932 a further reduction of approximately nine millions of dollars.

The estimates of the Board of Assessment and Review indicate that under assessments made this year, to be collected next year, there will be a further reduction of about fifteen millions, bringing the property tax payable in 1934 down to approximately seventy-five millions of dollars.

Inasmuch as approximately thirty million dollars per annum is needed to meet the annual maturities of bonds and interest payments, and relying upon the estimates made by the Board of Assessment and Review that state government in its present form cannot be conducted for much less than forty millions of dollars per annum, it appears we are rapidly approaching a point below which, until we have effected some re-organization of state and local government, we may not go without serious curtailment of necessary governmental services. Therefore, we must look to tax revision for further relief.

Despite these decreases in the amount of our total tax burden on property, there is a persistent and well justified demand that new sources of revenue be provided.

I well know that the members of this legislature and the people of Iowa do not desire to tap new sources of revenue merely to provide additional moneys to be spent. They desire a reduction of the burden on property, and our consideration of the tax revision must carry with it constantly the thought and purpose that tax revision that does not afford tax relief to property is in effect no relief.

A special tax committee of the Senate, created in the last session, together with a special committee from the House, appointed by the Speaker, composed of five members each, has been engaged for several months past in cooperation with the Interim Committee in a study of tax revision.

In August, these fourteen members of the General Assembly, and the one member designated by the Governor, received the report of the survey made for this committee by the Brookings Institution. I have observed the work of this joint committee of fifteen members and I take this occasion to commend them for the work that they have done at a great sacrifice of time and energy, and with no compensation except the satisfaction of public service well done.

The report of these committees to the special session proposes

Digitized by Google

genuine property relief measures—measures intended to provide new sources of revenue to relieve property insofar as the yield of new revenues will permit. There will also be submitted a measure for budget control and review of levies designed to make the new taxes, insofar as possible, a shifting of the burden from property—a replacement in fact.

In the last twenty years tax revision has been repeatedly before the Legislature. The measures have been defeated for various reasons and I am hopeful that in this present emergency, we will enact into law definite measures that will relieve the burden on property, so safeguarded as to prevent, insofar as may be, a consequent increase in the total tax bill.

During the regular session of the Forty-fifth General Assembly certain remedial and corrective legislation was passed due to the economic conditions and emergencies that had arisen affecting our state banks. Since the adjournment of the regular session, the National Congress passed what is known as the Banking Act of 1933, which provides for the establishment of a Federal Deposit Insurance Corporation. Before a bank can become a member of the Insurance Corporation it must comply with certain standards set up and required by the Corporation. As an aid to banks, so that they may qualify to become members of the Insurance Corporation, the Reconstruction Finance Corporation has initiated a program to assist banks to prepare themselves for qualifications to become members of the Insurance Corporation by taking preferred stock or issuance of capital debenture notes. The Reconstruction Finance Corporation will not, however, take preferred stock which is subject to double liability. The Banking Act of 1933 also provides that the double liability imposed upon shareholders of National Banking Associations shall not apply to respective shares in any such National Association issued after the date of the enactment of the Act, which was June sixteenth, 1933. Under our present law this gives National Banks an advantage over state banks. The insuring of deposits in banks becomes effective January 1, 1934. Therefore, new legislation that is proper and necessary must be passed without delay.

Since the adjournment of your regular session, a sufficient number of the states of the Union have voted favorably upon the repeal of the Eighteenth Amendment to the Constitution of the United States. It is probable that during the period of your session enough states will have ratified the Twenty-first Amendment to the Constitution to cause it to become operative. For that reason it

Digitized by Google

becomes imperative for us to consider the form of legislation to be adopted to control the sale of intoxicating liquor in the state of Iowa.

In the selection of delegates to the Constitutional Convention held last June, the people of Iowa recorded their sentiment for repeal of the Eighteenth Amendment. In my address to the Constitutional Convention in July, I stated that I considered the result of the June election an expression by the people of Iowa for temperance as opposed to prohibition. I further stated that I believed the people of Iowa, through their Legislature would in the event of repeal, adopt practical laws, which would represent the will of our people, and also promote the cause of temperance.

When I observed the rapidity and unanimity with which the various states voted for repeal, I considered it appropriate to appoint a committee of citizens of the state, to serve without compensation, to make a study of the various methods of liquor control, in order that when you assembled in this session you might have the benefit of such facts and recommendations as they saw fit to submit. We have been fortunate in having on that committee some of the best citizens of our state. They have given generously of their time and have submitted to me a report which I shall transmit to your Honorable Body for such aid as it may be to you in the enactment of necessary legislation.

Many of us have held views on the question of the sale of intoxicating liquors which the experiences under the operation of the Eighteenth Amendment have caused us to change. The opinions of some have not yet changed. However, upon the repeal of the Eighteenth Amendment, we will be confronted with a practical problem and it must be dealt with in a practical way.

I ask that after most careful consideration of the facts and recommendations contained in this report, there be enacted into law a measure which will provide adequate control of the sale of intoxicating liquors and at the same time promote the cause of temperance.

In your regular session, you enacted House Files 350 and 193, relating respectively to the extension of the redemption period and emergency delay of foreclosures.

Since these acts became effective my attention has been called to many instances in which mortgagors without funds to employ counsel, or those uninformed as to the provisions of the law, have not interposed the demand which would bring to them the benefits of these acts.

Digitized by Google

It is suggested, therefore, that your body consider the advisability of so amending the moratorium provision so that the moratorium will automatically apply unless the mortgagor shall voluntarily waive the provisions with reference thereto.

Since last January, the state has had the benefit of contributions by the Federal Government for the relief of destitute persons. Approximately three and one-half millions of dollars have been paid to me by the Federal Government for distribution, under my direction, as need arose. Many of our counties have almost reached the limit of their ability to meet these federal aid allotments or to fund payments for relief of the destitute. The committee which has administered the federal funds in Iowa has acted without compensation and has performed the work in a manner for which all the people of this state should be grateful. This committe now reports to me that after January first, federal funds will be no longer available unless the state provides an amount on the basis of at least two dollars for each one dollar the Federal Government contributes. Until the 46th General Assembly convenes in 1935, it is important that provision be made to permit the state to divert from its general fund such an amount as may be necessary to obtain federal aid.

The provisions which you will make for the use of state funds should include a grant of power to the Governor to handle these funds in the manner in which the federal funds have been handled for the past year. In this connection it is desirable that in the enactment of the legislation providing for new revenues you make provision for the diversion to relief of such an amount as may be necessary to accomplish the purposes I have suggested.

I should like to make a brief report to you of the condition of the state.

Since the dark days of last March, there has been a substantial improvement in Iowa and throughout the Nation.

Prices of our farm products, while still in no wise adequate, are substantially higher than the prices of last winter. Many people have been returned to work. The measure of improvement has not been as rapid as our citizens have hoped, yet we are encouraged by the progress that has been made.

In the light of unchanged world conditions, improvement in our state and within the Nation must, of necessity, result largely from national cooperation and a willingness to work together for the common good. We must take care lest, in our desire to proceed too rapidly toward recovery, we build unsoundly with the conse-

Digitized by Google

quent result that improvement will be temporary and the subsequent condition worse than the first.

In your consideration of the problems of this session you should be advised as to the state of our finances.

On January 1, 1933, the cash balance in the general fund of the state was $1,306,150.22 against which, as a liability, there were outstanding warrants of $300,000. On November first, 1933, the cash balance was $1,409,703.89 with an outstanding warrant account of $3,369,810.68, of which $2,959,396.52 are warrants stamped "Not Paid for Want of Funds," and bearing interest at 5%. This condition is due to a general falling off of receipts from all sources. For the past several years, receipts to the General Fund have been from seventeen to eighteen millions of dollars annually. In the last year, 1932, these receipts were $18,227,000, whereas for 1933 the receipts are but $12,601,000. This shows a reduction of income in excess of five millions of dollars. During this same period expenditures have been reduced in excess of two millions of dollars.

You should be advised that during the first quarter of this fiscal year, under the Comptroller Act, as contrasted with the first quarter of the last fiscal year, administration expenses were reduced from $1,083,000 to $788,000, a saving of approximately $300,000 in administration costs. Also the Board of Education and the Board of Control Institutions, for this same period, show a total of $2,720,000 for the first quarter of last year as compared with $1,930,000 for the similar period this year, or a saving of approximately $800,000. This makes a total of approximately $1,100,000 less in expenditures the first quarter under the Comptroller Act, as compared to the same quarter of last year.

By reducing these expenditures we have faced about and are now living within our income, whereas, expenditures of the past have been as much as $3,000,000 in excess of revenue.

With the application of economies instituted by the General Assembly by the administrative officials and the various purchasing bodies, we have for the first quarter under the Comptroller Act, receipts totaling $2,923,000 or $104,000 more than expenditures for the same period.

It had been hoped that your Interim Committee might be able to carry its investigation to a point that would have permitted them to recommend to us measures for governmental reorganization. They have reported, however, that the question of tax revision, upon which they have been engaged, together with the

Digitized by Google

Special Senate Committee and the Members of the House, has so largely occupied their time as to prevent submission of a report as to state government based upon the careful study, which the importance of the subject necessarily required. They have expressed a desire to submit, if possible, some proposals to this special session. However, you are already confronted with proposals which will challenge your full time and attention to the exclusion of those less pressing.

I issued a call for this special session confident that you would recognize the necessity for the legislative action suggested and confident that you would limit the duration of the session, thus reducing the cost to the minimum.

There can be no greater assurance of a successful session than that you proceed as in the forty-fifth Regular Session, with that fine spirit of harmony and cooperation which resulted in one of the most constructive legislative records in the history of the state.

In these trying days the people have the right to expect, yes, to demand of you as their legislators, and of me as their Chief Executive, that we shall look primarily and solely to their interests without thought of partisan or personal advantage. This we can do, and with the aid of providence we will do, to fulfill our obligation and discharge our responsibility to the people of Iowa.

Senator Anderson moved that the Joint Convention now arise.

Motion prevailed.

The House reconvened Speaker Miller in the chair.

OFFICERS OF THE HOUSE

Koch of Bremer moved that the following named persons be elected officers of the House:

Assistant Chief Clerk—Wm. F. Reinecke, Manchester.
Journal Clerk—H. A. Mitchell, Des Moines.
Engrossing Clerk—Hazel Showalter, Corydon.
Assistant Journal Clerk—Louise O'Connor, Imogene.
Enrolling Clerk—Margaret Garver, Des Moines.
Reading Clerk—P. L. Shutt, Independence.
Special Clerk—Jennie Gregg, Des Moines.
Filing Clerk—J. G. Cook, Des Moines.
Clerk of Enrolled Bills—Nona Adkins, Grinnell.
Bill Clerk—Herb Heyer, Sumner.
Assistant Bill and File Clerk—Harry Winters, Buffalo Center.
Postmistress—Mary Donovan, Iowa City.
Sergeant-at-Arms—Oley Nelson, Slater.

Digitized by Google

Assistant Sergeant-at-Arms—Jesse Gardner, Atlantic.

Porter—Henry McCraven, Des Moines.

Assistants to Porter—Peter Russell; Pearl Thomas, Cloakroom, Albia; Chas. A. Gross, Jr., Cloakroom, Sioux City; Adam Johnson Hall, Cloakroom, Council Bluffs.

Telephone Messenger—Forest Peterson, Graettinger.

Pages—James McDermott, Ida Grove; Bernard Marks, Des Moines; John Fitzgerald, Council Bluffs; Henry Bremhorst; Lucile Thomasson, West Liberty; Delvin Hunter; Robert Wolf; Harlow Ferring, Dubuque; John C. Schaap, Orange City, Dan Sherman.

Doorkeepers—Chief, P. L. Vining, Woodbine; Fred Rowold, Wheatland; S. F. Lundberg, Northwood; John M. Howell, Davis City; Jake Baker; C. H. Ullrich, Denison; John R. Gillman, Des Monies; Frank Crouch, Des Moines; Lawrence Gustafson, Des Moines; John T. Flemming, Cresco.

Assistant Electrician—John Dwyer, Des Moines.

Motion prevailed and the report was adopted and the officers duly elected.

The above named officers assembled at the desk and took and subscribed to the following oath:

I do solemnly swear that I will support the Constitution of the United States and the State of Iowa, and that I will faithfully perform the duties of my office to the best of my ability, so help me God.

On motion of Crouch of Greene the House adjourned until 10:00 a. m., Thursday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 9, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. S. A. Fulton, First Presbyterian Church, Des Moines, Iowa.

Journal of November 8 corrected and approved.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

Mercer of Johnson, chairman of the committee on committee clerks, submitted the following report and moved its adoption:

MR. SPEAKER: We, your committee, appointed to examine, select and assign committee clerks for the House of Representatives of the Forty-fifth General Assembly, Extra Session, beg leave to submit the following selections and assignments:

Allely, Jennie—Durant.
Alton, Louise—Sheridan.
Atz, Kathryn—Stansell.
Barker, Lucile—Gittinger, Stimpson.
Berg, Helen—Jenkins, Snyder.
Brase, Leona—Maniece, Moore of Harrison.
Buck, Vera—Hopp, Metcalf.
Canfield, Margaret—Mercer.
Conroy, Mercedes—Crouch, Goode.
Crowley, Mary—McCarthy.
Derr, Evelyn—Bouska, Schmitz.
Diekmann, Charlotte—Koch.
Doller, Bernice—Fabritz.
Dugan, Dwight—Moore of Benton, Wieben.
Engle, Viola—Avery, Fletcher.
Evans, Mabel—Aldrich, Lichty.
Fergason, Gertrude—Johnson.
Frazier, Harriette—Hultman, Lookingbill.
Free, Margaret—Ellsworth.
Hanson, Josephine—Hanson of Winnebago, Strachan.
Horras, Letha—Rawlings.
Hayes, Luella—Augustine.
Hoeye, Mabel M.—Beswick, Dole.
Hony, Catherine—Gallagher.
Johnson, Margaret—Donlan.
Johnson, Norya—Dean, Sours.

Digitized by Google

Jost, Frieda—Ostby, Zipse.
Keller, Isabelle—Humeston.
Kern, Dorothy—Grell, Wiese.
Kingsley, Henry—Fuelling, Swift.
Kitzman, Katherine—Davis, Rice.
Lake, Maude L.—Peaco, Thiessen.
Lawson, Dona—Cunningham, Frizzell.
Lawther, Dorothy B.—Teter, Treimer.
Lewis, Dorothy M.—Mooty, Peet.
Long, Wanda—Elliott.
Laughlin, Lucille—Laughlin.
McNerney, Margaret—Burgess.
Moehn, Edna—Hartman.
Morley, Evelyn—Felter, Hook.
Morrisey, Veronica—Falvey.
Murray, Viola—Paisley, Ryder.
Nafke, Dorethy—Schlatter, Stewart.
Nelson, Marion—Mitchell.
O'Hagan, Lucille—McFarlane.
Peterson, Frances—Doran, Yager.
Peterson, Isola—McDermott, Roe.
Putzier, Charlotte—Osborn.
Randall, May—Foster, Thies.
Ranney, Mary—Hough, Porter.
Rogers, Zora—Grau, McLean.
Russell, Maude—Gissel.
Sacquety, Faye—Fuester, Smith.
Schroeder, Dolores—Dreessen, Schroeder.
Shafer, Archie—Jensen.
Spitler, Zoe—McCreery.
Symonds, Eileen—Beath, Bowers.
Tapley, Mildred—Bruce, Stanzel.
Thomas, Ruth—Craven.
Vaughn, Viona—Millhone, Weed.
Walsh, Kathryn—Bonnstetter, Casey.
Walker, Merwyn—Malone.
Wallett, Helen—Zylstra.
Ward Hazel—Hanson of Lyon, Speidel.
Warner, Darline—Willis.
Wictor, Margurite—Alesch, McKinnon.
Winter, Mary E.—Brady.
Zimmerman, Pauline—Garner, Wolf.

LEROY S. MERCER, *Chairman*
F. D. AUGUSTINE
OVE T. ROE
Committee.

Report adopted.

Digitized by Google

LEAVE OF ABSENCE

Leave of absence was granted as follows: Zipse of Chickasaw for the day, on request of Bonnstetter of Kossuth; Grell of Scott for the balance of the week, on request of Wiese of Scott.

REPORT OF JOINT COMMITTEE ON EXTRA HELP

Your committee on extra help begs leave to make the following report:

Assistant Law Research—Loretta Vrooman.

Assistant Research—Charles Lindenau.

Stenographer and Typist for Librarian and his office—Winifred McGuire.

Page to Librarian and his office—Hillis Carlton.

Stenographer for Economics and Sociology Division of Library—Marion Wood.

Legislative Assistant in Economics and Sociology Department of Library—Chester M. Larson.

Assistant Messenger to Mail Carrier—Jack Dolan.

Assistant Matron—Gertrude North.

Elevator Tenders—Rice Shaffer, Bert Stumme.

Janitors—Frank Shaffer, J. W. Cristensen, Alvin J. Crail, Fred Ballard, R. Aulman, J. Chochalka, Wm. Salzer, and Herschel Hubbard.

D. W. KIMBERLY
WM. KOCH
J. P. GALLAGHER
ED. RAWLINGS
W. H. RITCHIE
VINCENT F. HARRINGTON.

On motion of Koch of Bremer, report was adopted.

INTRODUCTION OF BILLS

House File No. 1, by Dean of Cerro Gordo, Fabritz of Wapello, Grau of Buena Vista, Mercer of Johnson, Rice of Keokuk and Speidel of Washington, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; and to repeal all laws or parts of laws in conflict herewith.

Read first and second times and passed on file.

House File No. 2, by Burgess of Woodbury, a bill for an act to

Digitized by Google

amend section forty-nine hundred eight (4908), Code, 1931, relating to Motor Vehicle fees.

Read first and second times and passed on file.

House Joint Resolution No. 1, by Garner of Butler, a resolution ratifying a proposed amendment to the Constitution of the United States of America, relative to the labor of persons under eighteen (18) years of age.

Whereas, both houses of the sixty-eighth Congress of the United States of America, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America, to-wit:

"JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

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 articles is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ARTICLE.....

"Section 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

"Sec. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

Now, therefore,

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

Section 1. That the said proposed amendment to the constitution of the United States of America as set forth herein be and the same is hereby ratified and consented to by the state of Iowa and by the General Assembly thereof.

Sec. 2. Be it further resolved and enacted, that copies of this enactment and resolution, certified by the secretary of state, be forwarded by the governor of this state to the secretary of State of the United States at Washington, D. C., and to the presiding officer of each house of the Congress of the United States.

Read first and second time and passed on file.

Foster of Cedar submitted the following report from the joint committee on rules.

REPORT OF JOINT COMMITTEE ON RULES

MR. SPEAKER: Your Committee on Rules begs leave to report that they have met with the members of the Senate Committee on Rules and recom-

Digitized by Google

mend that the joint rules of the Forty-fifth General Assembly in regular session, be adopted as the joint rules of the Forty-fifth General Assembly in extraordinary session, with the following amendments:

Part 1. Amend Rule 2 by inserting after the word "doorkeeper" in line four (4) the words "or sergeant-at-arms".

Part 2. Amend Rule 6 by striking "by the speaker of the house of representatives, and then by the president of the senate" and inserting in lieu thereof the following: "by the presiding officer of the house in which the bill originated and then by the presiding officer of the other house".

Part 3. Amend Rule 12, line one (1) of page twenty-two (22), by inserting after the quotation (") and before the word "substitute" the following: "Senate (or House)".

Part 4. Strike all of Rule 18.

LAMAR FOSTER, *Chairman*
On the Part of the House.
H. L. IRWIN, *Chairman*
On the Part of the Senate.

Passed on file.

On motion of Speidel of Washington, House adjourned to 10 o'clock a. m. Friday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 10, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven of the A. M. E. Church, Des Moines, Iowa.

Journal of November 9th corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Hopp of Mills for the day, on request of Hanson of Lyon; Mitchell of Webster for the day, on request of Cunningham of Polk; Hartman of Des Moines for the day, on request of Augustine of Ringgold; Sours of Floyd for the day on request of Dole of Jefferson; Beswick of Van Buren for the day, on request of Dole of Jefferson; Jenkins of Louisa for the day, on request of Stimpson of Jones; Snyder of Hamilton for the day, on request of Stimpson of Jones; Johnson of Linn for the day, on request of Augustine of Ringgold; Wiese of Scott for the day, on request of McKinnon of Henry; Jenson of Audubon for the day, on request of Stimpson of Jones; Foster of Cedar for the day, on request of Stimpson of Jones; Moore of Harrison for the day, on request of Maniece of Emmet; Rice of Keokuk for the day, on request of Bonnstetter of Kossuth; Beath of Adams for the day, on request of Bowers of Union; Durant of Hancock for the day, on request of Roe of Allamakee; Grau of Buena Vista for the day, on request of McLean of Marshall; Bouska of Howard for the day, on request of McLean of Marshall; Smith of Cherokee for the day, on request of Fuester of Ida; Dreesen of Crawford for the day, on request of Schroeder of Carroll; Fuelling of Clayton for the day, on request of Swift of Dubuque; McDermott of Adair for the day, on request of Roe of Allamakee; Hanson of Winnebago for the day, on request of Roe of Allamakee; Dean of Cerro Gordo for the day, on request of Dole of Jefferson, Aldrich of Wright, on request of Stimpson of Jones.

REPORTS OF COMMITTEES

Foster of Cedar, from the committee on rules, submitted the following report:

MR. SPEAKER: Your committee on rules begs leave to report that they have had the House rules under consideration and recommend that

Digitized by Google

the rules of the House of the Forty-fifth General Assembly in regular session be adopted as the rules of the House of the forty-fifth general assembly in extraordinary session when amended as follows:

Part 1. Amend Rule forty-four (44) by striking all of said rule and inserting in lieu thereof the following:

"Time of Introduction of Bills

The final date for the introduction of bills shall be December 4th, except committee bills introduced by the proper committees."

Part 2. Amend Rule forty-five (45) by changing the "period" to a "comma" following the word "day" in the last sentence and adding thereto the following:

"except by a two-thirds vote of the House."

Part 3. Amend rule sixty-four (64) by striking all of paragraph one following the word "duties" and add thereto the following:

"and state officers and their deputies,". Strike out paragraphs two (2), three (3) and four (4).

Part 4. Amend rule sixty-five (65) by striking all of paragraph two (2).

Part 5. Amend rule sixty-nine (69) by striking the word "the" in line four (4) thereof.

Part 6. Insert as rule 74-A the following:

"Arrangement on Calendar

Bills reported out for passage or amendment and passage, or with recommendation by a committee shall be arranged on a daily calendar by the chief clerk at 4:30 P. M. in the order of the file number of said bills and following the preceding legislative days daily calendar. The combined daily calendar shall make up the House calendar or order for the consideration of bills. Priority shall be given to House over Senate File numbers and to Joint Resolutions over bills."

Part 7. Amend rule seventy-six (76) by adding thereto as paragraph three (3) the following:

A bill may be taken from the sifting committee and placed on the calendar by a majority vote of the House.

LAMAR P. FOSTER, *Chairman.*

Passed on file.

INTRODUCTION OF BILLS

House File No. 3, by Gallagher of Iowa, a bill for an act to repeal the law as it appears in sections five hundred twenty-seven (527) to six hundred forty-two (642), inclusive, six hundred forty-three (643) as amended by Chapter nineteen (19), Acts of the forty-fifth General Assembly, and six hundred forty-four (644) to six hundred forty-eight (648), both inclusive, of the Code, 1931, being chapter thirty-six (36) thereof, and to enact a substitute therefor, providing for the nominations of candidates for township, county, district, state and municipal offices, and of can-

Digitized by Google

didates for presidential electors and representatives and senators in the Congress of the United States, by political party caucuses and conventions, and prescribing penalties for the violations of the provisions hereof.

Read first and second times and passed on file.

House File No. 4, by Durant of Hancock, a bill for an act authorizing the county treasurer to make refund on poll taxes.

Read first and second times and passed on file.

House File No. 5, by Johnson of Linn, a bill for an act to amend chapter four hundred ninety-six (496), Code 1931, to provide for the entering of judgment notwithstanding the verdict in certain cases and to prescribe the practice in such cases upon review by the Supreme Court, and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Read first and second times and passed on file.

House File No. 6, by Johnson of Linn, a bill for an act to amend section seven thousand two hundred thirty-seven (7237), Code 1931, relating to remission of taxes in case of loss.

Read first and second times and passed on file.

House File No. 7, by Johnson of Linn, a bill for an act to legalize the practice of Naprapathy by certain persons in the State of Iowa.

Read first and second times and passed on file.

House File No. 8, by Paisley of Lee, a bill for an act to legalize action of the Board of Supervisors of Lee County, Iowa, in making expenditures from the Lee County Insane Fund for the purpose of paying the expenses and maintenance of the Lee County Home.

Read first and second times and passed on file.

House File No. 9, by Gissel of Buchanan, a bill for an act to amend sections forty-six hundred forty-four-c nineteen (4644-c19) and forty-six hundred forty-four-c twenty-three (4644-c23) Code, 1931, relating to the employment of the county engineer.

Read first and second times and passed on file.

House File No. 10, by Avery of Clay and Yager of Dickinson, a

Digitized by Google

bill for an act to repeal section forty-nine hundred nine (4909), Code, 1931, and section forty-nine hundred ten (4910), Code, 1931, as amended by chapter seventy-seven (77), Acts of the forty-fifth General Assembly, relating to motor vehicle license fees and to enact a substitute therefor.

Read first and second times and passed on file.

House File No. 11, by Fabritz of Wapello, a bill for an act to prohibit the sale in Iowa of all prison made goods produced by convict labor, and to provide a penalty for the violation thereof.

Read first and second times and passed on file.

House File No. 12, by Mooty of Grundy, a bill for an act to fix the maximum rate of speed at which motor vehicles may be driven upon the public highway and to this end to amend section five thousand twenty-nine (5029), Code, 1931, relating to such speed.

Read first and second times and passed on file.

House File No. 13, by Yager of Dickinson and Avery of Clay, a bill for an act to amend sections forty-nine hundred thirteen (4913) and forty-nine hundred twenty-one-c 2 (4921-c2) Code, 1931, relating to annual license fees for trucks with pneumatic tires.

Read first and second times and passed on file.

On motion of Alesch of Plymouth, the House adjourned until 10 o'clock a. m. Monday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 13, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Thomas Carson of the Methodist Episcopal Church, Hampton, Iowa.

Journal of November 10th corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Willis of Dallas for the day, on request of Koch of Bremer; Felter of Warren for the day, on request of Bowers of Union; Grell of Scott for the day, on request of Wiese of Scott.

Speidel of Washington, Doran of Boone, Paisley of Lee, Dean of Cerro Gordo, Augustine of Ringgold, and Hanson of Lyon presented the following resolution and moved its adoption:

HOUSE RESOLUTION NO. 1

Whereas, the Honorable Victor Felter, Representative of Warren County, and his family, have suffered bereavement in the untimely death of their youngest son,

Be It Resolved by the Members of this Special Session of the Forty-fifth General Assembly, That as evidence of our sympathy we send to our fellow member and his family, a floral tribute.

Be It Further Resolved, That this resolution of sympathy be printed in the Journal, and that a copy of same bearing the signatures of the Speaker of the House, and the Chief Clerk of the House, be sent to Mr. and Mrs. Felter.

Unanimous consent having been obtained for its immediate consideration, the resolution was adopted.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

The Speaker announced the following assignments of standing committees:

Digitized by Google

AERONAUTICS

Burgess—Chairman
Peet
Casey
Crouch
Falvey
Fuester
Gittinger
Hartman
Mercer
Sheridan
Avery
Jensen

AGRICULTURE

Rawlings—Chairman
Craven
Aldrich
Alesch
Beath
Beswick
Bowers
Bruce
Davis
Dean
Dole
Doran
Dreessen
Durant
Felter
Fletcher
Frizzell
Fuelling
Fuester
Garner
Gittinger
Grau
Hanson of Lyon
Jenkins
Malone
McDermott
McLean
Metcalf
Moore of Benton
Osborn
Paisley
Schroeder
Sours
Speidel
Stanzel
Stewart
Stimpson
Strachan
Thies
Wolf

ANIMAL INDUSTRY

Craven—Chairman
Rawlings
Laughlin
Bonnstetter
Davis
Fletcher
Foster
Fuester
Gissel
Hook
Hopp
Jenkins
Maniece
McKinnon
McLean
Moore of Harrison
Paisley
Rice
Schroeder
Smith
Stewart
Stimpson
Thiessen
Zipse

APPROPRIATIONS

Bonnstetter—Chairman
Roe
Alesch
Bouska
Casey
Craven
Crouch
Donlon
Foster
Fuelling
Gissel
Goode
Hanson of Winnebago
Hartman
Hook
Hopp
Jensen
Laughlin
Lookingbill
Maniece
Mercer
Mitchell
Osborn
Peet
Reed
Rice
Sours
Stanzel
Strachan
Swift
Thiessen
Treimer
Willis
Zipse

BANKS AND BANKING

Ellsworth—Chairman
Moore of Harrison
Burgess
Cunningham
Elliott
Fabritz
Falvey
Grell
Hanson of Winnebago
Hopp
Hultman
McCarthy
McCreery
McKinnon
Mercer
Mitchell
Moore of Benton
Mooty
Ostby
Paisley
Rawlings
Rice
Schlatter
Sheridan
Snyder
Speidel
Stewart
Thiessen
Weed
Willis
Zylstra

BOARD OF CONTROL

Gissel—Chairman
McCreery
Crouch
Beath
Falvey
Frizzell
Hough
Koch
Mitchell
Paisley
Peet
Schlatter
Sheridan
Sours
Stewart
Strachan

Digitized by Google

BUILDING AND LOAN

Swift of Dubuque —Chairman
Ryder
Gissel
Fuelling
Grau
Hultman
Johnson
Reed
Triemer

CHILD WELFARE

Garner— Chairman
Zipse
Bonnstetter
Grell
Malone
Maniece
McCarthy
Metcalf
Schmitz

CITIES AND TOWNS

Willis—Chairman
Mercer
Metcalf
Avery
Brady
Burgess
Cunningham
Elliott
Gissel
Hartman
Johnson
McFarlane
Moore of Harrison
Peaco
Reed
Roe
Ryder
Sheridan
Smith
Swift
Triemer
Wieben
Wiese
Zylstra

CLAIMS

Reed—Chairman
Speidel
Alesch
Beath
Bouska
Bowers
Gittinger
Grell
Lichty
Metcalf
Mooty
Rawlings
Rice
Thies
Wieben

COMMERCE AND TRADE

Crouch— Chairman
Bouska
Beath
Bowers
Brady
Casey
Craven
Davis
Dreessen
Elliott
Goode
Hultman
Humeston
Lookingbill
Millhone
Mitchell

COMPENSATION OF PUBLIC OFFICERS

Roe—Chairman
Hook
Gissel
Aldrich
Alesch
Crouch
Elliott
Humeston
Laughlin
Lichty
Maniece
Metcalf
Osborn
Sours
Stanzel
Strachan

CONSERVATION OF RESOURCES

Moore of Harrison—Chairman
Avery
Beswick
Casey
Cunningham
Dole
Fletcher
Grell
Hartman
Hough
Millhone
Osborn
Ostby
Reed
Rice
Speidel
Swift
Schlatter
Yager
Zylstra

CONSTITUTIONAL AMENDMENTS

Hopp—Chairman
Moore of Benton
Frizzell
Humeston
Jenkins
Lookingbill
McCarthy
McCreery
McDermott
McKinnon

Digitized by Google

COUNTY AND TOWNSHIP ORGANIZATION

Hook—Chairman
Augustine
Beath
Beswick
Bonnstetter
Garner
Grau
McCreery
McDermott
Stanzel
Strachan
Weed
Wolf

DAIRY AND FOOD

Paisley—Chairman
Thies
Davis
Dreessen
Fuester
Goode
Humeston
McDermott
Moore of Harrison
Porter
Schroeder
Thiessen

DEPARTMENTAL AFFAIRS

Jensen—Chairman
Hanson of Lyon
Alesch
Bruce
Casey
Dean
Felter
Garner
Koch
McCarthy
McFarlane
Metcalf
Peaco
Schmitz
Thies
Weed
Willis

DRAINAGE

Hanson of Winnebago—Chairman
Millhone
Bowers
Casey
Dean
Dreessen
Durant
Falvey
Foster
Hartman
Hultman
Jenkins
Laughlin
Metcalf
Rice
Roe
Schroeder
Swift
Thiessen
Zylstra

ELECTIONS

Thiessen—Chairman
Grell
Augustine
Bouska
Doran
Foster
Gallagher
Goode
Grau
Hook
Jenkins
Mooty
Ostby
Porter
Wiese
Yager

EMERGENCY LEGISLATION

Mitchell—Chairman
Crouch
Hanson of Winnebago
Dole
McKinnon
Cunningham
Stewart
Casey
Teter

ENROLLED BILLS

Koch—Chairman
Weed
Frizzell
Mooty
Schmitz

FISH AND GAME

Schmitz—Chairman
Avery
Bonnstetter
Bruce
Burgess
Dean
Donlon
Dreessen
Durant
Fabritz
Fletcher
Frizzell
Fuester
Garner
Goode
Grell
Humeston
Maniece
McFarlane
Moore of Benton
Peaco
Roe
Schlatter
Snyder
Stansell
Stanzel
Swift
Triemer
Yager

HORTICULTURE AND FORESTRY

Ryder—Chairman
Falvey
Felter
Fletcher
Foster
Gittinger
Humeston
Laughlin
McLean
Mooty
Rice
Stansell
Wiese

Digitized by Google

INSURANCE

Triemer—Chairman	Cunningham	Johnson	Porter
Gallagher	Fabritz	McFarlane	Snyder
Augustine	Foster	Mercer	Sours
Bouska	Fuelling	Millhone	Wieben
Brady	Fuester	Moore of Benton	Willis
Burgess	Grau	Osborn	Wolf
Craven	Koch	Paisley	Yager

INTERSTATE BRIDGES

McCreery—Chairman	Ostby	Peet	Ryder
Brady	Peaco	Rawlings	Swift
		Roe	Thies

JUDICIAL AND POLITICAL DISTRICTS

Stimpson—Chairman	Craven	Brady	Ellsworth
Dole	Beath	Casey	Jensen
	Beswick	Cunningham	Weed

JUDICIARY NO. 1

Brady—Chairman	Dole	Felter	Lichty
Stansell	Ellsworth	Gallagher	McCarthy
Cunningham	Fabritz	Johnson	Wieben

JUDICIARY NO. 2

Mitchell—Chairman	McFarlane	Rawlings	Teter
Goode	Millhone	Sheridan	Willis
McCreery	Moore of Benton	Strachan	Zylstra

LABOR

Davis—Chairman	Maniece	Peaco	Stimpson
Aldrich	McKinnon	Reed	Schlatter
Dreessen	Ostby	Schroeder	Wiese

LIQUOR CONTROL

Fabritz—Chairman	Brady	McCarthy	Schmitz
Johnson	Garner	Mitchell	Sheridan
Bouska	Goode	Moore of Harrison	Stewart
	Hartman	Rice	Wieben
	Koch		

MILITARY

Doran—Chairman	Cunningham	Hanson of Lyon	Sheridan
Aldrich	Dean	Hultman	Wiese
Avery	Fabritz	Mercer	Willis
	Fletcher	Mitchell	

MINES AND MINING

Falvey—Chairman	Beswick	Fabritz	McFarlane
Paisley	Doran	Gittinger	Teter
			Wiese

Digitized by Google

MOTOR VEHICLES AND TRANSPORTATION

Augustine—Chairman
Fabritz
Bouska
Burgess
Dean
Donlon
Hanson of Winnebago
Hartman
Hopp
Jensen
Lichty
Malone
McLean
McCreery
Moore of Harrison
Reed
Schmitz
Snyder
Sours
Strachan
Thies
Treimer
Yager

PHARMACY

Peaco—Chairman
Moore of Harrison
Avery
Elliott
Lichty
Lookingbill
Malone
Stewart
Wiese
Zylstra

POLICE REGULATION—SUPPRESSION OF CRIME AND INTEMPERANCE

Stewart—Chairman
Jenkins
Humeston
Brady
Donlon
Elliott
Garner
Jensen
Lichty
Mitchell
Speidel
Stansell
Stewart
Weed
Zipse

PRINTING

McFarlane—Chairman
Peet
Bruce
Elliott
Foster
Fuelling
Gallagher
Lookingbill
Mercer
Schmitz

PRIVATE CORPORATIONS

Sheridan—Chairman
Stanzel
Beath
Bouska
Grau
Hartman
Hough
Hopp
Koch
Schroeder
Smith
Wieben
Yager
Zipse

PUBLIC HEALTH

Durant—Chairman
Moore of Harrison
Augustine
Beswick
Davis
Falvey
Gallagher
Gittinger
Hanson of Winnebago
Johnson
Koch
Malone
McKinnon
Mercer
Ostby
Peaco
Reed
Rice
Ryder
Sheridan
Speidel
Teter
Wieben

PUBLIC LANDS AND BUILDINGS

McDermott—Chairman
Dole
Beswick
Hanson of Winnebago
Porter
Rawlings
Roe
Smith
Stanzel
Stimpson

PUBLIC LIBRARIES

Humeston—Chairman
Garner
Bouska
Frizzell
Fuester
Hough
Hopp
Lookingbill
McLean
Porter
Ryder
Stimpson

Digitized by Google

PUBLIC UTILITIES

Mercer—Chairman	Elliott	Maniece	Reed
Moore of Harrison	Ellsworth	McLean	Schmitz
Bowers	Felter	Millhone	Sheridan
Brady	Fuelling	Mitchell	Snyder
	Johnson	Peaco	Willis

RAILROADS

Stansell—Chairman	Fuelling	Osborn	Sheridan
Gallagher	Laughlin	Ostby	Thiessen
Ellsworth	McFarlane	Peaco	Wolf
	Millhone		

RETRENCHMENT AND REFORM

Bonnstetter—Chairman	Donlon	McCreery	Ryder
	Brady		

ROADS AND HIGHWAYS

Laughlin—Chairman	Durant	Jensen	Sours
Hanson of Winnebago	Felter	Koch	Speidel
Alesch	Fletcher	McCarthy	Strachan
Augustine	Frizzell	McCreery	Swift
Avery	Gissel	McDermott	Thies
Bruce	Goode	McKinnon	Thiessen
Craven	Hanson of Lyon	McLean	Weed
Dean	Hook	Millhone	Yager
Doran	Hough	Schlatter	Zipse
	Hultman	Schmitz	Wieben
	Jenkins		

RULES

Foster—Chairman	Donlon	Hough	Peet
	Gallagher	Moore of Benton	Schmitz

SCHOOLS AND TEXTBOOKS

Gallagher—Chairman	Casey	Goode	Lichty
Garner	Davis	Hanson of Lyon	Osborn
Aldrich	Dean	Hanson of Winnebago	Paisley
Alesch	Dole	Hook	Peet
Avery	Donlon	Humeston	Porter
Bowers	Doran	Jenkins	Roe
Bruce	Durant	Jensen	Snyder
	Foster	Laughlin	Teter
			Treimer

STATE EDUCATIONAL INSTITUTIONS

Osborn—Chairman	Ellsworth	Hanson of Winnebago	Schlatter
Crouch	Felter	Lookingbill	Smith
Beswick	Foster	McKinnon	Speidel
Bowers	Gissel	Peet	Stewart
Dole	Grell		Yager

Digitized by Google

TAX REDUCTIONS

Malone—Chairman
Roe
Aldrich
Augustine
Bonnstetter
Brady
Burgess
Doran
Ellsworth
Fabritz
Gittinger
Hanson of Lyon
Hough
Jensen
Koch
McCreery
Metcalf
Porter
Reed
Snyder
Speidel
Stansell
Wieben
Wolf
Zylstra

TAX REVISION

Rice—Chairman
Speidel
Augustine
Bonnstetter
Crouch
Craven
Cunningham
Dean
Doran
Donlon
Dreessen
Fabritz
Foster
Fuester
Garner
Grau
Hanson of Lyon
Hanson of Winnebago
Hopp
Malone
McCreery
McKinnon
Mercer
Roe
Sours
Stewart
Teter

TELEPHONE, TELEGRAPH AND EXPRESS

Bouska—Chairman
Sours
Durant
Mooty
Smith
Stansell
Stimpson
Treimer
Wolf
Zipse

WAYS AND MEANS

Donlon—Chairman
Rawlings
Aldrich
Augustine
Beath
Bruce
Dole
Doran
Dreessen
Durant
Elliott
Falvey
Felter
Grau
Fletcher
Hanson of Lyon
Hultman
Johnson
McCarthy
McDermott
Mooty
Schlatter
Schroeder
Smith
Stansell
Stimpson
Teter
Wiese
Wolf
Yager
Zylstra

REPRESENTATIVES AND THEIR RESPECTIVE COMMITTEES

ALDRICH OF WRIGHT

Agriculture
Compensation of public officers
Labor
Military
Schools and textbooks
Tax reduction
Ways and means

ALESCH OF PLYMOUTH

Agriculture
Appropriations
Claims
Compensation of public officers
Departmental affairs
Roads and highways
Schools and textbooks

AUGUSTINE OF RINGGOLD

Motor vehicles and transportation—Chairman
County and township organizations
Election
Insurance
Public health
Roads and highways
Tax reduction
Tax revision
Ways and means

Digitized by Google

AVERY OF CLAY

Aeronautics
Cities and towns
Conservation of resources
Fish and game
Military
Pharmacy
Roads and highways
Schools and textbooks

BEATH OF ADAMS

Agriculture
Board of control
Claims
Commerce and trade
County and township organizations
Judicial and political districts
Private corporations
Ways and means

BESWICK OF VAN BUREN

Agriculture
Conservation of Resources
County and township organizations
Judicial and political districts
Mines and mining
Public health
Public lands and buildings
State educational institutions

BONNSTETTER OF KOSSUTH

Appropriations—Chairman
Retrenchment and reform—Chairman
Animal industry
Child welfare
County and township organizations
Fish and game
Tax reduction
Tax revision

BOUSKA OF HOWARD

Telephone and telegraph and express—Chairman
Appropriations
Claims
Commerce and trade
Elections
Insurance
Liquor control
Motor vehicles and transportation
Private corporations

BOWERS OF UNION

Agriculture
Claims
Commerce and trade
Drainage
Public utilities
Schools and textbooks
State educational institutions

BRADY OF POTTAWATTAMIE

Judiciary No. 1—Chairman
Cities and towns
Commerce and trade
Interstate Bridges
Insurance
Judicial and political districts
Liquor control
Public utilities
Retrenchment and reform
Tax reduction

BRUCE OF POCAHONTAS

Agriculture
Departmental affairs
Fish and game
Printing
Roads and highways
Schools and textbooks
Ways and means

BURGESS OF WOODBURY

Aeronautics—Chairman
Banks and banking
Cities and towns
Fish and game
Insurance
Motor vehicles and transportation
Tax reduction

Digitized by Google

CASEY OF MITCHELL

Aeronautics
Appropriations
Commerce and trade
Emergency legislation
Conservation of resources
Departmental affairs
Drainage
Judicial and political districts
Schools and textbooks

CRAVEN OF JASPER

Animal industry—Chairman
Agriculture
Appropriations
Commerce and trade
Insurance
Judicial and political districts
Roads and highways
Tax revision

CROUCH OF GREENE

Commerce and trade—Chairman
Appropriations
Board of control
Compensation of public officers
Emergency legislation
Public health
State educational institutions
Tax revision

CUNNINGHAM OF POLK

Banks and banking
Cities and towns.
Conservation of resources
Insurance
Judiciary No. 1
Emergency legislation
Judicial and political districts
Military
Tax revision

DAVIS OF APPANOOSE

Labor—Chairman
Agriculture
Animal industry
Commerce and trade
Dairy and food
Public health
Schools and textbooks

DEAN OF CERRO GORDO

Agriculture
Departmental affairs
Fish and game
litary
Motor vehicles and transportation
Roads and highways
Schools and textbooks
Tax revision

DOLE OF JEFFERSON

Judicial and political districts
Agriculture
Conservation of resources
Judiciary No. 1
Public lands and buildings
Emergency legislation
Schools and textbooks
State educational institutions
Ways and means

DONLON OF PALO ALTO

Ways and means—Chairman
Appropriations
Fish and game
Motor vehicles and transportation
Police regulation—suppression of crime and intemperance
Retrenchment and reform
Rules
Schools and textbooks
Tax revision

DORAN OF BOONE

Military—Chairman
Agriculture
Elections
Mines and mining
Roads and highways
Schools and textbooks
Tax reduction
Tax revision
Ways and means

Digitized by Google

DREESSEN OF CRAWFORD

Agriculture
Commerce and trade
Dairy and food
Drainage
Fish and game
Ways and means
Labor
Tax revision

DURANT OF HANCOCK

Public health—Chairman
Agriculture
Drainage
Fish and game
Roads and Highways
Schools and textbooks
Telephone, telegraph and express
Ways and means

ELLIOTT OF POLK

Banks and banking
Commerce and trade
Compensation of public officers
Cities and towns
Pharmacy
Police regulations—suppression of crime and intemperance
Printing
Public utilities
Ways and means

ELLSWORTH OF HARDIN

Banks and banking—Chairman
Judicial and political districts
Judiciary No. 1
Public utilities
Railroads
State educational institutions
Tax reduction

FABRITZ OF WAPELLO

Liquor control—chairman
Banks and banking
Fish and game
Insurance
Judiciary No. 1
Military
Mines and mining
Motor vehicles and transportation
Tax revision

FALVEY OF MONROE

Mines and mining—Chairman
Aeronautics
Banks and banking
Board of control
Drainage
Horticultural and forestry
Public health
Ways and means

FELTER OF WARREN

Agriculture
Departmental affairs
Horticultural and forestry
Judiciary No. 1
Public utilities
Roads and highways
State educational institutions
Ways and means

FLETCHER OF OSCEOLA

Agriculture
Animal industry
Conservation of resources
Fish and game
Horticulture and forestry
Military
Roads and highways
Ways and means

FOSTER OF CEDAR

Rules—Chairman
Animal industry
Appropriations
Drainage
Elections
Horticultural and forestry
Insurance
Printing
Schools and textbooks
State educational institutions
Tax revision

Digitized by Google

FRIZZELL OF POWESHIEK

Agriculture
Board of control
Constitutional amendments
Enrolled bills
Fish and game
Public library
Roads and highways

FUELLING OF CLAYTON

Agriculture
Appropriations
Building and loan
Insurance
Public utilities
Printing
Railroads

FUESTER OF IDA

Agriculture
Aeronautics
Animal industry
Dairy and food
Fish and game
Insurance
Roads and highways
Tax revision

GALLAGHER OF IOWA

Schools and Textbooks—Chairman
Elections
Insurance
Judiciary No. 1
Printing
Public health
Rules
Railroads
Schools and textbooks

GARNER OF BUTLER

Child Welfare—Chairman
Agriculture
County and township organizations
Departmental affairs
Fish and game
Liquor control
Schools and textbooks
Tax revision
Police regulations—suppression of crime and intemperance

GITTINGER OF LUCAS

Agriculture
Aeronautics
Claims
Horticulture and forestry
Mines and mining
Public health
Tax revision

GISSEL OF BUCHANAN

Board of control—Chairman
Appropriations
Cities and towns
Compensation of public officers
Public health
State educational institutions
Roads and highways

GOODE OF DAVIS

Appropriations
Commerce and trade
Dairy and foods
Elections
Fish and game
Judiciary No. 2
Liquor control
Roads and highways
Schools and textbooks

GRAU OF BUENA VISTA

Agriculture
Building and loan
County and township organizations
Elections
Insurance
Private corporations
Tax revision
Ways and means

Digitized by Google

GRELL OF SCOTT

Animal industry
Banks and banking
Child welfare
Claims
Conservation of resources
Elections
Fish and game
State educational institutions

HANSON OF LYON

Agriculture
Departmental affairs
Military
Roads and highways
Schools and textbooks
Tax revision
Ways and means

HANSON OF WINNEBAGO

Drainage—Chairman
Appropriations
Banks and banking
Emergency legislation
Motor vehicles
Pubic health
Roads and highways
Schools and textbooks
State educational institutions
Tax revision

HARTMAN OF DES MOINES

Aeronautics
Appropriations
Cities and towns
Conservation of resources
Drainage
Liquor control
Motor vehicles
Private corporations

HOOK OF TAYLOR

County and township organization—Chairman
Animal industry
Appropriations
Compensation of public officers
Elections
Roads and highways
Schools and textbooks

HOUGH OF FAYETTE

Board of control
Conservation of resources
Private corporations
Public libraries
Roads and highways
Rules
Tax reduction

HOPP OF MILLS

Constitutional amendments—Chairman
Private corporations
Appropriations
Animal industry
Banks and banking
Motor vehicles
Public libraries
Tax revision

HULTMAN OF MONTGOMERY

Banks and banking
Building and loan
Commerce and trade
Drainage
Military
Roads and highways
Ways and means

HUMESTON OF WAYNE

Public libraries—Chairman
Commerce and trade
Compensation of public officers
Constitutional amendments
Dairy and food
Fish and game
Horticulture and forestry
Police regulations, suppression of crime and intemperance
Schools and textbooks

Digitized by Google

JENKINS OF LOUISA

Agriculture
Animal industry
Constitutional amendments
Drainage
Elections
Police regulations, suppression of crime and intemperance.
Roads and highways
Schools and textbooks

JENSEN OF AUDUBON

Departmental affairs—Chairman
Schools and textbooks
Aeronautics
Appropriations
Motor vehicles
Roads and highways
Tax reduction
Judicial and political districts
Police regulation—suppression of crime and intemperance

JOHNSON OF LINN

Building and loan
Cities and towns
Insurance
Judiciary No. 1
Liquor control
Public health
Public utilities
Ways and means

KOCH OF BREMER

Enrolled bills—Chairman
Board of control
Departmental affairs
Liquor control
Private corporations
Public health
Insurance
Roads and highways
Tax reduction

LAUGHLIN OF FREMONT

Roads and highways—Chairman
Animal industry
Appropriations
Compensation of public officers
Drainage
Horticulture and forestry
Railroads
Schools and textbooks

LICHTY OF BLACK HAWK

Claims
Compensation of public officers
Judiciary No. 1
Motor vehicles and transportation
Pharmacy
Police regulations, suppression of crime and intemperance
Schools and textbooks

LOOKINGBILL OF STORY

Appropriations
Commerce and trade
Constitutional amendments
Pharmacy
Printing
Public libraries
State educational institutions

MALONE OF CASS

Tax reduction—Chairman
Agriculture
Child welfare
Motor vehicles and transportation
Pharmacy
Public health
Tax revision

MANIECE OF EMMET

Animal industry
Appropriations
Child welfare
Compensation of public officers
Fish and game
Labor
Public utilities

Digitized by Google

MCCARTHY OF WOODBURY

Banks and banking
Child welfare
Constitutional amendments
Departmental affairs
Judiciary No. 1
Liquor control
Roads and highways
Ways and means

MCCREERY OF LINN

Interstate bridges—Chairman
Banks and banking
Board of control
County and township organization
Constitutional amendments
Judiciary No. 2
Motor vehicles and transportation
Roads and highways
Tax reduction
Retrenchment and reform
Tax revision

MCDERMOTT OF ADAIR

Public lands and buildings—Chairman
Agriculture
Constitutional amendments
County and township organization
Dairy and food
Roads and highways
Ways and means

MCFARLANE OF BLACK HAWK

Printing—Chairman
Cities and towns
Departmental affairs
Fish and game
Insurance
Judiciary No. 2
Mines and Mining
Railroads

MCKINNON OF HENRY

Animal industry
Banks and banking
Constitutional amendments
Emergency legislation
Labor
Public health
Roads and highways
State educational institutions
Tax revision

MCLEAN OF MARSHALL

Agriculture
Animal industry
Horticulture and forestry
Motor vehicles and transportation
Public libraries
Public utilities
Roads and highways

MERCER OF JOHNSON

Public utilities—Chairman
Aeronautics
Appropriations
Banks and banking
Cities and towns
Insurance
Military
Printing
Public health
Tax revision

METCALF OF MUSCATINE

Agriculture
Child welfare
Cities and towns
Claims
Compensation of public officers
Departmental affairs
Drainage
Tax reduction

MITCHELL OF WEBSTER

Judiciary No. 2—Chairman
Appropriations
Banks and banking
Board of control
Commerce and trade
Emergency legislation
Liquor control
Military
Police regulation, suppression of crime and intemperance
Public utilities

Digitized by Google

MILLHONE OF PAGE

Commerce and trade
Conservation of resources
Drainage
Insurance
Judiciary No. 2
Public utilities
Railroads
Roads and highways

MOORE OF BENTON

Agriculture
Banks and banking
Constitutional amendments
Fish and game
Insurance
Judiciary No. 2
Rules

MOORE OF HARRISON

Conservation of resources—Chairman
Animal industry
Banks and banking
Cities and towns
Dairy and food
Liquor control
Motor vehicles and transportation
Pharmacy
Public health
Public utilities

MOOTY OF GRUNDY

Banks and banking
Claims
Enrolled bills
Elections
Horticulture and forestry
Telephone, telegraph and express
Ways and means

OSBORN OF DECATUR

State educational institutions—Chairman
Agriculture
Appropriations
Compensation of public officers
Conservation of resources
Insurance
Railroads
Schools and textbooks

OSTBY OF WORTH

Banks and banking
Conservation of resources
Elections
Interstate bridges
Labor
Public health
Railroads

PAISLEY OF LEE

Dairy and foods—Chairman
Agriculture
Animal industry
Banks and banking
Board of control
Insurance
Mines and mining
Schools and textbooks

PEACO OF CLINTON

Pharmacy—Chairman
Cities and towns
Departmental affairs
Fish and game
Interstate bridges
Labor
Public health
Public utilities
Railroads

PEET OF GUTHRIE

Aeronautics
Appropriations
Board of control
Interstate bridges
Printing
Rules
Schools and textbooks
State educational institutions

Digitized by Google

PORTER OF DELAWARE

Dairy and foods
Elections
Insurance
Public libraries
Schools and textbooks
Tax revision

RAWLINGS OF MONONA

Agriculture—Chairman
Animal industry
Banks and banking
Claims
Interstate bridges
Judiciary No. 2
Public lands and buildings
Ways and means

REED OF MAHASKA

Claims—Chairman
Appropriations
Building and loan
Cities and towns
Conservation of resources
Labor
Motor vehicles and transportation
Tax reduction
Public utilities

RICE OF KEOKUK

Tax revision—Chairman
Animal industry
Appropriations
Banks and banking
Claims
Conservation of resources
Drainage
Horticulture and forestry
Liquor control
Public health

ROE OF ALLAMAKEE

Compensation of public officers—Chairman
Appropriations
Cities and towns
Fish and game
Interstate bridges
Public lands and buildings
Roads and highways
Schools and textbooks
Tax reduction
Tax revision

RYDER OF DUBUQUE

Horticulture and forestry—Chairman
Building and loan
Cities and towns
Interstate bridges
Public health
Public libraries
Retrenchment and reform

SCHMITZ OF WINNESHIEK

Fish and game—Chairman
Child welfare
Departmental affairs
Enrolled bills
Liquor control
Motor vehicles and transportation
Public utilities
Printing
Roads and highways
Rules

SCHLATTER OF JACKSON

Banks and banking
Board of control
Conservation of resources
Fish and game
Labor
Roads and highways
State educational institutions
Ways and means

SCHROEDER OF CARROLL

Agriculture
Animal industry
Dairy and food
Drainage
Labor
Private corporations
Ways and means

Digitized by Google

SHERIDAN OF LEE

Private corporations—Chairman
Aeronautics
Banks and banking
Board of control
Cities and towns
Judiciary No. 2
Liquor control
Public utilities
Military
Railroads

SMITH OF CHEROKEE

Animal industry
Cities and towns
Public lands and buildings
Private corporations
State educational institutions
Telephone, telegraph and express
Ways and means

SNYDER OF HAMILTON

Banks and banking
Fish and game
Insurance
Motor vehicles and transportation
Public utilities
Schools and textbooks
Tax reduction

SOURS OF FLOYD

Agriculture
Appropriations
Board of control
Compensation of public officers
Insurance
Motor vehicles and transportation
Roads and highways
Telephone, telegraph and express
Tax revision

SPEIDEL OF WASHINGTON

Agriculture
Banks and banking
Claims
Conservation of resources
Police regulation, suppression of crime and intemperance
Public health
Roads and highways
State educational institutions
Tax reduction
Tax revision

STANSELL OF CLARKE

Railroads—Chairman
Fish and game
Horticulture and forestry
Judiciary No. 1
Police regulatons, suppression of crime and intemperance
Tax reduction
Telephone, telegraph and express
Ways and means

STANZEL OF SAC

Agriculture
Appropriations
Compensation of public officers
County and township organization
Fish and game
Private corporations
Public lands and buildings

STEWART OF CALHOUN

Police regulations, suppression of crime and intemperance—Chairman
Emergency legislation
Agriculture
Animal industry
Banks and banking
Board of control
Liquor control
Pharmacy
State educational institutions
Tax revision

Digitized by Google

STIMPSON OF JONES

Judicial and political districts—Chairman
Agriculture
Animal industry
Labor
Public lands and buildings
Public libraries
Telephone, telegraph and express
Ways and means

STRACHAN OF HUMBOLDT

Agriculture
Appropriations
Board of control
County and township organizations
Compensation of public officers
Judiciary No. 2
Motor vehicles and transportation
Roads and highways

SWIFT

Building and loans—Chairman
Appropriations
Cities and towns
Conservation of resources
Drainage
Fish and game
Interstate bridges
Roads and highways

TETER OF MARION

Judiciary No. 2
Mines and mining
Public health
Emergency legislation
Schools and textbooks
State educational institutions
Tax revision
Ways and means

THIES OF POTTAWATTAMIE

Agriculture
Claims
Departmental affairs
Dairy and food
Interstate bridges
Motor vehicles and transportation
Roads and highways

THIESSEN OF CLINTON

Elections—Chairman
Appropriations
Animal industry
Banks and banking
Dairy and foods
Drainage
Railroads
Roads and highways

TREIMER OF O'BRIEN

Insurance—Chairman
Appropriations
Building and loan
Cities and towns
Fish and game
Insurance
Motor vehicles and transportation
Schools and textbooks
Telephone, telegraph and express

WEED OF MADISON

Banks and banking
County and township organization
Departmental affairs
Enrolled bills
Judicial and political districts
Police regulation, suppression of crime and intemperance
Roads and highways

WIEBEN OF TAMA

Cities and towns
Claims
Insurance
Judiciary No. 1
Liquor control
Private corporations
Public health
Roads and highways
Tax reduction

Digitized by Google

WIESE OF SCOTT

Ways and means	Horticulture and forestry	Mines and mining
Cities and towns	Labor	Pharmacy
Elections		Military

WILLIS OF DALLAS

Cities and towns—Chairman	Banks and banking	Judiciary No. 2
Appropriations	Departmental affairs	Military
	Insurance	Public utilities

WOLF OF FRANKLIN

Agriculture	Insurance	Telephone, telegraph and express
County and township organizations	Railroads	Ways and means
	Tax reduction	

YAGER OF DICKINSON

Conservation of resources	Insurance	Roads and highways
Elections	Motor vehicles and transportation	State educational institutions
Fish and game		Ways and means

ZIPSE OF CHICKASAW

Animal industry	Police regulations, suppression of crime and intemperance	Telephone, telegraph and express
Appropriations		Roads and highways
Child welfare		

ZYLSTRA OF SIOUX

Banks and banking	Drainage	Tax reduction
Cities and towns	Judiciary No. 2	Ways and means
Conservation of resources	Pharmacy	

COMMITTEE REFERENCES

The Speaker of the House ordered House Bills and House Joint Resolution heretofore introduced to be referred to the following committees:

House Joint Resolution No. 1 to committee on constitutional amendments.

House File No. 1 to committee on tax revision.

House File No. 2 to committee on motor vehicles and transportation.

House File No. 3 to committee on election.

Digitized by Google

House File No. 4 to committee on county and township organizations.

House File No. 5 to committee on judiciary No. 1.

House File No. 6 to committee on banks and banking.

House File No. 7 to committee on public health.

House File No. 8 to committee on judiciary No. 2.

House File No. 9 to committee on county and township organizations.

House File No. 10 to committee on motor vehicles and transportation.

House File No. 11 to committee on board of control.

House File No. 12 to committee on motor vehicles and transportation.

House File No. 13 to committee on motor vehicles and transportation.

INTRODUCTION OF BILLS

House File No. 14 by committee on judiciary No. 1, a bill for an act to define the term "search warrant," to declare the conditions under which search warrants may issue, to amend, revise, and codify various statutes pertaining to search warrants, in order to provide a uniform procedure governing search warrant proceedings, and to this end to repeal chapter six hundred seventeen (617) of the Code, 1931, and to enact a substitute therefor; also to amend sections two thousand ten (2010), thirty-one hundred fifty-nine (3159), and thirteen thousand two hundred three (13203) of said Code; also to repeal the following chapter and sections of said Code, to wit:

1. Sections fifteen hundred seventy-eight (1578) to fifteen hundred eighty-one (1581), inclusive.

2. Section thirty-one hundred sixty (3160).

3. Chapter ninety-six (96).

4. Sections thirteen thousand two hundred (13200), thirteen thousand two hundred one (13201), and sections thirteen thousand two hundred four (13204) to thirteen thousand two hundred nine (13209), inclusive.

Digitized by Google

5. Sections thirteen thousand two hundred eleven (13211) to thirteen thousand two hundred fifteen (13215), inclusive.

Read first and second times and rereferred to committee on judiciary No. 1.

House File No. 15 by committee on judiciary No. 2 a bill for an act to amend section eighty-nine forty (8940), Code, 1931, by striking out certain provisions relating to the inurement of policies of insurance to the benefit of one who has obtained a judgment against the insured, to repeal section nine thousand seventy-one (9071) of said code, and to enact a substitute for such stricken and repealed provisions, and to provide the time in which an action to enforce such inurement may be brought.

Read first and second times and rereferred to committee on judiciary No. 2.

House File No. 16 by committee on judiciary No. 1, a bill for an act to amend section forty-nine hundred ninety-five (4995), Code, 1931, as to give traffic on duly designated boulevard or arterial highways and the right of way over traffic on intersecting streets and highways, provided "Stop, Boulevard" signs are maintained on said intersecting streets and highways.

Read first and second times and rereferred to committee on judiciary No. 1.

House File No. 17 by committee on judiciary No. 2 a bill for an act to repeal section seventy-two hundred three (7203), Code, 1931, and to enact a substitute therefor, relating to the lien of poll taxes and of taxes on personal property.

Read first and second times and rereferred to committee on judiciary No. 2.

House File No. 18 by committee on judiciary No. 1, a bill for an act to amend and revise the statutes relative to motor vehicles and the operation thereof as to eliminate therefrom obsolete matter, duplications, inconsistencies and contradictions, to supply manifest omissions, to change the classification of motor vehicles, and to this end to amend sections forty-eight hundred sixty-three (4863) and thirteen thousand ninety-two-d one (13092-d1), and to repeal sections forty-nine hundred twenty-two (4922), five thousand twenty-seven-d one (5027-d1), and five thousand twenty-

Digitized by Google

seven-d two (5027-d2), all of the Code, 1931, and all relating to motor vehicles.

Read first and second times and rereferred to committee on judiciary No. 1.

House File No. 19 by committee on judiciary No. 2, a bill for an act to amend section twelve thousand eight hundred seventy-four (12874), Code, 1931, and to require the filing of the shorthand reporter's translation of his report of a trial and to constitute such filed translation a public record for the use of all parties to an appeal.

Read first and second times and rereferred to committee on judiciary No. 2.

House File No. 20 by committee of judiciary No. 1, a bill for an act to repeal section twelve (12), chapter eighty-nine (89), Acts 45th General Assembly, and to enact a substitute therefor, relating to the salary of the superintendent of the Hospital for Epileptics and School for Feebleminded.

Read first and second times and rereferred to committee on judiciary No. 1.

House File No. 21 by committee on judiciary No. 2, a bill for an act to amend section seventy-one hundred sixty-four (7164), Code, 1931, by repealing lines nine (9) to nineteen (19), inclusive, of said section, relating to the computation of tax rates.

Read first and second times and rereferred to committee on judiciary No. 2.

House File No. 22 by committee on judiciary No. 1, a bill for an act to amend paragraph eight (8) of section eighty-eight hundred twenty-nine (8829), Code, 1931, relating to the investment of the funds of fraternal beneficiary societies, orders, or associations.

Read first and second times and rereferred to committee on judiciary No. 1.

House File No. 23 by committee on judiciary No. 2, a bill for an act to amend section forty-six hundred and forty-four-c eight (4644-c8), Code, 1931, relating to the secondary road construction fund.

Read first and second times and rereferred to committee on judiciary No. 2.

Digitized by Google

House File No. 24 by committee on judiciary No. 1, a bill for an act to repeal sections thirty-seven hundred fourteen (3714) and thirty-seven hundred fifteen (3715), Code, 1931, and to enact a substitute therefor, and so to amend sections thirty-seven hundred two (3702), thirty-seven hundred seventeen (3717), and thirty-seven hundred nineteen (3719), of said code as to coordinate said sections with chapter four hundred seventy-three (473) of said code, relating to the adoption of children.

Read first and second times and rereferred to committee on judiciary No. 1.

House File No. 25 by committee on judiciary No. 2, a bill for an act to amend sections eleven thousand six hundred eleven (11611) and eleven thousand six hundred twelve (11612), Code, 1931, relating to the filing of motions and hearing thereon in proceedings for judgments on motion.

Read first and second times and rereferred to committee on judiciary No. 2.

House File No. 26 by committee of judiciary No. 1, a bill for an act to repeal sections ninety-one hundred eighty-nine (9189), ninety-two hundred fourteen (9214), ninety-two hundred fifteen (9215), ninety-two hundred seventeen (9217), ninety-three hundred one (9301), and ninety-three hundred two (9302), of the code, 1931, relating to state banks, savings banks, and loan and trust companies.

Read first and second times and rereferred to committee on judiciary No. 1.

House File No. 27 by Yager of Dickinson, a bill for an act to amend Chapter thirty-seven (37) section twenty-seven (27) acts of the 45th General Assembly, relating to permit fees for beer sale in hotels, inns, and taverns.

Read first and second times and referred to committee on suppression of intemperance.

House File No. 28 by Yager of Dickinson, a bill for an act authorizing the Executive Council of the State of Iowa to sell certain tracts, parcels, or pieces of land when the fee title thereto has been acquired by the State of Iowa, in or for the improvement

Digitized by Google

of its primary highways, and to prescribe the procedure in pursuance of which such sales may be made.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 29 by Hanson of Lyon, a bill for an act to amend section seventy-two hundred five (7205), Code, 1931, relating to liens upon personal property.

Read first and second times and referred to committee on ways and means.

House File No. 30 by Avery of Clay, a bill for an act to amend Chapter Two (2), Code, 1931, relating to the appointment of members of the General Assembly to office.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 31 by Gissel of Buchanan, a bill for an act to amend section thirty-one hundred-d one (3100-d1) Code, 1931, relating to an inspection fee and excise tax on oleomarganine.

Read first and second times and referred to committee on dairy and food.

House File No. 32 by Gissel of Buchanan, a bill for an act to amend section twenty-eight hundred eight (2808) Code, 1931, relating to the definition of hotel.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 33 by Goode of Davis, a bill for an act to amend sections forty-nine hundred eight (4908), forty-nine hundred nine (4909) and forty-nine hundred ten (4910), Code, 1931, relating to motor vehicle fees.

Read first and second times and referred to committee on motor vehicles and transportation.

House File No. 34 by Goode of Davis, a bill for an act to amend section eleven hundred sixty-six (1166), Code, 1931, relating to nepotism.

Read first and second times and referred to committee on judiciary No. 1.

Digitized by Google

House File No. 35 by Burgess of Woodbury, a bill for an act to create a lien for certain services rendered in the favor of licensed veterinarians.

Read first and second times and referred to committee on agriculture.

House File No. 36 by Burgess of Woodbury, a bill for an act to amend section ten thousand six hundred ninety (10690), Code, 1931, relating to the abolishing of Municipal Courts.

Read first and second times and referred to committee on cities and towns.

House File No. 37 by Mooty of Grundy, a bill for an act to amend section forty-nine hundred twenty (4920), Code, 1931, relating to license fees on motor vehicle trailers.

Read first and second times and referred to committee on motor vehicles and transportation.

House File No. 38 by Johnson of Linn, a bill for an act to amend chapter three hundred twenty-six (326), Code, 1931, and provide for the purchase of property by cities under the commission form of government, and to erect buildings thereon for police stations or jails, and to erect such buildings on property owned by such city and to provide for taxes to pay therefor, and to anticipate such taxes by issuing bonds to which chapter three hundred twenty (320), Code, 1931, shall be applicable.

Read first and second times and referred to committee on cities and towns.

House File No. 39 by Yager of Dickinson, a bill for an act to amend section fifty-seven hundred twenty (5720), Code, 1931, relating to the posting of ordinances of a general or permanent nature.

Read first and second times and referred to committee on cities and towns.

House File No. 40, by Cunningham of Polk, Zylstra of Sioux, McKinnon of Henry and Stimpson of Jones, a bill for an act to define, license, supervise, and regulate the business of making loans in the amount or of the value of three hundred dollars ($300) or less at a greater rate of interest or charge than the

Digitized by Google

lender would be permitted by law to charge if not licensed hereunder; to prescribe maximum rates of interest or charges therefore and methods of determining the same from time to time; to provide for the classification of such loans for the purposes of this act; to enlarge the powers of the superintendent of banking and the state banking board; to regulate assignments of wages or salaries when given as security for any such loan or as consideration for a payment of three hundred dollars ($300) or less; to provide penalties; to repeal chapter four hundred nineteen (419) of the code, 1931, and to enact a substitute therefore; and to repeal all acts and parts of acts, whether general, special, or local, which relate to the same subject matter as this act, in so far as they are inconsistent with this act.

Read first and second times and referred to committee on banks and banking.

House File No. 41, by Teter of Marion, a bill for an act providing for a limitation, and for the method of determining the basis of such limitation, relating to taxation of real estate.

Read first and second times and referred to committee on ways and means.

House File No. 42, by Roe of Allamakee and Mooty of Grundy, a bill for an act to amend section sixty-one hundred forty-three (6143), Code, 1931, relating to public utilities and to the powers of cities and towns.

Read first and second times and referred to committee on public utilities.

House File No. 43, by Roe of Allamakee and Mooty of Grundy, a bill for an act to amend section sixty-one hundred twenty-seven (6127), sixty-one hundred thirty-four-d six (6134-d6), sixty-one hundred thirty-five (6135), sixty-one hundred forty-two (6142), Code, 1931, relating to public utilities and to the power of cities and towns.

Read first and second times and referred to committee on public utilities.

COMMITTEE TO SELECT COMMITTEE ROOMS

Malone of Cass, moved that a committee of three be appointed to

Digitized by Google

assign committee rooms to the various standing committees of the House. Motion prevailed, and the following committee was appointed: Malone of Cass, McCreery of Linn and Metcalf of Muscatine.

ASSIGNMENT OF SEATS IN PRESS GALLERY

1. Rider Richmond, Des Moines Register.
2. Fred Lazell, Jr., Des Moines Register and Tribune.
3. John T. Milar, Associated Press.
4. Loren Donelson, United Press.
5. Darrell Garwood, International News.
6. H. R. Gross, Iowa Union Farmer.
7. I. C. Kartack, Independent Correspondent.
8. Wallace M. Short, Unionist and Public Forum.
9. H. N. Whitney, Independent Correspondent.
10.
11.
12.

REPORT OF COMMITTEE ON COMMITTEE ROOMS

Malone of Cass, from the committee on assignment of committee rooms, submitted the following report:

MR. SPEAKER: Your committee on assignment of committee rooms for the various committees of the House beg leave to report the following recommendations as to assignment of committee rooms and time of meeting of the standing committees:

Room	Mon.	Tues.	Wed.	Thurs.	Fri.
Speaker's Room—					
Ways and means		2:30 P.M.		3:30 P.M.	
Motor vehicles and transportation	3:30 P.M.		3:30 P.M.		
Cities and towns	2:30 P.M.		2:30 P.M.		2:30 P.M.
Aeronautics					1:30 P.M.
Tax reduction				2:30 P.M.	
Agriculture		3:30 P.M.			
Judiciary No. 2	1:30 P.M.		1:30 P.M.		
Schools and textbooks		1:30 P.M.		1:30 P.M.	
Room No. 1—					
Appropriations		2:30 P.M.		3:30 P.M.	
Judiciary No. 1	1:30 P.M.		1:30 P.M.		1:30 P.M.
Roads and highways	2:30 P.M.		2:30 P.M.		
Private corporations					2:30 P.M.
Insurance		3:30 P.M.		1:30 P.M.	
Banks and banking		1:30 P.M.		2:30 P.M.	
Tax revision	3:30 P.M.		3:30 P.M.		3:30 P.M.
Room No. 6—					
Drainage	1:30 P.M.			1:00 P.M.	
Board of control				1:30 P.M.	
Fish and game			1:30 P.M.		
State educational institutions		3:30 P.M.			
Military				3:30 P.M.	
Public health				2:00 P.M.	
Elections	3:30 P.M.				
County and township organization			2:30 P.M.		
Public utilities					2:30 P.M.
Animal industry		1:00 P.M.			
Mines and mining					3:30 P.M.
Compensation of public officers	2:30 P.M.				
Departmental affairs		2:30 P.M.			
Printing					1:30 P.M.
Dairy and food			3:30 P.M.		

Digitized by Google

Room	Mon.	Tues.	Wed.	Thurs.	Fri.
Room No. 9—					
Liquor control		1:30 P.M.		1:30 P.M.	
Room No. 10—					
Interstate bridges	1:30 P.M.				
Public libraries	3:30 P.M.				
Pharmacy		3:30 P.M.			
Public land and buildings				2:30 P.M.	
Judicial and political districts				3:30 P.M.	
Building and loan					1:30 P.M.
Child welfare			1:00 P.M.		
Constitutional amendments			2:30 P.M.		
Conservation of resources				1:30 P.M.	
Commerce and trade					2:30 P.M.
Claims	2:30 P.M.				
Horticulture and forestry			1:30 P.M.		
Police regulations and suppression of crime			3:30 P.M.		
Telephone, telegraph and express					3:30 P.M.
Railroads		1:30 P.M.			
Labor		2:30 P.M.			
Room No. 5—					
Chief clerk					
Retrenchment and reform					
Rules					
Room No. 4—					
Journal clerks					
Room No. 3—					
Enrolling clerks					
File clerks					
Enrolled bills					
Rooms Nos. 2 and 11—					
Committee Clerks					

Rooms 2, 3, 4, and 11 to be under the control and direction of the Chief Clerk.

Respectfully submitted,

C. E. MALONE, *Chairman*
D. R. MCCREERY
B. L. METCALF.

Malone of Cass moved the adoption of the report. Motion prevailed.

AMENDMENTS FILED

Gallagher of Iowa filed the following amendments to committee report on rules:

Following the period in next to the last line of Rule fifty-eight (58) insert the following: "The Chief Clerk shall cause a special record to be kept carrying the date on which every bill was introduced or sent to their respective committees and noting on this record the time on which the ten day period will have expired and on this date he will give to the Speaker of the House the list containing the numbers of all the bills upon which the ten day period applies and the Speaker of the House shall then call these bills from the committees and place them on the calendar."

In Rule seventy-six (76), add to second paragraph the following: "A majority vote will be sufficient to send any bill out to the floor; all votes in the committee shall be record votes."

On motion of Crouch of Greene the House adjourned until 10 o'clock a. m. Tuesday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 14, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Dr. C. A. Carriel of the Westminster Presbyterian Church of Dubuque, Iowa.

Journal of November 13th corrected and approved.

PETITIONS AND MEMORIALS

Opposing taxation on Fraternal Societies as follows: McCarthy, from the Royal Neighbors of the counties of Woodbury, Monona and Cherokee; McCreery, from E. C. Anderson and others of Linn county; McFarlane, from Aid Association for Lutherans of Black Hawk county; Millhone, from Esther Lodge of Page county; Snyder, from Royal Neighbors of America of Hamilton county; Wiese, from Aid Association for Lutherans of Scott county; Wiese, from the Western Catholic Union of Scott county. Referred to committee on insurance.

Opposing change or repeal of any state prohibition laws. Hopp, from many citizens of Mills county; Treimer, from voters of O'Brien county. Referred to committee on liquor control.

Favoring the reconsideration of Beatty-Bennett bill. Aldrich, from citizens of Wright county; Wiese, from the Scott County Council of P. T. A. Referred to committee on tax reduction.

Snyder of Hamilton county, from citizens and P. T. A. of Bettendorf favoring regulation of employment in public offices and schools without regard to religion. Referred to committee on labor.

Wiese, from citizens of Scott county, opposing taxation on tobaccos. Referred to committee on tax reduction.

Mercer of Johnson, from citizens of Iowa City, favoring laws

Digitized by Google

providing for issuing bonds by counties and school districts only upon vote of a majority of electors. Referred to judiciary No. 1.

Augustine of Ringgold presented petitions favoring remitting penalty on the last half of taxes. Referred to judiciary No. 2.

Dole from citizens of Jefferson county favoring equalization of taxes. Referred to judiciary No. 1.

Mercer of Johnson presented resolutions opposing deficiency judgments. Referred to judiciary No. 2.

Mercer of Johnson presented resolutions adopted by the Johnson County Taxpayers League, favoring suspension of advertising of delinquent tax list. Referred to committee on printing.

Hanson of Lyon presented resolutions adopted by the Board of Supervisors of Lyon county favoring reductions of interest on school fund loan. Referred to judiciary No. 1.

Hanson of Lyon presented resolutions adopted by the town council of Larchwood asking change in allocation of beer license money. Referred to committee on liquor control.

Wiese of Scott presented resolutions adopted by the League of Women Voters of Davenport favoring child labor amendment. Referred to committee on child welfare.

INTRODUCTION OF BILLS

House File No. 44, by Garner of Butler, a bill for an act to legalize the corporate acts and proceedings of Pooley Lumber Company, of Greene, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation by said Pooley Lumber Company.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 45, by Bowers of Union, a bill for an act requiring liability insurance for certain employees operating state owned motor vehicles, and providing that the fact that the title to such motor vehicle is in the state of Iowa and such officer or employee is in discharge of his duties, shall be no defense to claim for damages based on negligence of such officers or employees in operating such motor vehicle.

Digitized by Google

Read first and second times and referred to committee on insurance.

House File No. 46, by Avery of Clay, a bill for an act to repeal sections fifteen hundred sixty-one (1561), and fifteen hundred sixty-two (1562), Code, 1931, relative to bonds and sureties required for cigarette permits.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 47, by Hopp of Mills and McFarlane of Black Hawk, a bill for an act to protect trust funds set aside for the care, upkeep, and maintenance of graves and burial places, and to grant to such funds a preference in the settlement of the affairs of insolvent banking institutions.

Read first and second times and referred to committee on banks and banking.

House File No. 48, by McLean of Marshall, a bill for an act to provide against discrimination or monopoly in the sale of replacement and repair parts of machines and mechanical devices, and for the regulation of the distribution and sale of same, and providing penalties for the violation of this act.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 49, by McLean of Marshall, a bill for an act to legalize the corporate acts and proceedings of Marshalltown Manufacturing Company of Marshalltown, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Marshalltown Manufacturing Company.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 50, by Craven of Jasper, a bill for an act to amend section fifty-four hundred forty-six (5446), Code, 1931, relating to double taxation on dogs.

Read first and second times and referred to committee on animal industry.

Digitized by Google

House File No. 51, by Humeston of Wayne, a bill for an act to require telephone companies to furnish equal service and facilities to each other without discrimination.

Read first and second times and referred to committee on telephone, telegraph and express.

House File No. 52, by Dean of Cerro Gordo, a bill for an act to declare the ineligibility of members of the Senate and House of Representatives of this state to hold certain offices during the time for which they shall have been elected as such Senator or Representative.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 53, by Wiese of Scott, a bill for an act to amend section fifty-nine hundred eleven (5911) Code, 1931, relating to viaducts in cities.

Read first and second times and referred to committee on cities and towns.

House File No. 54, by Wiese of Scott, a bill for an act to amend Chapter thirty-seven (37) Section twenty-four (24), Acts of the Forty-fifth General Assembly, relating to the sale of nonintoxicating liquor.

Read first and second times and referred to committee on police regulation, suppression of crime and intemperance.

House File No. 55, by Fuester of Ida, a bill for an act to amend section forty-eight hundred eighteen (4818), Code, 1931, relating to declaring certain weeds to be noxious.

Read first and second times and referred to committee on agriculture.

House File No. 56, by Fuester of Ida, a bill for an act to provide for a refund on road poll taxes.

Read first and second times and referred to committee on county and township organization.

House File No. 57, by Burgess of Woodbury, Malone of Cass and Swift of Dubuque, a bill for an act relating to public revenue and providing for the equalization of taxation; prescribing a sys-

Digitized by Google

tem for the taxation of the privilege of doing business within this State and of property used within this state measured by the gross income received therefrom; imposing a tax upon gross income; defining gross income, and other terms used herein; prescribing the method and manner of reporting such gross income, and for the assessing, levying, collecting and disbursing of such tax; abateing ad valorem taxes; providing for the administration of said law; fixing fines and penalties for the violation thereof; declaring an emergency; and repealing all laws in conflict with this act.

Read first and second times and referred to committee on tax revision.

House File No. 58, by Teter of Marion, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in this state for a prescribed time; to create within the Bureau of Labor a department to be known as the Old Age Pension Department to be under the supervision of the state Labor Commissioner; to provide the manner and method for carrying this act into effect; to provide a tax and an old age pension fund to carry out the provisions of this act; to make county overseers of the poor assistants to and under the direction of the Labor Commissioner; to create and establish county old age pension boards; to prescribe penalties for the violation of the provisions of this act; and to repeal all laws, or parts of laws, insofar only as inconsistent with this act.

Read first and second times and referred to committee on ways and means.

House File No. 59, by Craven of Jasper, a bill for an act to repeal section (5169-a1) to (5169-a10) Code 1931, relating to replacement of losses of funds in legal custody of County Treasurer.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 60, by Craven of Jasper, a bill for an act to provide that abstracts of title on real estate shall be unnecessary prior to January 1, 1910, and any contract therefor invalid.

Read first and second times and referred to committee on judiciary No. 1.

Digitized by Google

House File No. 61, by Metcalf of Muscatine, a bill for an act to amend Section seventy-seven hundred seventy-one (7771), of the Code of 1931, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the State, and to provide for the diversion of the water therefrom; also, to provide for the submission of cost records for promotion, construction, repairs and/or additions to projects constructed and operated under the provisions of Section seventy-seven hundred seventy-one (7771) of the Code of 1931, and to provide for the recapture of such projects by the State, and/or political subdivisions thereof.

Read first and second times and referred to committee on drainage.

House File No. 62, by Goode of Davis and Fabritz of Wapello, a bill for an act to amend Chapter three hundred eighty-three (383) of the Code of Iowa, 1931, to provide for the establishment and regulation of service rates of electric light and power companies; to provide for continuous service; to provide for testing meters; to prescribe the duties and liabilities of public light a power companies; and to provide for the regulation of all public light and power companies.

Read first and second times and referred to committee on public utilities.

Crouch of Greene presented the following resolution:

MEMORIAL RESOLUTION NO. 1

Whereas, The Honorable G. S. Toliver, who was a member of the Thirteenth General Assembly, died at his home in Jefferson, Iowa, October 24, 1933, therefore,

Be It Resolved by the House of Representatives of the Forty-fifth General Asembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

CROUCH of Greene.

Unanimous consent having been obtained for its immediate consideration, Crouch of Greene moved the adoption of the resolution. Motion prevailed and the resolution was adopted and the Speaker appointed the following committee: Crouch of Green, Dean of Cerro Gordo and Sours of Floyd.

Digitized by Google

Foster of Cedar called up report of committee on rules and presented the following amendment and moved its adoption:

Amend the report of the Committee on Rules by amending House Rule No. 5 of the rules of the Forty-fifth General Assembly by inserting following the word "duties" in line sixteen (16) the words "with the exception of signing bills".

Motion prevailed and the amendment was adopted.

Gallagher of Iowa called up the amendments filed by him and found in the House Journal of November 13 on page 56 and moved their adoption.

Fabritz of Wapello asked for a division of the question.

Malone of Cass moved the previous question.

On the first amendment a roll call was demanded.

On the question "Shall the first amendment by Gallagher be adopted?"

The ayes were, 85.

Aldrich	Falvey	Laughlin	Ryder
Alesch	Felter	Lichty	Schlatter
Augustine	Foster	Lookingbill	Schmitz
Avery	Frizzell	McCarthy	Schroeder
Beswick	Fuelling	McDermott	Smith
Bonnstetter	Fuester	McKinnon	Snyder
Bouska	Gallagher	McLean	Speidel
Bowers	Garner	Malone	Stansell
Bruce	Gissel	Mercer	Stewart
Burgess	Gittinger	Metcalf	Stimpson
Casey	Goode	Millhone	Strachan
Craven	Grau	Mitchell	Swift
Crouch	Hanson of Lyon	Moore of Benton	Teter
Cunningham	Hanson of Winnebago	Mooty	Thies
Davis		Osborn	Thiessen
Dean	Hook	Ostby	Treimer
Dole	Hough	Paisley	Weed
Donlon	Humeston	Peaco	Wiese
Dreesen	Jenkins	Peet	Yager
Durant	Jensen	Rice	Zipse
Elliott	Johnson	Roe	Zylstra
Fabritz	Koch		

The nays were, 15.

Beath	Hultman	Moore of Harrison	Stanzel
Doran	McCreery	Rawlings	Willis
Ellsworth	McFarlane	Sours	Wolf
Hartman	Maniece		Mr. Speaker

Absent or not voting, 8.

Brady	Grell	Porter	Sheridan
Fletcher	Hopp	Reed	Wieben

Amendment adopted.

Digitized by Google

On the question "Shall amendment No. 2 by Gallagher be adopted?"

The ayes were, 68.

Aldrich	Elliott	Lookingbill	Schmitz
Alesch	Falvey	McDermott	Schroeder
Avery	Foster	McKinnon	Sheridan
Beswick	Frizzell	McLean	Smith
Bonnstetter	Fuelling	Malone	Snyder
Bouska	Fuester	Maniece	Sours
Bowers	Gallagher	Metcalf	Speidel
Bruce	Garner	Mitchell	Stewart
Burgess	Gissel	Moore of	Stimpson
Craven	Gittinger	Harrison	Swift
Crouch	Goode	Ostby	Thies
Cunningham	Grau	Paisley	Thiessen
Davis	Hartman	Peaco	Treimer
Dean	Hook	Peet	Weed
Dole	Hough	Roe	Wiese
Donlon	Humeston	Ryder	Yager
Dreessen	Jensen	Schlatter	Zipse
Durant			

The nays were, 26.

Augustine	Hanson of Lyon	Lichty	Osborn
Beath	Hanson of	McCarthy	Rawlings
Casey	Winnebago	McCreery	Rice
Doran	Hultman	McFarlane	Willis
Ellsworth	Jenkins	Mercer	Wolf
Fabritz	Johnson	Millhone	Mr. Speaker
Felter	Koch	Moore of Benton	

Absent or not voting, 14.

Brady	Laughlin	Stansell	Teter
Fletcher	Mooty	Stanzel	Wieben
Grell	Porter	Strachan	Zylstra
Hopp	Reed		

Amendment adopted.

Foster of Cedar moved to amend the report of the Committee on Rules by striking Part two (2) of the report and re-numbering the following parts. Motion prevailed.

Foster of Cedar called up the report of the committee on House rules and moved the adoption of part one. Motion prevailed and amendment was adopted.

Foster of Cedar moved the adoption of part three of the report.

Bonnstetter of Kossuth moved the previous question. Motion prevailed.

Roll call was demanded.

Digitized by Google

On the question "Shall part three of the committee report be adopted?"

The ayes were, 26.

Aldrich	Fuester	McLean	Strachan
Alesch	Gallagher	Metcalf	Treimer
Bouska	Garner	Roe	Weed
Cunningham	Hook	Schlatter	Yager
Dole	Hough	Stanzel	Zipse
Donlon	Jensen	Stimpson	Zylstra
Foster	McKinnon		

The nays were, 71.

Augustine	Felter	Lookingbill	Rice
Avery	Frizzell	McCarthy	Ryder
Beath	Fuelling	McCreery	Schmitz
Beswick	Gissel	McFarlane	Schroeder
Bonnstetter	Gittinger	Malone	Sheridan
Bowers	Goode	Maniece	Smith
Bruce	Grau	Mercer	Snyder
Burgess	Hanson of Lyon	Millhone	Sours
Casey	Hanson of Winnebago	Moore of Benton	Speidel
Crouch	Hartman	Moore of Harrison	Stewart
Davis	Hultman	Mooty	Swift
Dean	Humeston	Osborn	Teter
Doran	Jenkins	Ostby	Thies
Dreessen	Johnson	Paisley	Wieben
Durant	Koch	Peaco	Wiese
Elliott	Laughlin	Peet	Willis
Ellsworth	Lichty	Rawlings	Wolf
Fabritz			Mr. Speaker
Falvey			

Absent or not voting, 11.

Brady	Grell	Mitchell	Stansell
Craven	Hopp	Porter	Thiessen
Fletcher	McDermott	Reed	

Amendment lost.

Foster of Cedar moved that part four of the committee report be adopted. Motion prevailed and the amendment was adopted.

Foster of Cedar moved that part five of the committee report be adopted. Motion prevailed and the amendment was adopted.

Foster of Cedar moved that part six of the committee report be adopted. Motion prevailed and the amendment was adopted.

Foster of Cedar moved that part seven of the committee report be adopted. A roll call was demanded and on the question "Shall part seven of the committee report be adopted?"

Digitized by Google

The ayes were, 68.

Aldrich	Foster	Lookingbill	Schroeder
Alesch	Frizzell	McDermott	Sheridan
Augustine	Fuelling	McKinnon	Smith
Avery	Fuester	McLean	Snyder
Beswick	Gallagher	Malone	Speidel
Bonnstetter	Garner	Mercer	Stanzel
Bouska	Gissel	Metcalf	Stewart
Bowers	Gittinger	Mitchell	Stimpson
Bruce	Goode	Ostby	Strachan
Burgess	Hanson of Lyon	Paisley	Swift
Cunningham	Hartman	Peaco	Thies
Davis	Hook	Peet	Thiessen
Dole	Hough	Rice	Weed
Donlon	Humeston	Roe	Wieben
Dreessen	Jenkins	Ryder	Yager
Durant	Jensen	Schlatter	Zipse
Fabritz	Johnson	Schmitz	Zylstra

The nays were, 28.

Beath	Fletcher	Maniece	Rawlings
Casey	Hanson of	Millhone	Sours
Crouch	Winnebago	Moore of Benton	Treimer
Dean	Hultman	Moore of	Wiese
Doran	Lichty	Harrison	Willis
Elliott	McCarthy	Mooty	Wolf
Ellsworth	McCreery	Osborn	Mr. Speaker
Felter	McFarlane		

Absent or not voting, 12.

Brady	Grau	Koch	Reed
Craven	Grell	Laughlin	Stansell
Falvey	Hopp	Porter	Teter

Amendment adopted.

Foster of Cedar moved the adoption of the report of the committee on House rules as amended. Motion prevailed and the report was adopted.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and adopted the report of the joint committee on rules and the amendments to the joint rules as proposed therein.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENT TO REPORT OF JOINT COMMITTEE ON RULES

Amend the report on joint rules by striking all of part two and inserting in lieu thereof, the following:

"Part 2. Strike all of Rule 6 and insert in lieu thereof, the following:

'After the report, each bill shall be signed by the president of the

Digitized by Google

senate and by the speaker of the house, in the presence of their respective houses, and shall be first signed in the house in which the bill originated.'"

CONSIDERATION OF SENATE AMENDMENT TO REPORT OF JOINT COMMITTEE ON RULES

Foster of Cedar called up the Senate amendment to report of joint committee on rules and asked unanimous consent for its immediate consideration.

Foster of Cedar moved that the House concur in the Senate amendment to the joint rules. Motion prevailed and the House concurred in the Senate amendment to the joint rules.

Foster of Cedar then moved that the House adopt the joint rules as recommended by the joint committee on rules and as amended by the Senate. The motion prevailed and the joint rules were adopted.

CONSIDERATION OF BILLS

Johnson of Linn asked and obtained unanimous consent for the consideration of House File No. 38, at this time.

House File No. 38, a bill for an act to amend chapter three hundred twenty-six (326), Code, 1931, and provide for the purchase of property by cities under the commission form of government, and to erect buildings thereon for police stations and/or jails, and to erect such buildings on property owned by such city and to provide for taxes to pay therefor, and to anticipate such taxes by issuing bonds to which chapter three hundred twenty (320), Code 1931, shall be applicable, was taken up for consideration.

Johnson of Linn moved to amend House File No. 38 by adding as section two the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and in the Cedar Rapids Tribune, a newspaper published at Cedar Rapids, Iowa, without expense to the State.

Swift of Dubuque moved the previous question. Motion prevailed.

The motion prevailed and the amendment was adopted.

Johnson of Linn moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Falvey	Lichty	Roe
Alesch	Foster	Lookingbill	Ryder
Augustine	Frizzell	McCarthy	Schlatter
Avery	Fuelling	McCrerry	Schmitz
Beath	Gallagher	McDermott	Schroeder
Beswick	Gissel	McFarlane	Sheridan
Bonnstetter	Gittinger	McLean	Snyder
Bouska	Goode	Malone	Sours
Bowers	Grau	Maniece	Stanzel
Bruce	Hanson of Lyon	Mercer	Stewart
Burgess	Hanson of Winnebago	Metcalf	Stimpson
Casey	Hartman	Millhone	Swift
Cunningham	Hook	Mitchell	Thiessen
Davis	Hopp	Moore of Benton	Treimer
Dean	Hough	Moore of Harrison	Weed
Dole	Hultman	Mooty	Wieben
Doran	Humeston	Osborn	Wiese
Dreessen	Jenkins	Ostby	Willis
Durant	Jensen	Peet	Wolf
Elliott	Johnson	Rawlings	Yager
Ellsworth	Koch	Rice	Zipse
Fabritz			Mr. Speaker

The nays were, 4.

Felter	Fletcher	Smith	Strachan

Absent or not voting, 18.

Brady	Garner	Peaco	Stansell
Craven	Grell	Porter	Teter
Crouch	Laughlin	Reed	Thies
Donlon	McKinnon	Speidel	Zylstra
Fuester	Paisley		

So the bill having received a constitutional majority was declared to have passed the House as amended and the title agreed to.

Johnson of Linn moved that the vote by which House File No. 38 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

SPEAKER'S CLERK AND PAGE

Speaker Miller announced the appointment of Edna J. Kilgore as Speaker's Clerk and Alexander L. Kloster as Speaker's page.

CHIEF CLERK'S CLERK AND PAGE

Chief Clerk Lekin announced the appointment of Goldie Peterson as his clerk and of Clark Shreck as his page.

Digitized by Google

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. SPEAKER: Your House committee on committee clerks beg leave to report the following clerk assigned to Paisley of Lee: Margaret Boyd.

LEROY S. MERCER.
F. D. AUGUSTINE.
OVE T. ROE.

Report adopted.

On motion of Speidel of Washington, the House adjourned until 10 o'clock a. m. Wednesday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 15, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Dr. J. Ray Strock, President of Andhra Christian College, Guntur, South India.

Journal of November 14th corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Hultman of Montgomery for the day, on request of Speidel of Washington; Cunningham of Polk for the day, on request of Elliott of Polk; Laughlin of Fremont for the day, on request of Roe of Allamakee; Dean of Cerro Gordo for the day, on request of Mercer of Johnson.

INTRODUCTION OF BILLS

House File No. 63, by Beswick of Van Buren, a bill for an act to extend the time in which to pay, without penalty, the second installment of all taxes payable in 1933, and to provide for interest on said installment in case payment is not made within the specified time.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 64, by Hopp of Mills, Hanson of Lyon and Hanson of Winnebago, a bill for an act to amend the law as it appears in section ninety-four hundred twenty (9420), Code, 1931, relating to interest on chattel loans up to three hundred ($300.00) dollars.

Read first and second times and referred to committee on banks and banking.

House File No. 65 by Hanson of Lyon, a bill for an act to amend sections forty-four hundred eighty-eight (4488) and forty-five hundred seven (4507) of the Code, 1931, relating to the rate of interest on the permanent school fund.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 2.

House File No. 66, by Osborn of Decatur, a bill for an act to amend section seventy-one hundred seventy-one (7171), Code, 1931, relating to the annual levy of taxes in the county.

Read first and second times and referred to committee on county and township organization.

House File No. 67, by Schroeder of Carroll and Dreessen of Crawford, a bill for an act to amend Chapter one hundred and ninety-nine (199), Code of Iowa of 1931, and to provide methods for apportioning among the several counties of the state the cost of treatment of indigent persons at the hospital of the College of Medicine of the State University.

Read first and second times and referred to committee on county and township organization.

House File No. 68, by Moore of Harrison, a bill for an act to fix a minimum limitation upon the size of school districts; to repeal section forty-one hundred thirty-two (4132), Code, 1931, and to enact a substitute therefor; and to repeal sections forty-one thirty-one-c one (4131-c1), forty one hundred thirty five (4135), and forty-one hundred fifty-two (4152), Code, 1931, relating to the alteration of the boundary lines of school districts.

Read first and second times and referred to committee on schools and text books.

House File No. 69, by Moore of Harrison, a bill for an act to amend Chapter one hundred thirty-seven (137), section one (1), Acts of the Forty-fifth General Assembly, relating to the location of depository banks.

Read first and second times and referred to committee on banks and banking.

House File No. 70, by Alesch of Plymouth and Foster of Cedar, a bill for an act authorizing the Governor of the State of Iowa to declare an embargo on the shipment out of this state of any agricultural product produced within the state, when the market price thereof is less than cost of production, or reaches a point when the returns from such agricultural products are confiscatory, and declaring that agricultural products taken from the soil con-

Digitized by Google

stitute a drain on the natural resources of this state, and that the disposition thereof at confiscatory prices becomes a matter of public concern warranting an executive order to prevent the same; and repealing all acts or parts of acts in conflict herewith.

Read first and second times and referred to committee on agriculture.

House File No. 71, by Gallagher of Iowa, a bill for an act to amend Section forty-seven (47), Code, 1931, prescribing the form in which bills shall be printed which amend sections of the Code.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 72, by Gallagher of Iowa, a bill for an act to amend the law as it appears in sections forty-two hundred sixty-eight (4268), forty-two hundred seventy-three (4273), and forty-three hundred twelve (4312), Code, 1931, relating to school age.

Read first and second times and referred to committee on schools and text books.

House File No. 73, by Donlon of Palo Alto, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act.

Read first and second times and referred to committee on ways and means.

House File No. 74, by Durant of Hancock and Foster of Cedar, a bill for an act to amend section one (1), Chapter seventy-three (73), Acts of the Forty-fifth (45th) General Assembly, relating to the payment of road poll tax.

Read first and second times and referred to committee on county and township organization.

House File No. 75, by Smith of Cherokee, a bill for an act to make permanent a temporary transfer made June 12, 1933, by authority of the Director of the Budget for Iowa, of twenty-five thousand dollars ($25,000.00) from the maintenance fund of Cherokee county to the poor fund of said county.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 2.

House File No. 76, by Grau of Buena Vista, a bill for an act to amend section ten hundred forty-three (1043) and Chapter forty-nine (49), Code, 1931, relative to costs of contesting elections of County Officers and elections for seats in the General Assembly.

Read first and second times and referred to committee on elections.

House File No. 77, by Cunningham of Polk, Millhone of Page and Moore of Benton, a bill for an Emergency Act to amend the law as it appears in Section eighty-nine hundred twelve (8912), Code, 1931, relating to and regulating the advancement of funds to Mutual Insurance Companies other than life, so as to authorize such insurance companies to establish a guaranty fund, and to provide for the establishment, regulation and administration of such fund.

Read first and second times and referred to committee on insurance.

House File No. 78, by Lookingbill of Story and Rice of Keokuk, a bill for an act to repeal section twelve thousand three hundred and seventy-seven (12377), Code of 1931, relating to General Executions for balance.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 79, by Johnson of Linn and Mercer of Johnson, a bill for an act to repeal paragraphs three (3), four (4), five (5) and six (6), of Section thirteen hundred ninety-seven (1397), Code, 1931, and to enact substitutes therefor relating to computation of workmen's compensation and prescribing methods for computing the average weekly earnings and annual earning capacity in such computation.

Read first and second times and referred to committee on insurance.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Digitized by Google

Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 26, a bill for an act relating to expenses to be incurred in printing local and private legalizing acts.

Also, the following bill in which concurrence of the House is asked:

Senate File No. 27, a bill for an act relating to the rules of parliamentary practice in use by the General Assembly.

BYRON G. ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 27, a bill for an act to amend the law as it appears in section twelve (12) of chapter two (2), Code, 1931, relative to the rules of parliamentary practice in use by the General Assembly of Iowa in the absence of other rules.

Read first and second times and referred to committee on rules.

Senate File No. 26, a bill for an act to amend section two hundred sixty-three (263) of chapter sixteen (16), Code, 1931, relative to the expenses to be incurred in the printing of local or legalizing acts of a strictly private interest and defining the duties of the superintendent of printing and the secretary of state in connection therewith.

Read first and second times and referred to committee on rules.

McCarthy of Woodbury presented the following resolution:

MEMORIAL RESOLUTION NO. 2

Whereas, The Honorable Thomas F. Griffin who was a member of the 35, 36, 37 and 38th sessions died at his home in Sioux City, Iowa during the month of April.

Therefore, Be It Resolved by the House of Representatives of the 45th General Assembly, in extra session, That a committee of three be appointed to draft suitable resolution commemorating his life, character, and service to the state.

Unanimous consent having been obtained for its immediate consideration, McCarthy of Woodbury moved the adoption of the resolution. Motion prevailed and the resolution was adopted and the Speaker appointed the following committee: McCarthy of Woodbury, Burgess of Woodbury and Mitchell of Webster.

Mitchell of Webster, Hough of Fayette, Gallagher of Iowa, Koch of Bremer and McFarlane of Black Hawk presented the following concurrent resolution:

Digitized by Google

HOUSE CONCURRENT RESOLUTION NO. 3

Whereas, The Honorable Clyde L. Herring, Governor of Iowa, in his message to the special session of the Forty-Fifth General Assembly pointed out certain legislation which he felt should have the attention of said special session, and

Whereas, The citizens of the State of Iowa desire that certain of the legislation suggested by the Governor in his message be speedily enacted into law, now, therefore,

Be It Resolved by the House, the Senate Concurring, That the bills relating to those subjects referred to in the message of the Governor, delivered to the Forty-fifth General Assembly, Extra Session, be given preference upon the calendar during said special session.

Unanimous consent having been granted for the immediate consideration of the resolution, Mr. Mitchell moved its adoption. Motion prevailed and the resolution was adopted.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 2, a joint resolution fixing the compensation of officers and employees of the forty-fifth general assembly in extraordinary session.

BYRON G. ALLEN, *Secretary*.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution No. 2, a joint resolution fixing the compensation of officers and employees of the Forty-fifth General Assembly in extraordinary session.

Read first and second times and placed on calendar.

Fabritz of Wapello asked and obtained unanimous consent for the immediate consideration of Senate Joint Resolution No. 2.

Bonnstetter of Kossuth moved the following amendment to Senate Joint Resolution No. 2:

HOUSE AMENDMENT TO SENATE JOINT RESOLUTION NO. 2

Amend Senate Joint Resolution No. 2 by striking all of Section one (1) and inserting in lieu thereof the following:

"Section 1. Pursuant to the provisions of section nineteen (19) of the code, 1931, it is provided that the compensation of all officers and em-

Digitized by Google

ployees of the forty-fifth general assembly in extraordinary session shall be as follows, to be paid in accordance with the rules of the senate and house:

Nine dollars ($9.00) per day to the secretary of the senate and to the chief clerk of the house.

Seven and 20/100 dollars ($7.20) per day to the assistant in law research in the law library.

Six and 30/100 dollars ($6.30) per day to the assistant secretary, the reading clerk, the enrolling clerks, the engrossing clerk, the general clerk, the journal clerks of the senate, and to the assistant chief clerk, the reading clerk, the enrolling clerk, the engrossing clerk, the journal clerks, and to the assistant clerk to the chief clerk of the house.

Four and 50/100 dollars ($4.50) per day to the sergeant-at-arms of the senate and house, the assistant sergeant-at-arms of the senate and house, the chief doorkeeper of the senate and house, the bill and file clerks of the house and senate, the lieutenant governor's clerk, the secretary's clerk, the speaker's clerk, the chief clerk's clerk, the assistant enrolling clerk of the house, and the enrolled bills clerk of the senate and of the house; also the assistant in general research in the law library, and the legislative assistant in economics and sociology department of the state library.

Three and 60/100 dollars ($3.60) per day to the assistant bill and file clerks of the house, the postmistress and assistant postmistress, the doorkeepers, the chief janitor, assistant janitors and committee clerks of the house and senate, the matron of the senate cloak room and the assistant electrician for the voting machine of the house; also the stenographer and typist for law librarian, the page to the law librarian, the stenographer for the economics and sociology division of the library, the assistant matron, the elevator tenders, the messenger to the mail carrier, and the assistant messenger, and to the porters and janitors employed by the general assembly.

Two and 50/100 dollars ($2.50) per day to the lieutenant governor's page, the speaker's page, the secretary's page and the chief clerk's page.

Two and 25/100 dollars ($2.25) per day to the telephone messengers in the house and senate.

Two dollars ($2.00) per day to the other pages in the house and senate."

McKinnon of Henry moved the previous question on the amendment. Motion prevailed.

On the question "Shall the amendment by Bonnstetter be adopted?" a roll call was demanded.

The ayes were, 78.

Aldrich	Bowers	Durant	Fuelling
Alesch	Bruce	Elliott	Fuester
Augustine	Casey	Ellsworth	Gissel
Avery	Davis	Falvey	Gittinger
Beath	Dean	Felter	Goode
Beswick	Dole	Fletcher	Grau
Bonnstetter	Doran	Foster	Hanson of
Bouska	Dreessen	Frizzell	Winnebago

Digitized by Google

Hook	McKinnon	Rice	Teter
Hopp	McLean	Roe	Thies
Hough	Maniece	Schmitz	Thiessen
Jenkins	Mercer	Schroeder	Treimer
Jensen	Metcalf	Smith	Weed
Johnson	Millhone	Snyder	Wieben
Koch	Mitchell	Sours	Wiese
Lichty	Moore of Harrison	Speidel	Willis
Lookingbill	Osborn	Stanzel	Wolf
McCreery	Peet	Stewart	Yager
McDermott	Rawlings	Stimpson	Zipse
McFarlane		Strachan	Zylstra

The nays were, 14.

Burgess	Grell	Ostby	Schlatter
Fabritz	Hartman	Peaco	Swift
Gallagher	Humeston	Ryder	Mr. Speaker
Garner	Mooty		

Absent or not voting, 16.

Brady	Donlon	McCarthy	Porter
Craven	Hanson of Lyon	Malone	Reed
Crouch	Hultman	Moore of Benton	Sheridan
Cunningham	Laughlin	Paisley	Stansell

Amendment adopted.

Fabritz of Wapello moved that the joint resolution be read a third time and placed upon its passage. Motion prevailed.

On the question "Shall Senate Joint Resolution No. 2 pass?"

The ayes were, 90.

Aldrich	Fabritz	Jensen	Schmitz
Alesch	Falvey	Koch	Schroeder
Augustine	Felter	Lichty	Sheridan
Avery	Fletcher	Lookingbill	Snyder
Beath	Foster	McCarthy	Sours
Beswick	Frizzell	McCreery	Speidel
Bonnstetter	Fuelling	McDermott	Stanzel
Bouska	Fuester	McFarlane	Stewart
Bowers	Gallagher	McKinnon	Stimpson
Brady	Garner	McLean	Strachan
Bruce	Gissel	Mercer	Teter
Burgess	Gittinger	Metcalf	Thies
Casey	Goode	Millhone	Thiessen
Craven	Grau	Mitchell	Treimer
Davis	Grell	Moore of Harrison	Weed
Dean	Hanson of Lyon	Mooty	Wieben
Dole	Hanson of Winnebago	Osborn	Wiese
Donlon	Hook	Paisley	Willis
Doran	Hopp	Peet	Wolf
Dreessen	Hough	Rawlings	Yager
Durant	Humeston	Rice	Zipse
Elliott	Jenkins	Roe	Zylstra
Ellsworth			Mr. Speaker

The nays were, 4.

Ostby	Peaco	Schlatter	Swift

Digitized by Google

Absent or not voting, 14.

Crouch	Johnson	Moore of Benton	Ryder
Cunningham	Laughlin	Porter	Smith
Hartman	Malone	Reed	Stansell
Hultman	Maniece		

So the resolution as amended having received a constitutional majority was declared to have passed the House and the title was agreed to.

Fabritz of Wapello asked and obtained unanimous consent to have the report of the Iowa Commission to study Liquor Control Legislation printed in the House Journal.

REPORT MADE TO HIS EXCELLENCY, THE GOVERNOR, BY A SPECIAL COMMISSION APPOINTED BY HIM TO STUDY AND RECOMMEND LIQUOR CONTROL LEGISLATION FOR IOWA

The commission appointed by you to consider the problem with which the government of this state will be faced when the 18th Amendment to the Constitution of the United States has been repealed, and to recommend to you and the Iowa legislature, provisions and regulations for the conduct of traffic in alcoholic beverages, begs to submit the following unanimous report, with the appended minority comment by Commissioners Stoddard Lane and E. G. Moon:

Your commission, in dealing with the problem at hand, deemed it advisable to ascertain to the best of its ability the progress that has been made in the handling of liquors through various forms of legislation, not only in the United States, but in foreign nations.

Consequently, these recommendations are not entirely original but have been gleaned from statutory provisions enacted by governments throughout the world.

Our first consideration has been an earnest and ardent desire to suggest legislation that would promote temperance in Iowa.

With the earlier examples in mind of the breakdown of state prohibition in Iowa, and the post-war breakdown of federal prohibition, your commission believes that absolute prohibition of traffic in alcoholic beverages in Iowa will not promote temperance.

We feel satisfied that the citizens of Iowa desire a change in the laws governing the manufacture and sale of liquor. We base our opinion, first, on the results of a referendum in 1917 when a majority voted against a proposed amendment to the state constitution, and, second, on the results of the vote in a special election in 1933 when a majority voted for repeal of the 18th Amendment to the Constitution of the United States.

Whether or not prohibition is the eventual solution of the liquor problem, the fact remains that it has largely lost the support of public opinion. Prohibition cannot, in our opinion, have any measure of success without the overwhelming backing of public sentiment.

Digitized by Google

Therefore, it seems to your commission that the only alternative is between less control and more control. We believe it to be in the interests of the public good to devise the best method of control which experience and wisdom can suggest.

Your commission is under no illusions as to the difficulty of the undertaking. We are convinced that this whole problem is primarily one of education and that to any system of legislative control must be added a program of intensive education.

In preparing a plan and recommendations, your commission has been influenced by the following principles:

First—One of the greatest obstacles to the success of any liquor control plan is the lust of those engaged in the traffic for gain. Our aim has been to eliminate private profit as far as possible.

Second—In company with what we believe to be a preponderate majority of the people of Iowa, we consider the saloon as it was known before prohibition an undesirable adjunct to any community, and we are opposed to any solution or attempted solution of the liquor problem that would bring it back into existence, with its well known attendant evils either under the name of saloon or under any other name.

Third—There is a difference between the inherent harmfulness of various kinds of alcoholic beverages. This difference should be utilized to lessen the evils of the traffic by subjecting each class to a degree of control proportionate to its alcoholic content.

Fourth—Because of the inherent evils to some persons in the use of alcoholic beverages, they cannot be classed with the usual and everyday commodities of trade and commerce. Some restrictions and many regulations are necessary to lessen the evils of said alcoholic beverages while admitting the necessity of allowing some traffic in the same.

Fifth—We recognize the fact that a large majority of our fellow citizens desire to exercise the freedom of choice as to whether they will use or abstain from alcoholic beverages on the ground that indulgence in such beverages is a matter for the individual to decide. We also recognize the fact that an appreciable number of people are unable to exercise the necessary self-restraint to save themselves from overindulgence, especially if exposed to undue temptations.

Sixth—The futility of any law that does not meet the reasonable requirements of the public for alcoholic beverages has been repeatedly demonstrated. Conversely, however, the necessity of an effective liquor law should appeal to the judgment of a substantial majority if such a law be reasonable in its provisions, not unduly oppressive, and adequate to supply the public with what it wants.

Governed by these principles, your commission respectfully submits the following recommendations for liquor control legislation.

I. REPEAL OF PRESENT PROHIBITION.

As a first step, your commission recommends the repeal of all liquor statutes of Iowa which conflict with the commission's suggestions for liquor control.

Digitized by Google

II. ABSOLUTE CONTROL OF THE TRAFFIC IN ALCOHOLIC BEVERAGES THROUGH A LIQUOR CONTROL COMMISSION.

In order that the liquor traffic may be kept under effective control and nonpartisan, your commission recommends that administration of any liquor control bill enacted be vested in a commission to be known as the Iowa Liquor Control Commission, composed of five members, appointed for terms of six years, the appointments to be rotated so that at all times a majority of the members of the commission are qualified to carry on continuing policies of administration that will further the public interest.

The members of the commission should be appointed by the governor and appointments should be confirmed by the senate. Their salaries should be thirty-six hundred ($3600.) dollars per annum, and they should be paid necessary traveling expenses. In appointing the first commission, the governor should appoint one member for a term of two years, two members for terms of four years, and two members for terms of six years. Not more than three members of said commission should be affiliated with any one political party.

The governor should have authority to fill any vacancy for an unexpired term but the appointment should be confirmed by the senate at the next legislative assembly following the appointment. Any member of the commission should be eligible to succeed himself.

The commission should be empowered to engage a liquor control administrator to actively administer the law. The salary of the administrator should be not less than seventy-five hundred dollars ($7500.) per year and not more than ten thousand dollars ($10,000.) per year.

The commission should be invested with broad discretionary powers in the administration of the liquor control act, which should be enforced through the liquor control administrator. It should be allowed to engage such other necessary helps as in its opinion may be necessary to conduct its affairs. The liquor control administrator, with the consent of the commissioners, should have authority to employ a deputy administrator, police and inspection chiefs and such other necessary personnel as may be deemed essential to carry out the powers delegated to him.

The commissioners, the administrator and such other employees as the commission designates should be bonded.

No member or employee of the commission, directly or indirectly, individually or as a member of a partnership or as a shareholder in a corporation, should have any interest whatsoever in dealing in, or in the manufacture of alcoholic liquors, nor receive any kind of profit whatsoever, nor have any interest whatsoever in the purchases or sales by the persons authorized to purchase or sell alcoholic liquor, except that no provisions should prevent any such commissioner or employee from purchasing and keeping in his possession, for the personal use of himself, or his family or guests, any liquors which may be purchased.

In order to divorce the liquor control commission and its employees from politics and to prevent a change of administration from hampering the efficiency of the commission, statutory provisions should be enacted providing that no employee could be changed without cause.

Digitized by Google

III. DISTRIBUTION OF ALCOHOLIC BEVERAGES.

In our investigations we have found that the experience of every country supports the idea that beer does not constitute a serious social problem. Your commission, however, is firmly of the opinion that the best solution of the problem of high content alcoholic beverages is through an absolute monopoly of sale by the state.

While it is true that some states have recently enacted legislation to take effect when repeal is ratified, following the licensing method of control, we are opposed to such a method of distribution because it retains a fundamental flaw, the private profit motive which makes inevitable the effort to increase sales.

By a state liquor monopoly we mean the adoption of a system of liquor distribution under which the state takes over as an exclusive privilege the sale of high content alcoholic beverages in state liquor stores for consumption off the premises of sale.

Such a system should be organized and directed by the Iowa Liquor Control Commission through the liquor control administrator. The commission should be charged with the task of establishing state owned stores for the sale by original package only of all alcoholic beverages, except beer, with the further provision that the privilege of consumption on certain premises should be granted by special licenses as hereinafter provided.

We do not feel that the state could successfully engage in the manufacture of liquor because of the magnitude of such operation, and the added fact that the state might not be able to compete with distilleries of famous brands in fair competition. For that reason, we suggest that the commission be vested with plenary powers to license, inspect and control manufacture of all liquors, except beer, within the boundaries of the state and to revoke such licenses for cause.

The liquor commission, however, should have the exclusive authority to blend, import and sell liquors and regulate the entire liquor industry in the state.

It should have the authority to rent, lease, or purchase real estate, and other facilities as may be required.

The commission should also have the right to fix prices on its merchandise, to regulate prices on liquors sold through the special licenses and to change prices at will. At all times quality should be kept high enough, and prices should be kept low enough to prevent competition of illicit vendors.

It should also have power to hold hearings on matters in dispute including the authority to subpoena witnesses and records and to make binding decisions.

The wisdom of conferring broad powers on the commission is substantiated by the fact that most of the control systems now in effect in foreign nations and that several of the acts passed by the states of the United States to take effect upon the repeal of the 18th Amendment, provide for government monopolies of sale.

Digitized by Google

A. A SECOND PLAN FOR DISTRIBUTION.

Your commission is aware of the possible constitutional obstacles as to state monopoly on liquor sales.

However, it is our opinion that a bill can be drawn which will meet the requirements of our constitution. Should the legislature determine that our plan is incompatible with the constitutional laws of this state, then we recommend the establishment of one or more state controlled holding corporations, with subsidiary corporations to act as the selling agents only of the commission.

Under such a plan, private capital would be allowed to invest in the stock of such corporations but the dividends should be limited to six per cent on the capital stock invested. Such profits should be divided as follows: The first three per cent should go to the stockholders, the next three per cent to the state, the next three per cent to the stockholders, and all in excess of nine per cent should accrue to the state.

In order that the state might maintain control of the corporations, provisions should be enacted delegating the five commissioners to the board of directors of the holding corporations. Five more directors should be elected by the private stockholders, and the eleventh director should be nominated by the governor with the consent of the other ten directors.

Subsidiary corporations may be set up in cities and towns at the discretion of the liquor commission to operate stores.

In such cases, the holding corporation should retain control of fifty per cent of the stock and the other fifty per cent should be sold in the community in which the store is located.

There should be three directors of the subsidiary, one named by the commission, one by the stockholders of the community, and one by these two directors.

This plan of distribution is predicated on local option as outlined hereafter and does not surrender any of the commission's regulatory rights.

Should it become necessary to adopt this method of distribution, your commission suggests that it be temporary and that the legislature at once pass the necessary acts to bring about the amendment of our state constitution to allow the state to assume an absolute monopoly of sale.

We therefore urge the legislature to enact into its bill, provisions for the liquor commission to option all stock sold in said corporations so that it might take up said stock in the future at the original purchase price.

IV. REGULATION OF SALES OF ALCOHOLIC BEVERAGES.

A. Intoxicating Liquors—The exclusive right of the Iowa Liquor Commission to sell alcoholic beverages should be protected by legislation forbidding any sale whatsoever of alcohol, or any spirits, wine or other alcoholic liquors, with the exception of beer, except by the commission. The exception to this rule should be through certain licenses outlined hereinafter.

Manufacturers of liquors, except beer, being licensed for operation in

Digitized by Google

the state could sell to the commission. They would not, however, be allowed to sell to any individual or corporation within the state.

B. Individual Permits—At the commission dispensaries, individuals should be allowed to purchase liquors providing they possess permits to do so. Individual permits should be issued by the clerk of the district court in each of the counties of the state; issuance of permits should be mandatory to the county.

The fee for such permit should be one dollar per year. The permit should be good for one year or unfinished part of the current permit year. All permits should terminate July 1st of each year. This fee should be divided equally between the county and the liquor commission fund. The commission or any district judge or municipal judge should be given authority to revoke any individual permit, but such decision should be subject to final review by the commission. Drunkenness or simulation of drunkenness should be sufficient cause for revocation of an individual permit.

The liquor commission should determine the necessary information that should be given to qualify one for a permit to purchase, except that no permit should be granted to any person under the age of twenty-one (21) years. On the permit should be recorded the amount and date of each purchase. This information should also be kept in the records of each state dispensary at which the permit holder presents his permit. The commission should have the authority to revoke the permit when, in its opinion, the privilege to purchase is abused.

C. Local Option—Your commission is of the firm belief and conviction that the principle of local option should prevail as to the establishment of any liquor stores or the issuance of special licenses. Liquor stores shall be established or special licenses issued only in cities and incorporated towns. Any city or incorporated town may seek the establishment of a state liquor store within its limits. On the filing with the city or town clerk of such city or incorporated town, of a petition signed by a number of voters equivalent to twenty per cent of the votes cast at the last general election, an election shall be ordered and a majority vote will entitle said city or incorporated town to the establishment of a state liquor store and the issuance of special permits at the discretion of the liquor commission. No second election on the establishment or abolishment of liquor stores should be held within less than two years after the preceding election, and all elections after the first election should be held at a general election and only on petition signed by a number of voters equivalent to thirty per cent of the votes cast at the preceding general election. No state liquor store should be established or special licenses issued in any city or incorporated town except upon a majority vote in such city or incorporated town. Nor should any state liquor store be established or special licenses issued outside any city or incorporated town.

The commission should have the power to fix the number of stores or special licenses in any city or town or in its discretion to refuse to

Digitized by Google

establish any such store or grant any such special license, notwithstanding a local option vote therein favorable thereto.

D. Liquor Consumed on Premises—The commission believes that hotels, restaurants, clubs, steamboats and dining-cars should be allowed some privilege of dispensing beverages of light alcoholic content with meals through special licenses. No sale of liquor with a higher alcoholic content than that obtained through natural fermentation should be sold under these licenses.

The liquor commission should issue and supervise such special licenses. The hours during which such alcoholic beverages could be served with meals should be limited by the commission, except that the commission might issue temporary permits for the consumption of light content alcoholic beverages on the premises for banquets and social affairs. In all such temporary permits, however, the commission should specify the amount of liquor to be so sold and consumed.

The commission should have the right to designate what hotels, restaurants and clubs shall be allowed to sell alcoholic liquors for consumption with meals. A "hotel" should mean every building or other structure, kept, used, maintained, advertised and held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests in which rooms are used for sleeping accommodations for such transient guests and having one or more dining rooms being connected in the same building or buildings in connection therewith and such building or buildings, structure or structures, being provided in the judgment of the commission, with adequate and sanitary dining room equipment and capacity, and having employed therein such number and kinds of servants and employees as the commission may by regulation prescribe for preparing, cooking and serving suitable food for its guests.

The commission should define the word "restaurant" as a space in a suitable building approved by the commission, kept, used, maintained, advertised or held out to the people to be a place where the principal business is the serving of meals without sleeping accommodations, such space being provided, in the judgment of the commission, with adequate and sanitary kitchen and dining-room equipment and capacity or having employed therein such number and kinds of servants and employees as the commission may by regulation prescribe for preparing, cooking and serving suitable food for its guests.

The word "club" should mean an association of persons, whether incorporated or unincorporated, for the promotion of some common object (not including associations organized for any commercial or business purpose the object of which is money profit), owning, hiring, or leasing a building, or space in a building, of such extent and character as in the judgment of the commission may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests and provided with suitable and adequate kitchen and dining room space and equipment, implements and facilities, and employing a sufficient number of servants or employees for cooking, preparing and serving food and meals for its members and their guests; provided, that such club

Digitized by Google

files with the commission annually within ten days of February 1st in each year a list of the names and residences of its members, and similarly files within ten days of the election of any additional member, his name and address, and that its aggregate annual membership fees or dues and other income, exclusive of any proceeds of the sale of alcoholic liquor, are sufficient to defray the annual rental of its leased or rented premises, or, if such premises are owned by the club, are sufficient to defray the annual rental of its leased or rented premises; or, if such premises are owned by the club, are sufficient to meet the taxes, insurance, repairs, and the interest on any mortgage thereof; and provided, further that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by the members at their annual meeting, and that no member or any officer, agent or employee of the club is paid, or directly or indirectly receives in the form of salary or other compensation, any profits from the disposition or sale of alcoholic liquor to the club or to the members of the club or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members or by its directors or other governing body and as reported by the club to the commission, within three months after such annual meeting, and as shall in the judgment of the commission be reasonable and proper compensation for the services of such member, officer, agent or employee.

The words "dining-car" and "steamboat" should be similarly defined.

E. Sales of Intoxicants off the Premises—Aside from the liquors sold under special licenses, previously described, there should be no consumption whatsoever on the premises of sale of any liquor sold in the state of Iowa, except beer.

F. Medicinal Sales—Doctors, dentists, druggists, scientific laboratories, hospitals, soldiers homes, sanitoriums, homes for the aged, and veterinarians should be licensed by the commission to obtain and dispense for medicinal and laboratory purposes only, alcoholic beverages. All such liquors should be obtained from the commission. The amounts sold through these licenses should be rigidly restricted and inspected, and the commission should have power to revoke all such licenses for cause.

G. Holidays and Sundays—There should be no sale of liquors in the state of Iowa on holidays, Sundays or election days.

H. Sacramental Liquors—Ministers, clergymen, rabbis, and priests should be allowed to purchase from the commission sufficient liquors for sacramental purposes through a special permit to be issued by the commission when such sales are consummated.

I. Beer—Your commission believes that no recommendations on the sale of beer under the present law are necessary in this report.

V. REVENUE FROM ALCOHOLIC BEVERAGES.

Your commission does not favor a statutory tax on liquor sales in Iowa. A tax could only be changed by legislative action. In order to prevent illicit sales, we believe the Iowa Liquor Commission should be

Digitized by Google

unhampered in keeping prices of liquor in Iowa on a level with prices in surrounding states.

In addition to such revenue as the state receives from the sale of individual permits, the entire profits from the sale of liquor by the commission should accrue to the state. If the controlled corporations plan is enacted, the state would share the profits of the corporation as previously outlined.

All revenue over and above operating and educational expenses derived by the state should be paid into the general fund of the state treasurer to be used as a replacement tax on real estate.

VI. TEMPERANCE EDUCATION.

A board of research, statistics, and temperance education should be appointed and maintained by the commission out of the profits accrued from the sale of liquor or other sources.

The board of research and education should prepare an annual report and financial statement, including actual figures revealing the total amount of liquor sold during the year, the increase or decrease in liquor sales, arrests for drunkenness, and any other information that might enable the people to judge the effect of liquor control.

The board should conduct temperance education based on the latest scientific findings as to the effect of alcohol on the human body. The subject should also be dealt with on the historical, economic and moral sides.

This temperance information should be supplied to and taught by the public schools, state colleges, universities and other educational institutions.

This information should be provided gratuitously to colleges and other institutions not owned by the state. It should also be disseminated through all agencies available.

VII. CONCLUSIONS.

No attempt has been made in this report to analyze or state in detail all of the provisions the Iowa liquor control act should contain. Only what seemed to the commission to constitute its most important phases have been mentioned.

If the legislature should see fit to adopt the plans suggested by this commission, or any similar plan of liquor control, this commission takes the liberty of suggesting that fundamentals be emphasized in what ever statute is adopted and that as many details and technicalities as possible be omitted therefrom; and that in the interest of effective enforcement plenary powers be delegated to the liquor control commission to adopt working regulations to meet emergencies as such emergencies arise, and to accommodate itself to changing conditions and varying situations.

The commission urges that a bill be drawn, containing the major features which we have outlined herein, for submission to the special

Digitized by Google

session of the Iowa legislature. We suggest that the president of the senate and the speaker of the house appoint a joint committee to prepare such a bill.

Respectfully submitted,
(Signed) MAT A. TINLEY, *Chairman*
JOE R. FRAILEY
RICHARD R. LANE
O. R. LATHAM
BERNARD MANLEY
E. G. MOON
STODDARD LANE
W. R. LEE
JOHN W. CAREY

MINORITY REPORT BY COMMISSIONER STODDARD LANE

TO HIS EXCELLENCY, THE GOVERNOR OF IOWA:

I am sorry to make a minority report. I agree with my fellow-commissioners in so much of their point of view that I would like to go all the way with them. I want to say that it has been a privilege to work with these men. I have found them to be open-minded to a remarkable degree and sincerely desirous of finding the best solution possible of this exceedingly knotty problem. They have not always agreed with me but they have been very tolerant and willing to listen to another point of view.

I feel that on the whole the plan suggested by the commission is one of high merit. I think it ought to go a long way toward mitigating many of the evils of the liquor traffic and setting up a form of social control that will be reasonably effective. I hope that it will tend to eliminate the private profit motive, reduce the demand for liquor, prevent the return of the saloon, curb the power of the liquor interests, make illicit sale of liquor unprofitable, encourage temperance, promote a sane program of education and change the psychology of the situation in favor of law observance and self-control. I think that this plan is the best state plan that I have seen and I feel confident that it will have widespread support throughout the state.

I do feel, however, that there is one serious omission and I would not be true to my own convictions if I did not state it. There is no provision in the plan against the advertising of hard liquors. It is my firm conviction that all advertising of such liquor should be strictly prohibited. Many of our newspapers will not accept it anyway and I feel that none should be permitted to accept it. It will be impossible to prevent the advertising that will come to us in national magazines and through national broadcasts. But the amount of such advertising can be materially reduced by prohibiting it in all state publications and over all radio stations in Iowa. The same ban should be put on billboard and all other forms of advertising.

As I see it, this is the only procedure that is consistent with our purpose. We want to reduce the demand for liquor. We want to lessen the

Digitized by Google

consumption of liquor. Therefore we want to eliminate all stimulation of demand, all encouragement to increased consumption.

Now there is only one reason for advertising. The aim of advertising is to increase sales—to increase demand—to increase private profit. And so, advertising is directly opposed to the main purpose of the liquor control plan. It will stimulate the very thing which we say we do not want stimulated.

I therefore contend that the only logical position to take is to eradicate all advertising of hard liquor. To my mind this is vitally essential to the success of the plan. Here is a great chance to prove the genuineness of our purpose and to make a real contribution toward the end in view.

I hope that your excellency will give this important point most careful consideration and that the legislature will include it in the liquor control act which is to be formulated.

Respectfully submitted,

(Signed) STODDARD LANE.

MINORITY REPORT BY E. G. MOON.

TO HIS EXCELLENCY, THE GOVERNOR OF IOWA:

It is my understanding that the sole purpose of advertising is to increase a demand for the product advertised. The purpose of the legislation which we are advising is wholly out of harmony with the purpose which the advertiser has in view. The commission has no desire to encourage or increase demand for liquor but rather hopes that the demand will decrease as time goes on. I therefore concur in the suggestion made by Commissioner Stoddard Lane.

Respectfully submitted,

(Signed) E. G. MOON.

On motion of McFarlane of Black Hawk the House recessed until 1 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate refuses to concur in the house amendment to Senate Joint Resolution No. 2, fixing the compensation of the officers and employees of the forty-fifth general assembly in extraordinary session.

BYRON G. ALLEN, *Secretary.*

Digitized by Google

Bonnstetter of Kossuth moved that the House insist on its amendment.

On the question "Shall the House insist on its amendment?"

The ayes were, 82.

Aldrich	Elliott	Hough	Schmitz
Alesch	Ellsworth	Jensen	Schroeder
Augustine	Falvey	Johnson	Snyder
Beath	Felter	Koch	Sours
Beswick	Fletcher	Lichty	Speidel
Bonnstetter	Foster	Lookingbill	Stanzel
Bouska	Frizzell	McCarthy	Stewart
Bowers	Fuelling	McCreery	Stimpson
Brady	Fuester	McDermott	Strachan
Bruce	Gallagher	McKinnon	Teter
Burgess	Garner	McLean	Thies
Casey	Gissel	Mercer	Thiessen
Crouch	Gittinger	Metcalf	Treimer
Craven	Goode	Mitchell	Weed
Davis	Grau	Moore of Benton	Wieben
Dean	Hanson of Lyon	Moore of	Wiese
Dole	Hanson of	Harrison	Willis
Donlon	Winnebago	Osborn	Wolf
Doran	Hartman	Rawlings	Yager
Dreessen	Hook	Roe	Zylstra
Durant	Hopp	Ryder	Mr. Speaker

The nays were, 12.

Avery	Humeston	Peaco	Smith
Fabritz	Mooty	Schlatter	Swift
Grell	Ostby	Sheridan	Zipse

Absent or not voting, 14.

Cunningham	McFarlane	Paisley	Reed
Hultman	Malone	Peet	Rice
Jenkins	Maniece	Porter	Stansell
Laughlin	Millhone		

The House insisted on its amendments and as members of the conference committee on the part of the House the Speaker appointed Bonnstetter of Kossuth, Fabritz of Wapello, Koch of Bremer and Dole of Jefferson.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the report of the conference committee on Senate Joint Resolution No. 2, fixing the compensation of the officers and employees of the Forty-fifth General Assembly, in extraordinary session.

BYRON G. ALLEN, *Secretary.*

CONFERENCE COMMITTEE REPORT

Your Conference Committee begs leave to report that the attached list of the employees of the Senate and House and extra help showing the

Digitized by Google

amount of compensation agreed upon by the Conference Committee is herein respectfully submittd.

For the Senate,
VINCENT HARRINGTON, *Chairman*
W. R. RITCHIE
D. W. KIMBERLY
CLYDE H. TOPPING

For the House,
A. H. BONNSTETTER, *Chairman*
E. H. FABRITZ
WM. KOCH
J. WILBUR DOLE

CONFERENCE COMMITTEE REPORT ON SENATE JOINT RESOLUTION NO. 2

Substitute the following as section one (1) in lieu of the original section one (1) as adopted by the senate and in lieu of section one (1) of the resolution as adopted by the house:

"Section 1. Pursuant to the provisions of section nineteen (19) of the code, 1931, it is provided that the daily compensation of all officers and employees of the forty-fifth general assembly in extraordinary session shall be as follows, to be paid in accordance with the rules of the senate and house:

OFFICERS AND EMPLOYEES OF THE SENATE

Secretary of the Senate	$9.00	Sergeant-at-Arms	4.50
Assistant Secretary of Senate	6.30	Assistant Sergeant-at-Arms	4.50
Reading Clerk	6.30	Chief Doorkeeper	4.50
Engrossing Clerk	6.30	Doorkeepers	3.60
Enrolling Clerk	6.30	Enrolled Bills Clerk	4.50
Assistant Enrolling Clerk	6.30	Postmistress	3.60
Journal Clerk	6.30	Committee Clerks	3.60
Assistant Journal Clerk	5.50	Matron	3.60
Assistant Journal Clerk	5.50	Janitors	3.60
General Clerk	6.30	Messenger to Mail Carrier	3.60
Assistant General Clerk	4.25	Telephone Messenger	2.25
Clerk to Lieutenant Governor	4.50	Lieutenant Governor's Page	2.50
Clerk to Secretary	4.50	Secretary's Page	2.50
Bill Clerk	4.50	Pages	2.00
File Clerk	4.50		

HOUSE OFFICERS AND EMPLOYEES

$9.00 per day to the Chief Clerk.
6.30 per day to the Assistant Chief Clerk.
6.30 per day to the Journal Clerk.
6.30 per day to the Assistant Journal Clerk.
6.30 per day to the Engrossing Clerk.
6.30 per day to the Enrolling Clerk.
6.30 per day to the Reading Clerk.
6.30 per day to the Special Clerk.
4.50 per day to the Filing Clerk.
6.30 per day to the Clerk of Enrolled Bills.
4.50 per day to the Bill Clerk.
4.50 per day to the Assistant Bill and File Clerk.
4.50 per day to the Speaker's Clerk.
4.50 per day to the Chief Clerk's Clerk.
3.60 per day to the Committee Clerks.

Digitized by Google

3.60 per day to the Postmistress.
4.50 per day to the Sergeant-at-Arms.
4.50 per day to the Assistant Sergeant-at-Arms.
3.60 per day to the Porter.
3.60 per day to the Assistants to Porter (4).
2.25 per day to the Telephone Messenger.
4.50 per day to the Chief Doorkeeper.
3.60 per day to the Doorkeepers (9).
2.50 per day to the Chief Clerk's Page.
2.50 per day to the Speaker's Page.
2.00 per day to the Pages.
3.60 per day to the Assistant Electrician.

EXTRA HELP

$7.50 per day to the Assistant in Law Research.
4.50 per day to the Assistant in General Research.
3.60 per day to the Stenographer and Typist for Librarian and his office.
3.60 per day to the Page to Librarian and his office.
3.60 per day to the Stenographer for Economics and Sociology Department of Library.
3.60 per day to the Assistant Messenger to Mail Carrier.
3.60 per day to the Assistant Matron.
3.60 per day to the Elevator Tenders.
3.60 per day to the Janitors."

Bonnstetter of Kossuth moved that the House adopt the conference report on Senate Joint Resolution No. 2.

On the question "Shall the conference report be adopted?"

The ayes were, 90.

Aldrich	Fabritz	Koch	Schlatter
Alesch	Falvey	Lookingbill	Schmitz
Augustine	Felter	McCarthy	Schroeder
Avery	Fetcher	McCreery	Sheridan
Beath	Foster	McDermott	Smith
Beswick	Frizzell	McKinnon	Snyder
Bonnstetter	Fuelling	McLean	Sours
Bouska	Fuester	Malone	Speidel
Bowers	Gallagher	Maniece	Stanzel
Bruce	Garner	Mercer	Stewart
Burgess	Gissel	Metcalf	Stimpson
Casey	Goode	Millhone	Strachan
Craven	Grau	Mitchell	Swift
Crouch	Grell	Moore of Benton	Teter
Davis	Hanson of Lyon	Moore of Harrison	Thies
Dean	Hanson of Winnebago	Mooty	Thiessen
Dole	Hartman	Osborn	Treimer
Donlon	Hook	Paisley	Wieben
Doran	Hopp	Rawlings	Wiese
Dreessen	Humeston	Rice	Yager
Durant	Jenkins	Roe	Zipse
Elliott	Jensen	Ryder	Zylstra
Ellsworth			Mr. Speaker

Digitized by Google

The nays were, none.

Absent or not voting, 18.

Brady	Johnson	Peaco	Stansell
Cunningham	Laughlin	Peet	Weed
Gittinger	Lichty	Porter	Willis
Hough	McFarlane	Reed	Wolf
Hultman	Ostby		

The conference report on Senate Joint Resolution No. 2 was adopted, and the House concurred in the amendments therein.

On motion of Thies of Pottawattamie the House adjourned to 10 o'clock a. m. Thursday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 16, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. W. H. Parker, Pastor of the Presbyterian Church, Cotter, Iowa.

Journal of November 15 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Sours of Floyd for the day, on request of Speidel of Washington.

PETITIONS AND MEMORIALS

Opposing taxing of Fraternal Societies. Paisley, by residents of Lee county; Hultman, of Montgomery county, by residents of Cass county; Yager of Dickinson, by residents of Lake Park, Iowa; Schroeder, by residents of Carroll county; Koch, by residents of Bremer county.

Opposing legalization of alcoholic drinks. McFarlane, from citizens of Black Hawk county; Fabritz, from citizens of Wapello county.

Favoring retaining Beatty-Bennett law. Mercer of Johnson, from the Johnson County Tax Payers League.

Favoring gross income tax plan. Wiese, from the Board of Supervisors of Scott county.

REPORTS OF COMMITTEES

Hopp of Mills, from the committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your committee on constitutional amendments to whom was referred House Joint Resolution No. 1, ratifying a proposed amendment to the constitution of the United States relative to labor of persons under eighteen years of age, beg leave to report they have had the same

Digitized by Google

under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. R. C. HOPP, *Chairman.*

Passed on file.

INTRODUCTION OF BILLS

House File No. 80, by Bowers of Union, Beath of Adams, Hook of Taylor, Hultman of Montgomery, Theis of Pottawattamie, Hopp of Mills, Laughlin of Fremont, McDermott of Adair and Malone of Cass, a bill for an act relating to fur bearing animals and to permit the killing of fox at any time in any manner and repealing all provisions of law imposing restrictions and limitations upon the right to kill or trap the same:

Read first and second times and referred to committee on fish and game.

House File No. 81, by Dole of Jefferson, a bill for an act to amend section fifty-one hundred thirty (5130), code, 1931, to authorize the board of supervisors to regulate and fix rents, rates or charges for telephones and telephonic service within the county, exclusive of cities and towns.

Read first and second times and referred to committee on county and township organization.

House File No. 82, by Dole of Jefferson, a bill for an act to authorize cities and towns to regulate and fix rents, rates or charges for telephones and telephonic service.

Read first and second times and referred to committee on cities and towns.

House File No. 83, by McKinnon of Henry, Fuester of Ida, Alesch of Plymouth and Zylstra of Sioux, a bill for an act to extend the time in which answer may be made by defendant in real estate foreclosure actions; to provide for the prevention of undue waste of property under foreclosure, and to provide for the application of income from real estate in foreclosure actions; to suspend the operation and effectiveness of all laws in conflict herewith; and to provide for the termination of the period during which this act shall be in effect.

Read first and second times and referred to committee on emergency legislation.

Digitized by Google

House File No. 84, by Strachan of Humboldt, a bill for an act to make permanent the transfers of County Funds in Humboldt County to the Poor Fund from the Bovine Tubercular Eradication Fund, where said transfers were originally made with the approval of the Director of the Budget, June 25, 1932.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 85, by Jensen of Audubon, Yager of Dickinson and McKinnon of Henry, a bill for an act to create a Department of Public Works and to vest in said Department all the powers and duties heretofore exercised by the State Highway Commission and the Custodian of Public Buildings and Grounds, and to vest in said Department all those powers and duties of the Board of Education, Board of Control of State Institutions, State Board of Conservation and State Fair Board which relate to the making of improvements or the erection of buildings or structures where the cost exceeds two thousand dollars ($2000.00), and to abolish the State Highway Commission and the office of the members thereof, and to abolish the office of Custodian of Public Buildings and Grounds, and to repeal sections forty-six hundred twenty-two (4622) to forty-six hundred twenty-four (4624) inclusive, and section forty-six hundred twenty-five (4625) as amended, Code, 1931, relating to the State Highway Commission, and to repeal section two hundred seventy-two (272), Code, 1931, relating to the Custodian of Public Buildings and Grounds, and to amend section ten hundred sixty-three (1063), Code, 1931, relating to the bonds to be furnished by public officers, and to repeal section thirty-three hundred forty-five (3345) and enact a substitute therefor, and to repeal section thirty-three hundred forty-six (3346), Code, 1931, relating to the employment of a state architect and consulting architects by the Board of Control of State Institutions, and to amend section thirty-three hundred forty-seven (3347), Code, 1931, relating to the letting of contracts for improvements by the Board of Control of State Institutions, and to repeal section thirty-nine hundred forty-five (3945), Code, 1931, and enact a substitute therefor, relating to improvements which may be made by the Board of Education, and to repeal all acts and provisions of the law which are in conflict with this act.

Read first and second times and referred to committee on roads and highways.

Digitized by Google

House File No. 86, by Peaco of Clinton, a bill for an act to legalize and validate an issue of $210,000.00 school building bonds of the independent school district of Clinton, in the county of Clinton, state of Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 87, by committee on banks and banking, a bill for an act deemed necessary for the public good, and relating to the rights, powers, privileges, duties and liabilities of corporations now or hereafter organized as a state or savings bank, or trust company, and the stockholders thereof; and to authorize and provide a method for amending the articles of incorporation of any such corporation, and for the increase or reduction of the capital stock of any such corporation, and to authorize the issuance of one or more classes of preferred stock by any such corporation; and to limit the scope and effect of Sections 9246, 9247, 9248, 9248-a1, 9251, 9252 and 9253, Code of Iowa, 1931, relating to assessments and double liability and the imposition and enforcement of assessments upon capital stock and liabilities of stockholders of such corporations and providing rules of construction in event of conflict or unconstitutionality of a part of the Act.

Read first and second times and passed on file.

House File No. 88, by Ryder of Dubuque, a bill for an act to amend Chapter one hundred seventy-nine (179), section two (2), Acts of the 45th General Assembly relating to the period of extension of redemption of real estate in all real estate foreclosure actions where deeds of conveyance have not been granted.

Read first and second times and referred to committee on emergency legislation.

House File No. 89, by Crouch of Greene, a bill for an act to legalize the proceedings relating to an election held in the Town of Grand Junction, Greene County, Iowa, on the proposition of establishing a municipal electric light plant within said town; and to legalize the proceedings taken by the Council of said town in letting a contract for the construction of said municipal electric light plant, under Sections 6134-d1 to 6134-d7, inclusive, of the Code of Iowa; and to legalize the contract entered into between said Town of Grand Junction, Iowa, and Fairbanks, Morse & Com-

Digitized by Google

pany for the construction of said municipal electric light plant, and the issuance of pledge-orders in payment thereof; and declaring said contract, and the pledge-orders issued thereunder, as valid.

Read first and second times and referred to committee on judiciary No. 2.

Beswick of Van Buren presented the following resolution:

MEMORIAL RESOLUTION NO. 3

Whereas, The Honorable Willis Hall Thorniley, who was a member of the House of Representatives in the Twenty-second General Assembly, from Van Buren county, died at his home near Marietta, Ohio, February 1, 1928, therefore,

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly, Extra Session, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life, character and service to this State and Nation.

Unanimous consent having been obtained for its immediate consideration, Beswick of Van Buren moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the following committee: Beswick of Van Buren, Dole of Jefferson and Paisley of Lee.

Jenkins of Louisa presented the following resolution:

MEMORIAL RESOLUTION NO. 4

Whereas, The Honorable H. O. Weaver, Wapello, Iowa, who was a member of the House of Representatives in the Twenty-fifth, Twenty-sixth and Twenty-sixth Extra Session, General Assemblies from Louisa county, died on May 27, 1933; therefore

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly, Extra Session, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

Unanimous consent having been obtained for its immediate consideration, Jenkins of Louisa moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the following committee: Jenkins of Louisa, Hanson of Winnebago and Speidel of Washington.

Felter of Warren presented the following resolution:

Digitized by Google

MEMORIAL RESOLUTION NO. 5

Whereas, The Honorable Boyd Francis Read, who was a member of the House of Representatives in the Forty-third General Assembly from Warren county, died April 21, 1933; therefore,

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly, Extra Session, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

Unanimous consent having been obtained for its immediate consideration, Felter of Warren moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the following committee: Felter of Warren, Stansell of Clarke and Weed of Madison.

ADDITIONAL REPORT OF COMMITTEE ON COMMITTEE ROOMS

Malone of Cass, from the committee on assignment of committee rooms, submitted the following report:

MR. SPEAKER: Your committee on assignment of committee rooms for the various committees of the House begs leave to report the following recommendations as to additional assignments of committee rooms and time of meeting of the committees:

Room	Mon.	Tues.	Wed.	Thurs.	Fri.
Room No. 10—					
Interstate bridges	1:30 P.M.				
Public libraries	3:30 P.M.				
Pharmacy		3:30 P.M.			
Public land and buildings				2:30 P.M.	
Judicial and political districts				3:30 P.M.	
Building and loan					1:30 P.M.
Lieutenant Governor's Room—					
Emergency legislation	2:00 P.M.		2:00 P.M.		

Respectfully submitted,

C. E. MALONE, *Chairman.*
D. R. MCCREERY.
B. L. METCALF.

Malone of Cass moved the adoption of the report. Motion prevailed.

On motion of Durant of Hancock the House recessed until 2 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

REPORTS OF COMMITTEES

Ellsworth of Hardin, from the committee on banks and banking, submitted the following report:

MR. SPEAKER: Your committee on banks and banking to whom was

Digitized by Google

referred House File No. 6, a bill for an act to amend section seven thousand two hundred thirty-seven (7237), Code, 1931, relating to remission of taxes in case of loss, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. ELLSWORTH, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on banks and banking to whom was referred House File No. 40, a bill for an act to define, license, supervise, and regulate the business of making loans in the amount of $300 or less, etc., and to repeal Chapter 419, Code, 1931, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. ELLSWORTH, *Chairman.*

Report adopted.

Foster of Cedar, from the committee on rules, submitted the following report:

MR. SPEAKER: Your committee on rules to whom was referred Senate File No. 27, a bill for an act to amend the law as it appears in section twelve (12) of chapter two (2), Code, 1931, relative to the rules of parliamentary practice in use by the General Assembly of Iowa in the absence of other rules, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LA MAR FOSTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on rules to whom was referred Senate File No. 26, a bill for an act to amend section two hundred sixty-three (263) of chapter sixteen (16), Code, 1931, relative to the expense to be incurred in the printing of local or legalizing acts of a strictly private interest and defining the duties of the superintendent of printing and the secretary of state in connection therewith, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LA MAR FOSTER, *Chairman.*

Report adopted.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Digitized by Google

Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 38, a bill for an act to amend chapter three hundred twenty-six (326), Code, 1931, and provide for the purchase of property by cities under the commission form of government, and to erect police stations and jails, to levy taxes therefor and to anticipate such taxes by the issuance of bonds.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Frizzell of Poweshiek, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Joint Resolution No. 2.

J. W. FRIZZELL, *Member of House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate Joint Resolution No. 2.

AMENDMENTS FILED

Johnson of Linn filed the following amendment:

Amend House File No. 6 by adding thereto as section two (Sec. 2) the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and take effect from and after its publication in the Iowa Falls Citizen, a newspaper published at Iowa Falls, Iowa, and in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa."

Fuester of Ida filed the following amendment to House File No. 56:

1. Amend Section one (1), by striking the period at the end of said section and inserting in lieu thereof the following: ", refund to be made from the fund to which said poll tax payment was credited."

2. Further amend by adding thereto the following section: "Sec. 2. This act being deemed of immediate importance, shall be in full force and effect from and after its publication in the Sioux City Tribune, a newspaper published in Sioux City, Iowa, and the Davenport Democrat, a newspaper published in Davenport, Iowa."

Digitized by Google

Foster of Cedar filed the following amendment to House File No. 4.

Amend House File No. 4 by adding thereto the following as section 2:

This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Garner Leader, a newspaper published at Garner, Iowa, and the Stanwood Herald, a newspaper published at Stanwood, Iowa.

On motion of Mitchell of Webster, the House adjourned until 10 o'clock a. m. Friday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 17, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Edwin L. Spiller, pastor of the Simpson M. E. Church, Des Moines, Iowa.

Journal of November 16th corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: McFarlane of Black Hawk for balance of week, on request of Lichty of Black Hawk; Foster of Cedar for the day, on request of Zylstra of Sioux; Treimer of O'Brien for the day, on request of Schmitz of Winneshiek; Sours of Floyd for the day, on request of Dean of Cerro Gordo.

PETITIONS AND MEMORIALS

Favoring the reconsideration of the Beatty-Bennett bill. Elliot of Polk, from the Des Moines Branch of the American Branch of the American Association of University Women; Grell, from the members of the Resolutions Committee of the Scott County Council of Parent-Teachers' Association; McFarlane of Black Hawk, from the members of the Lafeyette Parent-Teachers' Association of Waterloo, Iowa. Referred to committee on tax reduction.

Opposing taxation on fraternal societies, Avery of Clay, from the Spencer Council No. 500, of the United Commercial Travelers of America; Fuester of Ida, from the Royal Neighbors of America of Ida Grove, Iowa. Referred to committee on insurance.

Opposing taxation on tobaccos. Grell, from citizens of Scott County. Referred to committee on tax reduction.

Opposing change or repeal of any of the State Prohibition Laws and of the Scientific Temperance Instruction Law of the state. Treimer, from the voters of O'Brien County.

Digitized by Google

REPORTS OF COMMITTEES

Mr. C. S. Hook of Taylor County, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 4, an act authorizing the county treasurer to make refund on poll taxes, begs leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. C. S. HOOK, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 56, an act to provide for a refund on road poll taxes, begs leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. S. HOOK, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 90, by Malone of Cass, a bill for an act to make permanent the temporary transfer, made October 20, 1933, of money from the secondary road maintenance fund to the poor fund of Cass County, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 91, by Fuester of Ida, a bill for an act to repeal Section four thousand twenty-eight (4028), Code, 1931, and to enact a substitute therefor, relating to the treatment of indigent persons.

Read first and second times and referred to committee on public health.

House File No. 92, by Teter of Marion, Falvey of Monroe, Craven of Jasper, Augustine of Ringgold, Donlon of Palo Alto, Davis of Appanoose, Doran of Boone, Gallagher of Iowa, Goode of Davis, Mitchell of Webster, Gittinger of Lucas, Millhone of Page, Fabritz of Wapello, and Ostby of Worth, a bill for an act to amend section eleven hundred, seventy one-b1 (1171-b1) of

Digitized by Google

the code, 1931, relating to preference for coal and other domestic products, materials, supplies, provisions and other articles, and providing for the purchase and use thereof by the state and certain municipal corporations or political subdivisions thereof, and providing penalties for failing to give such preference in the purchase and use of domestic coal for fuel; and to repeal section eleven hundred, seventy one-b2 (1171-b2) of the code, 1931, and to enact a substitute therefor, relating to advertising for bids and proposals for materials, coal and other domestic products, supplies, provisions, and other articles to be purchased at public expense, and relating to the rejection and acceptance of bids for domestic coal for fuel, and providing for contract and bond on acceptance of any such bids for coal for fuel.

Read first and second times and referred to committee on mines and mining.

House File No. 93, by McFarlane of Black Hawk, Brady of Pottawattamie, Wolf of Franklin, Aldrich of Wright, Bruce of Pocahontas, Bouska of Howard, Burgess of Woodbury, Elliott of Polk, Falvey of Monroe, Fuelling of Clayton, Grell of Scott, Hartman of Des Moines, Hough of Fayette, Hultman of Montgomery, Lichty of Black Hawk, McDermott of Adair, Mooty of Grundy, Peaco of Clinton, Peet of Guthrie, Ryder of Dubuque, Stansell of Clarke, Stanzel of Sac, Schmitz of Winneshiek, Swift of Dubuque, Thies of Clinton and Wiese of Scott, a bill for an act for the levy of a tax on the gross income of persons, corporations, and others, and providing for the collection of such tax and prescribing penalties for the non-payment of such tax, and to replace property taxes, and to repeal all laws, and parts of laws, in conflict therewith.

Read first and second times and referred to committee on tax revision.

House File No. 94, by Mercer of Johnson, a bill for an act to repeal section fifty-one (51) of Chapter one hundred eighty-eight (188), of the laws of the Forty-fifth General Assembly, relating to the compensation of employees in the motor vehicle fuel tax division of the office of the Treasurer of State.

Read first and second times and referred to committee on compensation of public officers.

House File No. 95, by Mercer of Johnson, a bill for an act to

Digitized by Google

provide the least number of men that may be employed on switch engines, or engines engaged in switching cars, and the penalty for the violation thereof.

Read first and second times and referred to committee on railroads.

Stimpson of Jones presented the following resolution:

MEMORIAL RESOLUTION NO. 6

Whereas, The Honorable Clifford B. Paul was a member of the 32nd and 32nd extra sessions died at his home in Anamosa, Iowa, during the month of May, 1933, therefore,

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly, in extra session, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

Unanimous consent having been obtained for its immediate consideration, Stimpson of Jones moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the following committee: Stimpson of Jones, Johnson of Linn and Schlatter of Jackson.

Moore of Harrison presented the following resolution:

MEMORIAL RESOLUTION NO. 7

Whereas, The Honorable Bruce R. Mills, who was a member of the House of Representatives in the thirty-eighth and thirty-ninth General Assemblies, from Harrison County, died at Woodbine, Iowa, on October 3rd, 1933; therefore,

Be It Resolved by the House of Representatives of the Forty-fifth Extra Assembly, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

Unanimous consent having been obtained for its immediate consideration, Moore of Harrison moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the following committee: Moore of Harrison; Thies of Pottawattamie, Rawlings of Monona.

CONSIDERATION OF BILLS

House File No. 6, a bill for an act to amend section seven thousand two hundred thirty-seven (7237), Code 1931, relating

Digitized by Google

to remission of taxes in case of loss, with report of committee recommending passage, was taken up for consideration.

Johnson of Linn called up the amendment filed by him and found on page 100 of Journal of November 16, and moved its adoption. Amendment adopted.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Swift of Dubuque moved the previous question. Motion prevailed.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Ellsworth	Johnson	Peet
Augustine	Falvey	Koch	Roe
Avery	Fletcher	Laughlin	Ryder
Beath	Fuelling	Lichty	Schmitz
Beswick	Gallagher	Lookingbill	Schroeder
Bonnstetter	Gissel	McCreery	Snyder
Bouska	Gittinger	McDermott	Speidel
Bowers	Goode	McKinnon	Stansell
Brady	Grau	Maniece	Stanzel
Bruce	Grell	Mercer	Stimpson
Burgess	Hanson of Lyon	Metcalf	Strachan
Casey	Hanson of Winnebago	Millhone	Swift
Craven	Hartman	Mitchell	Thiessen
Crouch	Hopp	Moore of Benton	Weed
Cunningham	Hough	Moore of Harrison	Wieben
Dean	Humeston	Mooty	Wiese
Dole	Jenkins	Osborn	Willis
Doran	Jensen	Paisley	Wolf
Elliott			Yager

The nays were, 20.

Alesch	Felter	Malone	Smith
Davis	Fuester	Peaco	Stewart
Donlon	Garner	Rice	Teter
Dreessen	Hook	Schlatter	Zipse
Durant	McLean	Sheridan	Zylstra

Absent or not voting, 14.

Fabritz	McCarthy	Rawlings	Thies
Foster	McFarlane	Reed	Treimer
Frizzell	Ostby	Sours	Mr. Speaker
Hultman	Porter		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that the vote by which House File No. 6 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Digitized by Google

House File No. 40, a bill for an act to define, license, supervise, and regulate the business of making loans in the amount or of the value of three hundred dollars ($300) or less at a greater rate of interest or charge than the lender would be permitted by law to charge if not licensed hereunder; to prescribe maximum rates of interest or charges therefore and methods of determining the same from time to time; to provide for the classification of such loans for the purpose of this act; to enlarge the powers of the superintendent of banking and the state banking board; to regulate assignments of wages or salaries when given as security for any such loan or as consideration for a payment of three hundred dollars ($300) or less; to provide penalties; to repeal chapter four hundred nineteen (419) of the code, 1931, and to enact a substitute therefore; and to repeal all acts and parts of acts, whether general, special or local, which relate to the same subject matter as this act, in so far as they are inconsistent with this act, with report of committee recommending passage, was taken up for consideration.

Hanson of Winnebago moved action be deferred. Motion prevailed.

House File No. 87, a bill for an act deemed necessary for the public good, and relating to the rights, powers, privileges, duties and liabilities of corporations now or hereafter organized as a state or savings bank, or trust company, and the stockholders thereof; and to authorize and provide a method for amending the articles of incorporation of any such corporation, and for the increase or reduction of the capital stock of any such corporation, and to authorize the issuance of one or more classes of preferred stock by any such corporation; and to limit the scope and effect of Sections 9246, 9247, 9248, 9248-a1, 9251, 9252 and 9253, Code of Iowa, 1931, relating to assessments and double liability and the imposition and enforcement of assessments upon capital stock and liabilities of stockholders of such corporations and providing rules of construction in event of conflict or unconstitutionality of a part of the Act, was taken up for consideration.

Avery of Clay moved that the bill be made a special order for Monday, November 20th, at 11 o'clock a. m. Motion lost.

Ellsworth of Hardin moved that the bill be read a third time

Digitized by Google

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Aldrich	Fletcher	Lichty	Schmitz
Alesch	Frizzell	Lookingbill	Schroeder
Augustine	Fuelling	McCarthy	Sheridan
Beswick	Fuester	McCreery	Smith
Bonnstetter	Gallagher	McDermott	Snyder
Bouska	Garner	McKinnon	Speidel
Bowers	Gissel	Malone	Stansell
Bruce	Gittinger	Maniece	Stanzel
Burgess	Grau	Mercer	Stewart
Casey	Grell	Metcalf	Stimpson
Craven	Hanson of Lyon	Millhone	Strachan
Crouch	Hanson of Winnebago	Mitchell	Swift
Cunningham	Hartman	Moore of Benton	Teter
Davis	Hook	Moore of Harrison	Thiessen
Dean	Hopp	Mooty	Weed
Dole	Hough	Paisley	Wieben
Donlon	Hultman	Peaco	Wiese
Doran	Jenkins	Peet	Willis
Dreessen	Jensen	Rawlings	Wolf
Durant	Johnson	Roe	Yager
Elliott	Koch	Ryder	Zipse
Ellsworth	Laughlin	Schlatter	Zylstra
Fabritz			Mr. Speaker
Falvey			

The nays were, 8.

Avery	Felter	Humeston	Osborn
Beath	Goode	McLean	

Absent or not voting, 10.

Brady	Ostby	Rice	Thies
Foster	Porter	Sours	Treimer
McFarlane	Reed		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Ellsworth of Hardin moved that the vote by which House File No. 87 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully

Digitized by Google

reports that it has examined and finds correctly enrolled, House File No. 38.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 38.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 17th day of November, 1933, sent to the Governor for his approval, House File No. 38. WM. KOCH, *Chairman.*

Report adopted.

CONSIDERATION OF BILLS

Senate File No. 26, a bill for an act to amend section two hundred sixty-three (263) of chapter sixteen (16), code, 1931, relative to the expenses to be incurred in the printing of local or legalizing acts of a strictly private interest and defining the duties of the superintendent of printing and the secretary of state in connection therewith, with report of committee recommending passage, was taken up for consideration.

Moore of Benton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 97.

Aldrich	Bruce	Doran	Fuester
Alesch	Burgess	Dreessen	Gallagher
Augustine	Casey	Durant	Garner
Avery	Craven	Elliott	Gissel
Beath	Crouch	Ellsworth	Gittinger
Beswick	Cunningham	Fabritz	Goode
Bonnstetter	Davis	Felter	Grau
Bouska	Dean	Fletcher	Grell
Bowers	Dole	Frizzell	Hanson of Lyon
Brady	Donlon	Fuelling	

Digitized by Google

Hanson of Winnebago	McCarthy	Osborn	Stewart
Hartman	McCreery	Ostby	Stimpson
Hook	McDermott	Paisley	Strachan
Hopp	McKinnon	Peaco	Swift
Hough	McLean	Peet	Teter
Hultman	Malone	Rawlings	Thiessen
Humeston	Maniece	Roe	Weed
Jenkins	Mercer	Ryder	Wieben
Jensen	Metcalf	Schlatter	Wiese
Johnson	Millhone	Schmitz	Willis
Koch	Mitchell	Schroeder	Wolf
Laughlin	Moore of Benton	Sheridan	Yager
Lichty	Moore of Harrison	Smith	Zipse
Lookingbill	Mooty	Speidel	Zylstra
		Stansell	Mr. Speaker

The nays were, none.

Absent or not voting, 11.

Falvey	Porter	Snyder	Thies
Foster	Reed	Sours	Treimer
McFarlane	Rice	Stanzel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Moore of Benton moved that the vote by which Senate File No. 26 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 27, a bill for an act to amend the law as it appears in section twelve (12) of chapter two (2), code, 1931, relative to the rules of parliamentary practice in use by the General Assembly of Iowa in the absence of other rules, with report of committee recommending passage, was taken up for consideration.

Moore of Benton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 98.

Aldrich	Casey	Ellsworth	Grell
Alesch	Craven	Fabritz	Hanson of Lyon
Augustine	Crouch	Felter	Hanson of Winnebago
Avery	Cunningham	Fletcher	Hartman
Beath	Davis	Frizzell	Hook
Beswick	Dean	Fuelling	Hopp
Bonnstetter	Dole	Gallagher	Hough
Bouska	Donlon	Garner	Hultman
Bowers	Doran	Gissel	Humeston
Brady	Dreessen	Gittinger	Jenkins
Bruce	Durant	Goode	Jensen
Burgess	Elliott	Grau	

Digitized by Google

Johnson	Metcalf	Roe	Strachan
Koch	Millhone	Ryder	Swift
Laughlin	Mitchell	Schlatter	Teter
Lichty	Moore of Benton	Schmitz	Thiessen
Lookingbill	Moore of Harrison	Schroeder	Weed
McCarthy	Mooty	Sheridan	Wieben
McCreery	Osborn	Smith	Wiese
McDermott	Ostby	Snyder	Willis
McKinnon	Paisley	Speidel	Wolf
McLean	Peaco	Stansell	Yager
Malone	Peet	Stanzel	Zipse
Maniece	Rawlings	Stewart	Zylstra
Mercer		Stimpson	Mr. Speaker

The nays were, none.

Absent or not voting, 10.

Falvey	McFarlane	Rice	Thies
Foster	Porter	Sours	Treimer
Fuester	Reed		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Moore of Benton moved that the vote by which Senate File No. 27 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF JOINT COMMITTEE ON EXTRA HELP

MR. PRESIDENT: Your committee on extra help begs leave to make the following additional report:

Janitor—Anthony Shilinsky.

WM. KOCH.
J. P. GALLAGHER.
ED RAWLINGS.
D. W. KIMBERLY.
W. H. RITCHIE.
VINCENT F. HARRINGTON.

Report adopted.

SPECIAL ROOM FOR TAX REVISION COMMITTEE

Malone of Cass moved that the Speaker be authorized to secure the use of a room in some Des Moines hotel for evening meetings of the committee on tax revision. Motion prevailed.

McLean of Marshall moved the House adjourn until Monday at 10 o'clock a. m.

Bonnstetter of Kossuth moved to amend by adjourning to Saturday at 10 o'clock a. m. Motion lost.

On the original motion a roll call was demanded and on the

Digitized by Google

question "Shall the House adjourn until 10 o'clock a. m. on Monday?"

The ayes were, 40.

Beath	Hanson of Winnebago	Mercer	Peet
Bouska	Hartman	Metcalf	Ryder
Brady	Hultman	Millhone	Schroeder
Craven	Humeston	Mitchell	Speidel
Cunningham	Jenkins	Moore of Benton	Stansell
Davis	Johnson	Moore of Harrison	Stewart
Dean	Laughlin	Ostby	Strachan
Fabritz	McCarthy	Paisley	Swift
Grau	McDermott	Peaco	Willis
Grell	McLean		Zylstra
Hanson of Lyon			

The nays were, 52.

Aldrich	Dreessen	Hough	Snyder
Alesch	Durant	Jensen	Stanzel
Augustine	Elliott	McCreery	Stimpson
Avery	Ellsworth	McKinnon	Teter
Beswick	Felter	Malone	Thies
Bonnstetter	Frizzell	Maniece	Thiessen
Bowers	Fuelling	Mooty	Weed
Bruce	Fuester	Osborn	Wieben
Casey	Gallagher	Rawlings	Wiese
Crouch	Gittinger	Roe	Wolf
Dole	Goode	Schlatter	Yager
Donlon	Hook	Schmitz	Zipse
Doran	Hopp	Sheridan	Mr. Speaker

Absent or not voting, 16.

Burgess	Garner	Lookingbill	Rice
Falvey	Gissel	McFarlane	Smith
Fletcher	Koch	Porter	Sours
Foster	Lichty	Reed	Treimer

Motion lost.

McKinnon of Henry moved that the House adjourn until 10:00 o'clock a. m. on Saturday.

Moore of Harrison moved as a substitute motion that the House recess until 3:00 o'clock today and that when adjournment is had it be until 10:00 o'clock a. m. on Monday.

POINT OF ORDER

Dole of Jefferson raised the point of order that the substitute motion was not in order. The Speaker ruled the point of order was well taken.

Fabritz of Wapello moved as a substitute that the House recess until 3:00 o'clock p. m. today.

Digitized by Google

A roll call was demanded and on the question "Shall the House recess until 3:00 o'clock today?"

The ayes were, 61.

Aldrich	Fabritz	Lookingbill	Ryder
Alesch	Falvey	McCarthy	Schlatter
Beath	Felter	McLean	Schmitz
Beswick	Fletcher	Malone	Schroeder
Bonnstetter	Frizzell	Maniece	Smith
Bouska	Fuester	Metcalf	Snyder
Bowers	Garner	Millhone	Speidel
Bruce	Gissel	Moore of Harrison	Stanzel
Craven	Gittinger	Mooty	Stewart
Crouch	Goode	Osborn	Stimpson
Davis	Grau	Ostby	Thies
Dean	Hook	Paisley	Thiessen
Donlon	Hultman	Peet	Wieben
Doran	Jenkins	Rawlings	Wolf
Dreessen	Jensen		Mr. Speaker
Durant	Koch		

The nays were, 31.

Augustine	Gallagher	McCreery	Stansell
Avery	Hanson of Winnebago	McKinnon	Strachan
Casey	Hartman	Mercer	Swift
Cunningham	Hopp	Mitchell	Weed
Dole	Hough	Moore of Benton	Willis
Elliott	Humeston	Peaco	Yager
Ellsworth	Johnson	Roe	Zipse
Fuelling		Sheridan	Zylstra

Absent or not voting, 16.

Brady	Hanson of Lyon	McFarlane	Sours
Burgess	Laughlin	Porter	Teter
Foster	Lichty	Reed	Treimer
Grell	McDermott	Rice	Wiese

So the House recessed until 3:00 o'clock today.

AFTERNOON SESSION

House reconvened, Speaker Miller in the chair.

INTRODUCTION OF BILLS

House File No. 96 by Stanzel of Sac, a bill for an act to amend section sixty-nine hundred fifty-six (6956) code, 1931, relating to the responsibility for listing moneys and credits for tax purposes; and to amend chapter three hundred thirty (330), code, 1931, by adding a section relating to a five mill reduction in the tax levy on real estate and/or personal property.

Read first and second times and referred to committee on tax reduction.

Digitized by Google

House File No. 97 by Hook of Taylor, a bill for an act to amend sections forty-four hundred eighty-five (4485), forty-five hundred three (4503), and forty-five hundred five (4505), Code, 1931, and to repeal section forty-four hundred eighty-six (4486), Code, 1931, all relating to the protection of the permanent school fund.

Read first and second times and referred to committee on schools and text books.

House File No. 98 by McCreery of Linn, a bill for an act to amend section nineteen hundred five-c twenty-six (1905-c26), code, 1931, relating to real estate brokers.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 99, by Zylstra of Sioux, a bill for an act to amend Section thirty-six (36), chapter thirty-seven (37), Acts of the Forty-fifth General Assembly, relating to revenues from permit fees.

Read first and second times and referred to committee on cities and towns.

REPORTS OF COMMITTEES

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 36, a bill for an act to amend Section Ten thousand Six Hundred Ninety (10690) Code, 1931, relating to the abolishing of municipal courts, begs leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 39, a bill for an act to amend Section Fifty-seven Hundred Twenty (5720) Code, 1931, pertaining to the posting of ordinances of a general or permanent nature, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Digitized by Google

CONSIDERATION OF BILLS

Yager of Dickinson asked and obtained unanimous consent to take up for consideration at this time House File No. 39, a bill for an act to amend Section fifty-seven hundred twenty (5720), Code, 1931, pertaining to the posting of ordinances of a general or permanent nature, with report of committee recommending passage.

Dole of Jefferson moved that the publication clause be stricken. Motion prevailed.

Yager of Dickinson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Falvey	Koch	Schlatter
Augustine	Felter	Lookingbill	Schroeder
Avery	Fletcher	McCarthy	Smith
Beath	Frizzell	McCreery	Snyder
Beswick	Fuelling	McKinnon	Speidel
Bonnstetter	Fuester	McLean	Stansell
Bouska	Gallagher	Malone	Stanzel
Bowers	Garner	Maniece	Stimpson
Brady	Gissel	Metcalf	Strachan
Bruce	Goode	Millhone	Swift
Burgess	Grau	Mitchell	Teter
Casey	Hanson of Lyon	Moore of Benton	Thies
Craven	Hanson of Winnebago	Moore of Harrison	Weed
Cunningham	Hartman	Mooty	Wieben
Dean	Hook	Osborn	Wiese
Dole	Hough	Ostby	Willis
Doran	Hultman	Rawlings	Wolf
Durant	Humeston	Rice	Yager
Elliott	Jenkins	Roe	Zipse
Ellsworth	Jensen	Ryder	Zylstra
Fabritz			Mr. Speaker

The nays were, 2.

Gittinger	Schmitz

Absent or not voting, 23.

Alesch	Grell	McFarlane	Reed
Crouch	Hopp	Mercer	Sheridan
Davis	Johnson	Paisley	Sours
Donlon	Laughlin	Peaco	Stewart
Dreessen	Lichty	Peet	Treimer
Foster	McDermott	Porter	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Digitized by Google

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. SPEAKER: Your House committee on committee clerks begs leave to report the following clerk assigned to Cunningham of Polk: Katherine McGriff.

LEROY MERCER.
F. D. AUGUSTINE.
OVE T. ROE.

Report adopted.

EXPLANATION OF VOTE

My reasons for voting against House File No. 87 were as follows: No printed calendar had been prepared. I did not know until the bill came up for passage that the bill would be considered at this time. I moved for postponement of consideration of the bill until eleven o'clock Monday morning. The motion was lost. I asked to be excused from voting on the measure. My request was denied. I had not read the bill which covers six pages, and while I had great confidence in the sponsors of the bill, I make it a rule not to vote for any measure until I know of my own personal knowledge what the bill contains. A. H. AVERY.

AMENDMENTS FILED

Hopp of Mills filed the following amendment:

Amend House File No. 40 by striking all after the enacting clause, and substituting in lieu thereof the following: "Section 1. That the law as it appears in section ninety-four hundred twenty (9420), Code, 1931, be and the same is hereby amended by striking therefrom in lines six (6) and seven (7) the words: "three and one-half" and by substituting in lieu thereof the word: "two".

Also amend by striking the title and substituting in lieu thereof the following: "An Act to amend the law as it appears in section ninety-four hundred twenty (9420), Code, 1931, relating to interest on chattel loans up to three hundred ($300.00) dollars."

McLean of Marshall moved that the House adjourn to 10 o'clock a. m. Monday.

McCreery of Linn offered a substitute motion that the House adjourn to 10 o'clock a. m. tomorrow.

A roll call was demanded and on the question "Shall the House adjourn to Saturday at 10 o'clock a. m.?"

The ayes were, 56.

Aldrich	Bowers	Doran	Frizzell
Augustine	Bruce	Durant	Fuester
Avery	Burgess	Elliott	Gallagher
Beswick	Casey	Ellsworth	Gittinger
Bonnstetter	Dole	Falvey	Goode
Bouska	Donlon	Fletcher	Hanson of Winnebago

Digitized by Google

Hook	Malone	Roe	Thiessen
Hough	Maniece	Schlatter	Weed
Hultman	Metcalf	Schmitz	Wieben
Humeston	Mooty	Sheridan	Wiese
Koch	Osborn	Smith	Wolf
Lookingbill	Ostby	Snyder	Yager
McCreery	Paisley	Teter	Zipse
McKinnon	Rice	Thies	Mr. Speaker

The nays were, 27.

Craven	Gissel	Millhone	Stansell
Cunningham	Hanson of Lyon	Mitchell	Stewart
Dean	Hartman	Moore of Benton	Strachan
Fabritz	Jenkins	Rawlings	Swift
Felter	Jensen	Ryder	Willis
Fuelling	Laughlin	Schroeder	Zylstra
Garner	McLean	Speidel	

Absent or not voting, 25.

Alesch	Grau	McFarlane	Porter
Beath	Grell	Mercer	Reed
Brady	Hopp	Moore of Harrison	Sours
Crouch	Johnson	Peaco	Stanzel
Davis	Lichty	Peet	Stimpson
Dreessen	McCarthy		Treimer
Foster	McDermott		

So the House adjourned to 10 o'clock a. m. Saturday, November 18.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 18, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. C. E. Lookingbill of the M. E. Church, Nevada, Iowa.

Journal of November 17 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Mitchell of Webster for the day, on request of Cunningham of Polk; Dean of Cerro Gordo for the day, on request of Rice of Keokuk; Craven of Jasper for the day, on request of Malone of Cass; Moore of Harrison for the day, on request of Maniece of Emmett; Beath of Adams for the day, on request of Bowers of Union; Foster of Cedar for the day, on request of Zylstra of Sioux; Speidel of Washington for the day, on request of Hultman of Montgomery; Stansell of Clarke for the day, on request of Dole of Jefferson; Jenkins of Louisa for the day, on request of Snyder of Hamilton; Hopp of Mills for the day, on request of Thies of Pottawattamie; Rawlings of Monona for the day, on request of Laughlin of Fremont; Mercer of Johnson for the day, on request of Koch of Bremer; Elliott of Polk for the day, on request of Ellsworth of Hardin; Davis of Appanoose for the day, on request of Gittinger of Lucas.

PETITIONS AND MEMORIALS

Opposing change or repeal of any state prohibition laws. Bruce, from citizens of Pocahontas county; Hanson of Winnebago, from the Rake W. C. T. U. Referred to committee on liquor control.

Opposing taxation on Fraternal Societies. Brady of Pottawattamie, from the Degree of Honor Protective Association. Referred to committee on insurance.

Favoring the gross sales tax. Brady of Pottawattamie, from the General Contractors Association. Referred to committee on tax revision.

Digitized by Google

REPORTS OF COMMITTEES

Brady of Pottawattamie, from the committee on Judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on Judiciary No. 1 to whom was referred House File No. 28, a bill for an act authorizing the Executive Council of the State of Iowa to sell certain tracts, parcels, or pieces of land when the fee title thereto has been acquired by the State of Iowa, in or for the improvement of its primary highways, and to prescribe the procedure in pursuance of which such sales may be made, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on Judiciary No. 1 to whom was referred House File No. 34, a bill for an act to amend section eleven hundred sixty-six (1166), Code, 1931, relating to nepotism, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

By adding to section one the following: 2. Add to section (1166), Code, 1931, the following sentence:

"It shall be unlawful for any school board or member thereof to employ or authorize the employment of, or contract with, any person for services to be paid for from public school funds when such person is related by consanguinity or affinity within the third degree to any member of the board," and when so amended the bill do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on Judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on Judiciary No. 2 to whom was referred House File No. 40, a bill for an act to repeal section fifteen hundred sixty-one (1561), and fifteen hundred sixty-two (1562), Code, 1931, relative to bonds and sureties required for cigarette permits, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

Falvey of Monroe, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER: Your committee on Mines and Mining to whom was

Digitized by Google

referred House File No. 92, a bill for an act to amend section eleven hundred, seventy one-b1 (1171-b1), of the code, 1931, relating to preference for coal and other domestic products, materials, supplies, provisions and other articles, and providing for the purchase and use thereof by the state and certain municipal corporations or political subdivisions thereof, and providing penalties for failing to give such preference in the purchase and use of domestic coal for fuel; and to repeal section eleven hundred, seventy one-b2 (1171-b2) of the code, 1931 and to enact a substitute therefor, relating to advertising for bids and proposals for materials, coal and other domestic products, supplies, provisions, and other articles to be purchased at public expense, and relating to the rejection and acceptnance of bids for domestic coal for fuel, and providing for contract and bond acceptance of any such bids for coal for fuel, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. C. FALVEY, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 100 by Brady of Pottawattamie, a bill for an act to amend section seven thousand one hundred seventy-seven (7177), of the code, 1931, relating to peddlers.

Read first and second times and referred to committee on cities and towns.

HOUSE JOINT RESOLUTION NO. 1 REREFERRED

Garner of Butler moved that House Joint Resolution No. 1 be rereferred to the committee on constitutional amendments. Motion prevailed.

CONSIDERATION OF BILLS

House File No. 36, a bill for an act to amend Section ten thousand six hundred ninety (10690), Code, 1931, relating to the abolishing a Municipal Courts, with report of committee recommending passage was taken up for consideration.

Goode of Davis moved to strike lines 12, 13 and 14 of the bill.

Amendment withdrawn.

SPECIAL ORDER

Grau of Buena Vista moved that House File No. 36 be made a special order for Tuesday, November 21 at 11 o'clock. Motion prevailed.

Digitized by Google

House File No. 56, a bill for an act to provide for a refund on road poll taxes, with report of committee recommending passage was taken up for consideration.

Fuester of Ida called up the amendment filed by him and found on page 100 of the Journal of November 16 and moved its adoption. Amendment adopted.

Fuester of Ida moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Fletcher	Lookingbill	Smith
Alesch	Frizzell	McCreery	Snyder
Augustine	Fuelling	McKinnon	Sours
Avery	Fuester	McLean	Stanzel
Beswick	Garner	Malone	Stewart
Bonnstetter	Gissel	Maniece	Stimpson
Bouska	Gittinger	Metcalf	Strachan
Bowers	Goode	Millhone	Swift
Brady	Grau	Moore of Benton	Teter
Bruce	Grell	Mooty	Thies
Burgess	Hanson of Lyon	Osborn	Thiessen
Casey	Hanson of Winnebago	Ostby	Treimer
Crouch	Hartman	Paisley	Weed
Cunningham	Hook	Peaco	Wieben
Dole	Hough	Rice	Wiese
Donlon	Hultman	Roe	Willis
Doran	Humeston	Ryder	Wolf
Dreessen	Jensen	Schlatter	Yager
Durant	Koch	Schmitz	Zipse
Ellsworth	Laughlin	Schroeder	Zylstra
Felter			

The nays were, none.

Absent or not voting, 27.

Beath	Foster	McDermott	Porter
Craven	Gallagher	McFarlane	Rawlings
Davis	Hopp	Mercer	Reed
Dean	Jenkins	Mitchell	Sheridan
Elliott	Johnson	Moore of Harrison	Speidel
Fabritz	Lichty	Peet	Stansell
Falvey	McCarthy		Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Yager of Dickinson asked and obtained unanimous consent for the immediate consideration of House File No. 28, a bill for an act authorizing the Executive Council of the State of Iowa to sell

Digitized by Google

certain tracts, parcels, or pieces of land when the fee title thereto has been acquired by the State of Iowa, in or for the improvement of its primary highways, and to prescribe the procedure in pursuance of which such sales may be made, with report of committee recommending passage.

McLean of Marshall moved that action on House File No. 28 be deferred. Motion lost.

McCreery of Linn offered the following amendment and moved its adoption:

Strike the period at the end of Section 2 of the bill and insert a comma and the words "or to the material damage of adjacent property."

Amendment adopted.

Yager of Dickinson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Alesch	Felter	Koch	Schroeder
Augustine	Fletcher	Laughlin	Smith
Avery	Frizzell	Lookingbill	Snyder
Beswick	Fuelling	McCarthy	Stanzel
Bonnstetter	Fuester	McCreery	Stewart
Bouska	Gallagher	McKinnon	Stimpson
Bowers	Garner	Maniece	Swift
Brady	Gissel	Metcalf	Teter
Bruce	Gittinger	Millhone	Thies
Burgess	Goode	Moore of Benton	Thiessen
Casey	Grau	Mooty	Treimer
Crouch	Hanson of Lyon	Osborn	Weed
Cunningham	Hanson of Winnebago	Ostby	Wieben
Dole	Hartman	Paisley	Wiese
Donlon	Hook	Peaco	Willis
Doran	Hough	Rice	Yager
Dreessen	Hultman	Roe	Zipse
Durant	Humeston	Ryder	Zylstra
Ellsworth	Jensen	Schlatter	Mr. Speaker
Falvey		Schmitz	

The nays were, 5.

Aldrich	McLean	Sours	Strachan
Grell			

Absent or not voting, 25.

Beath	Hopp	Mercer	Rawlings
Craven	Jenkins	Mitchell	Reed
Davis	Johnson	Moore of Harrison	Sheridan
Dean	Lichty	Peet	Speidel
Elliott	McDermott	Porter	Stansell
Fabritz	McFarlane		Wolf
Foster	Malone		

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Speaker pro tempore Donlon in the chair.

Durant of Hancock moved that the House recess until the fall of the gavel. Motion prevailed.

House reconvened, Speaker pro tempore Donlon in the chair.

The teachers of the rural schools from Lost Island township in Palo Alto county presented a short program.

On motion of Thiessen of Clinton the House adjourned to Monday, November 20 at 10 o'clock a. m.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 20, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. R. L. L. Barnstable, Pastor of Asbury M. E. Church, Des Moines, Iowa.

Journal of November 18 corrected and approved.

PETITIONS AND MEMORIALS

Favoring old age pensions; repeal of the Beatty-Bennett law; opposing gross income tax. Peaco, from citizens of Clinton and Thiessen, from citizens of Clinton. Referred to committee on tax reduction.

INTRODUCTION OF BILLS

House File No. 101 by Moore of Harrison, a bill for an act to amend sections eighteen hundred twenty-two-a-one (1822-a1), Eighteen hundred twenty-two-a-two (1822-a2) eighteen hundred twenty-two-a three (1822-a3), code, 1931, relating to the expenditure by cities in aiding in the purchase of land for state parks.

Read first and second times and referred to committee on cities and towns.

House File No. 102 by Moore of Harrison, a bill for an act to amend section thirteen thousand one hundred fourteen (13114), Code, 1931, relative to obstructing natural water courses and public drains.

Read first and second times and referred to committee on drainage.

House File No. 103 by Moore of Harrison, a bill for an act to amend sections seventy-seven hundred seventy-five (7775) to seventy-seven hundred seventy-seven (7777) inclusive, Code, 1931, relating to the collection of permit, license and inspection fees, for the construction maintenance or operation of dams, and the

Digitized by Google

allocation of funds derived therefrom, and the study of the proper methods of construction of such dams.

Read first and second times and referred to committee on conservation of natural resources.

House File No. 104 by Moore of Harrison, a bill for an act to enable the United States to acquire state lands for National Forests.

Read first and second times and referred to committee on conservation of natural resources.

House File No. 105 by Ostby of Worth, Bouska of Howard, Grell of Scott and Lookingbill of Story, a bill for an act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefore, and the disposition thereof, and the powers and duties of the Treasurer of the State of Iowa in connection therewith, and prescribing penalties for the violation thereof.

Read first and second times and referred to committee on cities and towns.

House File No. 106 by Koch of Bremer, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings relating to the incorporation of the Heiberg Brewing Company, incorporated of Waverly, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 107 by Cunningham of Polk, Gallagher of Iowa, Frizzell of Powshiek and Lookingbill of Story, a bill for an act to provide necessary revenue for the State of Iowa and all of its subdivisions, or parts thereof, including its schools and the schools of any and all of its subdivisions by the imposition and the collection of a general gross sales tax upon all individuals, partnerships, corporations, joint stock companies, syndicates or associations and persons, for the privilege of bartering, selling and/or exchanging, within this state, any and all kinds of property, commodities, articles, goods, wares, merchandise, bonds, stocks, securities, and/or other evidences of property, or interest in property and/or selling or otherwise disposing of any and all kinds of service,

Digitized by Google

including the personal earnings of individuals, within the state of Iowa; to provide for the ascertainment, assessment and collection of said taxes; to fix penalties for the violation of this act; to apply the proceeds of taxes collected under this act; to prohibit the levying and/or collection, of any ad valorem tax on property after July 1, 1934, to repeal chapters three hundred thirty-one (331) to three hundred fifty (350) both inclusive, three hundred forty-d1 (340-d1) three hundred forty-one a one (341-a1) and section seventy three hundred ninety-eight (7398) Code 1931, and amendments thereto, are hereby repealed as of December 31, 1934, and all acts or parts of acts, in conflict with this act.

Read first and second times and referred to committee on tax revision.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 26 and 27.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate Files Nos. 26 and 27.

CONSIDERATION OF BILLS

House File No. 40, a bill for an act to define, license, supervise, and regulate the business of making loans in the amount or of the value of three hundred dollars ($300) or less at a greater rate of interest or charge than the lender would be permitted by law to charge if not licensed hereunder; to prescribe maximum rates of interest or charges therefore and methods of determining the same from time to time; to provide for the classification of such loans for the purposes of this act; to enlarge the powers of the superintendent of banking and the state banking board; to regulate assignments of wages or salaries when given as security for

Digitized by Google

any such loan or as consideration for a payment of three hundred dollars ($300) or less; to provide penalties; to repeal chapter four hundred nineteen (419) of the code, 1931, and to enact a substitute therefore; and to repeal all acts and parts of acts, whether general, special, or local, which relate to the same subject matter as this act, in so far as they are inconsistent with this act, with report of committee recommending passage was taken up for consideration.

Hopp of Mills called up the amendment filed by him and found on page 116 of the journal of November 17, and moved its adoption.

Johnson of Linn moved that the following be substituted for House File No. 40 and for all pending amendments thereto:

"Strike all after the enacting clause and all amendments thereto, and substitute therefor the following:

"Section 1. Section nine thousand four hundred twenty (9420), Code 1931, be and is hereby amended by striking the period at the end thereof and adding thereto the following: "on all sums not exceeding fifty dollars and two and one-half per cent per month on all sums in excess of fifty dollars, and not exceeding three hundred dollars."

Further amend by striking the title thereto and substituting therefor the following:

"An Act to amend section nine thousand four hundred twenty (9420), Code 1931, relating to small loans and prescribing rates therefor."

Dole of Jefferson moved to amend the substitute as follows:

Add at end of the first paragraph of Section 1 the following: "No lender shall induce or permit any borrower or borrowers to split up or divide any loan or loans for the purpose of evading any provisions of this act, nor shall any lender knowingly permit any borrower, nor any husband and wife individually or together, to be indebted to him or to a company which he represents, under more than one contract of loan at the same time."

Amendment adopted.

Peaco of Clinton moved that the main bill and all pending amendments be laid on the table.

A roll call was demanded and on the question "Shall the House File No. 40 and all pending amendments be laid on the table?"

The ayes were, 4.

Humeston	Peaco	Willis	Wolf

The nays were, 91.

Alesch	Beath	Bouska	Bruce
Augustine	Beswick	Bowers	Burgess
Avery	Bonnstetter	Brady	Casey

Digitized by Google

Craven	Grau	Metcalf	Snyder
Crouch	Hanson of Lyon	Millhone	Sours
Cunningham	Hanson of Winnebago	Mitchell	Speidel
Davis	Hook	Moore of Benton	Stansell
Dean	Hopp	Moore of Harrison	Stanzel
Dole	Hough	Mooty	Stewart
Donlon	Hultman	Osborn	Stimpson
Doran	Jenkins	Ostby	Strachan
Dreessen	Johnson	Paisley	Swift
Durant	Koch	Peet	Teter
Elliott	Laughlin	Rawings	Thies
Fabritz	Lichty	Rice	Thiessen
Felter	Lookingbill	Roe	Treimer
Foster	McCarthy	Ryder	Weed
Frizzell	McCreery	Schlatter	Wieben
Fuelling	McKinnon	Schmitz	Wiese
Gallagher	McLean	Schroeder	Yager
Garner	Malone	Sheridan	Zipse
Gissel	Maniece	Smith	Zylstra
Gittinger			Mr. Speaker
Goode			

Absent or not voting, 13.

Aldrich	Fuester	Jensen	Mercer
Ellsworth	Grell	McDermott	Porter
Falvey	Hartman	McFarlane	Reed
Fletcher			

Motion lost.

Strachan of Humboldt moved that the House adjourn to 9 a. m. Tuesday.

A roll call was demanded and on the question "Shall the House adjourn until 9 a. m. Tuesday?"

The ayes were, 20.

Beswick	Gittinger	Roe	Stanzel
Bruce	Grau	Ryder	Strachan
Crouch	McLean	Snyder	Swift
Cunningham	Paisley	Sours	Wieben
Dean	Rice	Stansell	Willis

The nays were, 73.

Aldrich	Dreessen	Hanson of Lyon	Lookingbill
Alesch	Durant	Hanson of Winnebago	McCarthy
Augustine	Elliott	Hook	McCreery
Avery	Ellsworth	Hopp	McKinnon
Beath	Fabritz	Hough	Malone
Bonnstetter	Falvey	Hultman	Maniece
Bouska	Felter	Humeston	Metcalf
Bowers	Foster	Jenkins	Mitchell
Brady	Frizzell	Jensen	Moore of Benton
Casey	Fuelling	Johnson	Moore of Harrison
Davis	Gallagher	Koch	Osborn
Dole	Garner	Laughlin	Ostby
Donlon	Gissel	Lichty	Peaco
Doran	Goode		

Digitized by Google

Peet	Sheridan	Thies	Wolf
Rawlings	Speidel	Thiessen	Zipse
Schlatter	Stewart	Treimer	Zylstra
Schmitz	Stimpson	Weed	Mr. Speaker
Schroeder	Teter	Wiese	

Absent or not voting, 15.

Burgess	Grell	Mercer	Reed
Craven	Hartman	Millhone	Smith
Fletcher	McDermott	Mooty	Yager
Fuester	McFarlane	Porter	

Motion lost.

Goode of Davis moved the previous question on the main bill and all pending amendments. Motion prevailed.

Teter of Marion moved that the rules be suspended, and Mr. Zylstra be permitted to speak in behalf of House File No. 40.

A roll call was demanded and on the question "Shall the rules be suspended?"

The ayes were, 84.

Aldrich	Fletcher	Lookingbill	Schroeder
Augustine	Foster	McCarthy	Smith
Avery	Frizzell	McCreery	Snyder
Beath	Fuelling	McDermott	Stansell
Beswick	Gallagher	McKinnon	Stanzel
Bonnstetter	Garner	McLean	Stewart
Bouska	Gissel	Maniece	Stimpson
Bowers	Gittinger	Mercer	Strachan
Bruce	Goode	Metcalf	Swift
Burgess	Grau	Mitchell	Teter
Casey	Grell	Moore of	Thies
Cunningham	Hanson of	Harrison	Thiessen
Davis	Winnebago	Mooty	Treimer
Dean	Hook	Osborn	Weed
Dole	Hough	Ostby	Wieben
Donlon	Hultman	Peet	Wiese
Dreessen	Humeston	Rawlings	Willis
Elliott	Jenkins	Rice	Wolf
Ellsworth	Jensen	Roe	Yager
Fabritz	Johnson	Schlatter	Zipse
Falvey	Laughlin	Schmitz	Zylstra
Felter	Lichty		

The nays were, 11.

Brady	Durant	Koch	Paisley
Craven	Hartman	Malone	Sheridan
Doran	Hopp	Moore of Benton	

Absent or not voting, 18.

Alesch	McFarlane	Porter	Sours
Crouch	Millhone	Reed	Speidel
Fuester	Peaco	Ryder	Mr. Speaker
Hanson of Lyon			

Motion prevailed.

Digitized by Google

On the question "Shall the substitute for House File No. 40 by Johnson of Linn as amended be adopted?"

The ayes were, 51.

Augustine	Durant	Hartman	Schmitz
Avery	Elliott	Jenkins	Sheridan
Beswick	Fabritz	Johnson	Snyder
Bonnstetter	Falvey	McLean	Sours
Bowers	Felter	Malone	Speidel
Brady	Fletcher	Mercer	Swift
Bruce	Frizzell	Millhone	Teter
Crouch	Gallagher	Mitchell	Thiessen
Davis	Goode	Mooty	Weed
Dean	Grau	Paisley	Willis
Dole	Grell	Peet	Wolf
Donlon	Hanson of Lyon	Roe	Zipse
Doran	Hanson of Winnebago	Ryder	

The nays were, 53.

Aldrich	Gittinger	McFarlane	Smith
Alesch	Hook	McKinnon	Stansell
Beath	Hopp	Maniece	Stanzel
Bouska	Hough	Metcalf	Stewart
Burgess	Hultman	Moore of Benton	Stimpson
Casey	Humeston	Moore of Harrison	Strachan
Craven	Jensen	Osborn	Thies
Cunningham	Koch	Ostby	Treimer
Dreessen	Laughlin	Peaco	Wieben
Ellsworth	Lichty	Rawlings	Wiese
Foster	Lookingbill	Rice	Yager
Fuelling	McCarthy	Schroeder	Zylstra
Garner	McCreery		Mr. Speaker
Gissel	McDermott		

Absent or not voting, 4.

Fuester	Porter	Reed	Schlatter

Substitute lost.

McCreery of Linn moved to adjourn to 10 a. m. tomorrow.

Roll call demanded and on the question "Shall the House adjourn until 10 a. m. tomorrow?"

The ayes were, 33.

Beswick	Elliott	McDermott	Roe
Bouska	Garner	McFarlane	Ryder
Brady	Grell	McLean	Sours
Bruce	Hartman	Mitchell	Speidel
Burgess	Hultman	Moore of Harrison	Stanzel
Crouch	Laughlin	Peet	Stewart
Cunningham	Lichty	Rawlings	Strachan
Davis	McCreery	Rice	Willis
Dean			

Digitized by Google

The nays were, 68.

Aldrich	Frizzell	Koch	Sheridan
Augustine	Fuelling	Lookingbill	Smith
Avery	Gallagher	McCarthy	Snyder
Beath	Gissel	McKinnon	Stansell
Bonnstetter	Gittinger	Malone	Stimpson
Bowers	Goode	Maniece	Swift
Casey	Grau	Mercer	Teter
Craven	Hanson of Lyon	Metcalf	Thies
Dole	Hanson of	Millhone	Thiessen
Donlon	Winnebago	Moore of Benton	Treimer
Doran	Hook	Mooty	Weed
Dreessen	Hopp	Osborn	Wiese
Durant	Hough	Ostby	Wolf
Ellsworth	Humeston	Paisley	Yager
Fabritz	Jenkins	Peaco	Zipse
Falvey	Jensen	Schmitz	Zylstra
Felter	Johnson	Schroeder	Mr. Speaker
Foster			

Absent or not voting, 7.

Alesch	Fuester	Reed	Wieben
Fletcher	Porter	Schlatter	

Motion lost.

A roll call was demanded and on the question "Shall the amendment by Hopp of Mills be adopted?"

The ayes were, 65.

Aldrich	Elliott	Hough	Peet
Alesch	Ellsworth	Humeston	Rawlings
Augustine	Falvey	Jenkins	Roe
Beath	Felter	Jensen	Ryder
Bonnstetter	Fletcher	Laughlin	Schmitz
Bowers	Frizzell	Lichty	Schroeder
Burgess	Gallagher	Lookingbill	Sheridan
Craven	Gissel	McLean	Snyder
Crouch	Gittinger	Malone	Sours
Cunningham	Goode	Mercer	Speidel
Davis	Grau	Metcalf	Stewart
Dean	Hanson of Lyon	Mitchell	Thiessen
Dole	Hanson of	Moore of Benton	Weed
Donlon	Winnebago	Mooty	Wieben
Doran	Hartman	Osborn	Zipse
Dreessen	Hook	Paisley	Mr. Speaker
Durant	Hopp		

The nays were, 36.

Avery	Garner	Maniece	Strachan
Beswick	Grell	Millhone	Swift
Bouska	Hultman	Moore of Harrison	Thies
Brady	Johnson	Ostby	Treimer
Bruce	Koch	Peaco	Wiese
Casey	McCarthy	Smith	Willis
Fabritz	McCreery	Stansell	Wolf
Foster	McFarlane	Stanzel	Yager
Fuelling	McKinnon	Stimpson	Zylstra

Digitized by Google

Absent or not voting, 7.

Fuester	Porter	Rice	Teter
McDermott	Reed	Schlatter	

Amendment adopted.

Zylstra of Sioux moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill as amended pass?"

The ayes were, 81.

Aldrich	Elliott	Johnson	Schmitz
Alesch	Ellsworth	Koch	Schroeder
Augustine	Falvey	Laughlin	Sheridan
Avery	Felter	Lichty	Smith
Beath	Fletcher	Lookingbill	Snyder
Bonnstetter	Frizzell	McFarlane	Sours
Bouska	Fuelling	McKinnon	Speidel
Bowers	Gallagher	McLean	Stanzel
Bruce	Garner	Malone	Stewart
Burgess	Gissel	Maniece	Teter
Casey	Gittinger	Mercer	Thiessen
Craven	Goode	Metcalf	Treimer
Crouch	Grau	Mitchell	Weed
Cunningham	Hanson of Lyon	Moore of Benton	Wieben
Davis	Hanson of Winnebago	Osborn	Wiese
Dean	Hook	Paisley	Willis
Dole	Hopp	Peet	Wolf
Donlon	Hough	Rawlings	Yager
Doran	Humeston	Roe	Zipse
Dreessen	Jenkins	Ryder	Mr. Speaker
Durant			

The nays were, 20.

Beswick	Hultman	Moore of Harrison	Stimpson
Brady	Jensen	Ostby	Strachan
Fabritz	McCarthy	Peaco	Swift
Foster	McCreery	Rice	Thies
Hartman	Millhone	Stansell	Zylstra

Absent or not voting, 7.

Fuester	McDermott	Porter	Schlatter
Grell	Mooty	Reed	

So the bill having received a constitutional majority was declared to have passed the House and the title as amended agreed to.

Hough of Fayette moved that the vote by which House File No. 40 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

On motion of McKinnon of Henry the House adjourned to Tuesday, November 21, at 10 o'clock a. m.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 21, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Levi P. Goodwin, pastor of Wesley Methodist Episcopal church, Des Moines, Iowa.

Journal of November 20th corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Avery of Clay for the day, on request of Doran of Boone.

PETITIONS AND MEMORIALS

Opposing taxation on fraternal societies. Foster of Cedar, from Beneficial Society of Royal Neighbors of America; Laughlin of Fremont, from the members of Esther Lodge of the Degree of Honor Protective Association; Swift, from the Lutheran League of Dubuque county. Referred to committee on insurance.

Opposing legalizing hard liquors. Laughlin, from citizens of Fremont county; Moore, from citizens of Harrison county. Referred to committee on liquor control.

Favoring gross income Tax. McCarthy of Woodbury, from The Crescent Park, Smith Vills Chapter of the Sioux City Tax Payers League; McFarlane of Black Hawk, from the Oelwein Chamber of Commerce. Referred to committee on tax reduction.

Favoring the modification of the Beatty-Bennett law. Cunningham, from 18,048 people of Polk county. Referred to committee on tax reduction.

REPORTS OF COMMITTEES

Augustine of Ringgold, from the committee on motor vehicles and transportation, submitted the following report:

MR. SPEAKER: Your committee on motor vehicles and transportation

Digitized by Google

to whom was referred House File No. 12, a bill for an act to fix the maximum rate of speed at which motor vehicles may be driven upon the public highway and to this end to amend section five thousand twenty-nine (5029), Code, 1931, relating to such speed, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. F. D. AUGUSTINE, *Chairman.*

Passed on file.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 5, a bill for an act to amend chapter four hundred ninety-six (496), Code 1931, to provide for the entering of judgment notwithstanding the verdict in certain cases and to prescribe the practice in such cases upon review by the Supreme Court, and to repeal all acts and parts of acts inconsistent with the provisions of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 26, a bill for an act to repeal sections 9189, 9214, 9215, 9217, 9301, and 9302, of the Code, 1931, relating to state banks, savings banks, and loan and trust companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 44, a bill for an act to legalize the corporate acts and proceedings of Pooley Lumber Company of Greene, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation by said Pooley Lumber Company, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

Digitized by Google

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 49, a bill for an act to legalize the corporate acts and proceedings of Marshalltown Manufacturing Company of Marshalltown, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Marshalltown Manufacturing Company, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 23, a bill for an act to amend section forty-six hundred forty-four-c eight (4644-c8), Code, 1931, relating to the secondary road construction fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 86, a bill for an act to legalize and validate an issue of $210,000.00 school building bonds of the independent school district of Clinton, in the county of Clinton, state of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 108 by Hartman of Des Moines, a bill for an act to amend Section Six Thousand Six Hundred Six (6606), code, 1931, relating to the power to establish Armory.

Read first and second times and referred to committee on cities and towns.

House File No. 109 by Dean of Cerro Gordo and Sours of Floyd, a bill for an act to amend section sixteen hundred fifty-four (1654), Code, 1931, relating to fees charged by township clerks for mileage and reporting same.

Read first and second times and referred to committee on county and township organization.

Digitized by Google

House File No. 110 by Wiese of Scott, a bill for an act to amend Section Three Thousand Ninety-Five (3095), Code, 1931, relating to the marking of milk bottles.

Read first and second times and referred to committee on dairy and food.

House File No. 111 by committee on judiciary No. 2, a bill for an act to amend, revise, and codify sections one hundred thirty-six (136), forty-three hundred eighteen (4318), fifty-one hundred sixty (5160), fifty-one hundred sixty-one (5161), fifty-six hundred forty-five (5645), seventy-four hundred ninety-six (7496), seventy-four hundred ninety-seven (7497), and seventy-four hundred ninety-eight (7498), Code, 1931, and all that part of section one hundred thirty-five (135) of said code which follows the word "presentation" in line three (3), relating to warrants drawn on public treasuries and not paid for want of funds.

Read first and second times and passed on file.

House File No. 112 by Millhone of Page and Speidel of Washington, a bill for an act to amend chapter one hundred ninety-nine (199), Code 1931, by inserting after section four thousand eighteen (4018) a new section; to amend sections four thousand twenty-five (4025), four thousand twenty-six (4026) and four thousand twenty-eight (4028), Code, 1931; and to repeal sections four thousand ten (4010), four thousand twelve (4012), four thousand sixteen (4016), four thousand seventeen (4017), and four thousand twenty-one (4021), Code, 1931, and to enact substitutes therefor, all relating to the treatment of indigent persons.

Read first and second times and referred to committee on public health.

House File No. 113 by Foster of Cedar and Brady of Pottawattamie, a bill for an act to amend section thirty-three (33), chapter eighty-nine (89), of the Acts of the Forty-Fifth General Assembly, relating to salary reductions of Deputy County Officers.

Read first and second times and referred to committee on county and township organization.

House File No. 114 by Jensen of Audubon, a bill for an act to make permanent a temporary transfer made July 18, 1932, ap-

Digitized by Google

proved by the Director of the Budget of the State of Iowa under date of August 4, 1932, of seven thousand dollars ($7000.00) from the Secondary Road Construction Fund of Audubon County to the County Fund of said county.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 115 by Treimer of O'Brien, a bill for an act to make permanent a temporary transfer made August 16, 1932, by authority of the Director of the Budget for Iowa, of ten thousand dollars ($10,000.00) from the Secondary Road Construction Fund of O'Brien County, Iowa, to the Poor Fund of said county.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 116 by Moore of Harrison (Bennett of Monona), a bill for an act to make permanent the temporary transfer, made December 28, 1932, of money from the secondary road trunk construction fund to the General fund of Harrison County, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 3 relating to the giving of preference upon the calendar to bills dealing with those subjects referred to in the Governor's message.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 70, a bill for an act relating to sales of real estate for delinquent taxes.

BYRON ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 70, a bill for an act to amend chapter one hundred thirty-three (133) of the acts of the forty-fifth general assembly relating to sales of real estate for delinquent taxes.

Read first and second times.

Digitized by Google

Grau of Buena Vista asked and obtained unanimous consent to consider Senate File No. 70 at this time.

Zylstra of Sioux moved to amend the bill by striking the words and figures "March 1, 1934" and inserting in lieu thereof "December 1, 1934."

Elliott of Polk moved to amend the amendment by making the date read "April 1, 1934." Amendment adopted.

Amendment as amended adopted.

Grau of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 99.

Aldrich	Felter	Lookingbill	Schlatter
Alesch	Fletcher	McCarthy	Schmitz
Augustine	Foster	McCreery	Schroeder
Beath	Frizzell	McDermott	Sheridan
Beswick	Fuelling	McFarlane	Smith
Bonnstetter	Fueser	McKinnon	Snyder
Bouska	Gallagher	McLean	Sours
Bowers	Garner	Malone	Speidel
Bruce	Gittinger	Maniece	Stanzel
Burgess	Goode	Mercer	Stewart
Casey	Grau	Metcalf	Stimpson
Craven	Grell	Millhone	Strachan
Crouch	Hanson of Lyon	Mitchell	Swift
Cunningham	Hartman	Moore of Benton	Teter
Davis	Hook	Moore of Harrison	Thies
Dean	Hopp	Mooty	Thiessen
Dole	Hough	Ostby	Treimer
Donlon	Hultman	Paisley	Weed
Doran	Humeston	Peaco	Wieben
Dreessen	Jenkins	Peet	Wiese
Durant	Jensen	Rawlings	Willis
Elliott	Johnson	Rice	Wolf
Ellsworth	Koch	Roe	Yager
Fabritz	Laughlin	Ryder	Zipse
Falvey	Lichty		Zylstra

The nays were, 1.

Osborn

Absent or not voting, 8.

Avery	Hanson of Winnebago	Porter	Stansell
Brady		Reed	Mr. Speaker
Gissel			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Digitized by Google

Grau of Buena Vista asked and obtained unanimous consent to change the date in Senate File No. 70 to read "April 2, 1934" instead of "April 1, 1934."

Grau of Buena Vista moved that the vote by which Senate File No. 70 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

CONSIDERATION OF BILLS

The hour having arrived for Special Order No. 1, House File No. 36, a bill for an act to amend Section ten thousand six hundred ninety (10690), Code, 1931, relating to the abolishing of Municipal Courts, with report of committee recommending passage was taken up for consideration.

Burgess of Woodbury moved to amend House File No. 36 by striking all after the enacting clause and substituting therefor the following:

Section 1. Section ten thousand six hundred ninety (10690), Code, 1931, is amended as follows:

1. By striking the period at the end of said section and adding thereto the following:

"Also it may be abandoned by proceeding as follows: Upon a majority vote of the council or by petition of ten (10) per cent of the voters at the last municipal or general election the question of abandining the Court shall be submitted to a vote of the people at any municipal or general election."

2. Also by adding thereto: "This measure shall apply only to cities now or hereafter having a population of seventy-five thousand (75,000) to one hundred thousand (100,000) according to the last federal census.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Anthon Herald, a newspaper published in Anthon, Iowa, and in the Sioux City Journal, a newspaper published in Sioux City, Iowa.

A roll call was demanded and on the question "Shall the amendment be adopted?"

The ayes were, 76.

Alesch	Dole	Grau	McCarthy
Augustine	Dreessen	Hartman	McCreery
Beswick	Elliott	Hook	McDermott
Bonnstetter	Ellsworth	Hopp	McFarlane
Bouska	Fabritz	Hough	McKinnon
Bruce	Falvey	Humeston	Malone
Burgess	Foster	Jenkins	Maniece
Casey	Frizzell	Johnson	Mercer
Craven	Fuelling	Koch	Metcalf
Cunningham	Gallagher	Laughlin	Millhone
Davis	Garner	Lichty	Mitchell
Dean	Goode		

Digitized by Google

Moore of Benton	Rice	Stansell	Weed
Moore of Harrison	Roe	Stewart	Wiese
Mooty	Ryder	Stimpson	Willis
Osborn	Schmitz	Swift	Wolf
Paisley	Schroeder	Teter	Yager
Peet	Sheridan	Thies	Zylstra
Rawlings	Smith	Thiessen	Mr. Speaker
	Snyder	Treimer	

The nays were, 24.

Beath	Felter	Jensen	Sours
Bowers	Fletcher	Lookingbill	Speidel
Crouch	Fuester	McLean	Stanzel
Donlon	Grell	Ostby	Strachan
Doran	Hanson of Lyon	Peaco	Wieben
Durant	Hultman	Schlatter	Zipse

Absent or not voting, 8.

Aldrich	Gissel	Hanson of Winnebago	Porter
Avery	Gittinger		Reed
Brady			

Amendment adopted.

Rawlings of Monona moved that action be deferred on House File No. 36.

A roll call was demanded and on the question "Shall action be deferred on House File No. 36?"

The ayes were, 15.

Davis	Fuester	McDermott	Schroeder
Donlon	Gittinger	Ostby	Stansell
Dreessen	Lichty	Rawlings	Wieben
Felter	Lookingbill	Ryder	

The nays were, 83.

Aldrich	Falvey	Johnson	Schlatter
Alesch	Foster	Koch	Schmitz
Augustine	Frizzell	Laughlin	Sheridan
Beath	Fuelling	McCarthy	Smith
Beswick	Gallagher	McCreery	Snyder
Bonnstetter	Garner	McFarlane	Sours
Bouska	Gissel	McKinnon	Speidel
Bowers	Goode	McLean	Stanzel
Brady	Grau	Malone	Stewart
Bruce	Grell	Maniece	Strachan
Burgess	Hanson of Lyon	Mercer	Swift
Casey	Hanson of Winnebago	Metcalf	Teter
Craven	Hartman	Millhone	Thies
Cunningham	Hook	Mitchell	Thiessen
Dean	Hopp	Moore of Benton	Treimer
Dole	Hough	Mooty	Weed
Doran	Hultman	Osborn	Wiese
Durant	Humeston	Peaco	Willis
Elliott	Jenkins	Peet	Wolf
Ellsworth	Jensen	Rice	Yager
Fabritz		Roe	Zipse

Digitized by Google

Absent or not voting, 10.

Avery	Moore of	Porter	Zylstra
Crouch	Harrison	Reed	Mr. Speaker
Fletcher	Paisley	Stimpson	

Motion to defer action lost.

Swift of Dubuque moved the previous question. Motion prevailed.

Burgess of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 38.

Alesch	Hartman	Metcalf	Stewart
Augustine	Hook	Mitchell	Swift
Burgess	Hough	Moore of Benton	Teter
Casey	Humeston	Mooty	Thies
Cunningham	Koch	Paisley	Treimer
Elliott	Laughlin	Schlatter	Wieben
Falvey	McCarthy	Schroeder	Willis
Frizzell	McFarlane	Sheridan	Wolf
Garner	McKinnon	Snyder	Zylstra
Goode	Mercer		

The nays were, 61.

Aldrich	Felter	Jensen	Rice
Beath	Fletcher	Johnson	Roe
Bonnstetter	Foster	Lichty	Ryder
Bouska	Fuelling	Lookingbill	Schmitz
Bowers	Fuester	McCreery	Smith
Brady	Gallagher	McDermott	Sours
Bruce	Gissel	McLean	Speidel
Craven	Gittinger	Malone	Stansell
Davis	Grau	Maniece	Stanzel
Dole	Grell	Millhone	Strachan
Donlon	Hanson of Lyon	Osborn	Thiessen
Doran	Hanson of Winnebago	Ostby	Weed
Dreessen	Hopp	Peaco	Wiese
Durant	Hultman	Peet	Yager
Ellsworth	Jenkins	Rawlings	Zipse
Fabritz			

Absent or not voting, 9.

Avery	Dean	Porter	Stimpson
Beswick	Moore of	Reed	Mr. Speaker
Crouch	Harrison		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Digitized by Google

PROOFS OF PUBLICATION

I hereby certify there has been filed with me, as chief clerk of the House of Representatives, a proof of Publication from the Marshalltown Times-Republican, Marshalltown, Iowa, relating to House File No. 49, a bill for an act to legalize the corporate acts and proceedings of Marshalltown Manufacturing Company, of Marshalltown, Iowa.

VIRGIL LEKIN, *Chief Clerk of the House.*

I certify there has been filed with me, as chief clerk of the House of Representatives, a proof of publication from the Clinton Herald, Clinton, Iowa, relating to House File No. 86, a bill for an act to legalize and validate an issue of $210,000.00 school building bonds of the independent school district of Clinton, in the county of Clinton, State of Iowa.

VIRGIL LEKIN, *Chief Clerk of the House.*

On the motion of Fabritz of Wapello, the House adjourned until 10 o'clock a. m. Wednesday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 22, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. R. Weed, pastor of the West Star and Worthington Churches, Winterset, Iowa.

Journal of November 21st corrected and approved.

PETITIONS AND MEMORIALS

Favoring a special tax on "chain stores." Crouch, from the business men of Greene county; Fuester, from the business men of Ida county; Hopp, from the business men of Mills county; McCreery, from the business men of Linn county; McDermott, from the business men of Adair county; Metcalf, from the business men of Muscatine county; Rice, from the business men of Keokuk county; Roe, from the business men of Allamakee county; Weed, from the business men of Madison county; Zylstra, from the business men of Sioux county. Referred to committee on tax revision.

Opposing legalizing hard liquors. Hopp, from the citizens of Mills county. Referred to committee on liquor control.

Favoring inclusion of "contracts on small homes" in Iowa debtor law. Cunningham of Polk, from workers on The Register and Tribune. Referred to committee on banks and banking.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bill: November 17. House File No. 38.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Grell of Scott for the day, on request of Wiese of Scott; Casey of Mitchell for the day, on request of Swift of Dubuque.

Digitized by Google

REPORTS OF COMMITTEES

Ellsworth of Hardin, from the committee on banks and banking, submitted the following report:

MR. SPEAKER: Your committee on Banks and Banking to whom was referred House File No. 69, a bill for an act to amend Chapter one hundred thirty-seven (137), section one (1), Acts of the Forty-fifth General Assembly, relating to the location of depository banks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. E. O. ELLSWORTH, *Chairman.*

Report adopted.

Hopp of Mills, Osborn of Decatur, Mitchell of Webster, Garner of Butler and Craven of Jasper presented the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 4

Be it Resolved by the House of Representatives, the Senate concurring, that the Senate and House of Representatives resolve themselves into a committee of the whole for consideration of all tax revision bills as follows:

1. That each bill be taken up in the order of its filing and at least one day given to the author or authors of each bill to properly discuss and analyze it before said committee.

2. That none of said bills be placed upon their passage until each has been discussed before the joint committee.

We feel that all members of the House and Senate should have each of these bills thoroughly analyzed and discussed before any of said bills are taken up for vote or passage.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File No. 70, a bill for an act relating to sales of real estate for delinquent taxes.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 87, a bill for an act relating to the rights, powers, privileges, duties and liabilities of state or savings banks or trust companies. BYRON G. ALLEN, *Secretary.*

Digitized by Google

EXTENSION OF TIME ON BILLS WITH TAX REVISION COMMITTEE

Rice of Keokuk asked and obtained unanimous consent for extension of time on all bills with the committee on tax revision.

HOUSE FILE NO. 67 REREFERRED

Mercer of Johnson moved that House File No. 67 be rereferred to committee on public health.

A roll call was demanded and on the question "Shall House File No. 67 be rereferred to the committee on public health?"

The ayes were, 64.

Alesch	Gallagher	McFarlane	Ryder
Avery	Gissel	McKinnon	Schmitz
Beswick	Gittinger	McLean	Smith
Bonnstetter	Goode	Malone	Snyder
Bouska	Grell	Maniece	Sours
Bowers	Hanson of Lyon	Mercer	Speidel
Burgess	Hartman	Metcalf	Stimpson
Craven	Humeston	Millhone	Swift
Crouch	Jenkins	Moore of Benton	Teter
Davis	Johnson	Moore of Harrison	Treimer
Dean	Koch	Mooty	Weed
Doran	Laughlin	Osborn	Wiese
Ellsworth	Lichty	Paisley	Willis
Fabritz	Lookingbill	Peet	Yager
Falvey	McCreery	Rice	Zipse
Felter	McDermott		Mr. Speaker
Fuelling			

The nays were, 27.

Aldrich	Frizzell	Jensen	Stewart
Beath	Fuester	Ostby	Strachan
Dole	Garner	Rawlings	Thies
Donlon	Hook	Roe	Thiessen
Dreessen	Hopp	Schlatter	Wolf
Fletcher	Hough	Schroeder	Zylstra
Foster	Hultman	Stanzel	

Absent or not voting, 17.

Augustine	Durant	McCarthy	Reed
Brady	Elliott	Mitchell	Sheridan
Bruce	Grau	Peaco	Stansell
Casey	Hanson of Winnebago	Porter	Wieben
Cunningham			

Motion prevailed and House File No 67 was rereferred to committee on public health.

HOUSE FILE NO. 64 WITHDRAWN

Hopp of Mills asked and obtained unanimous consent to withdraw House File No. 64.

Digitized by Google

CONSIDERATION OF SENATE AMENDMENTS

On request of Ellsworth of Hardin unanimous consent having been given, House File No. 87, an act deemed necessary for the public good, and relating to the rights, powers, privileges, duties and liabilities of corporations now or hereafter organized as a state or savings bank, or trust company, and the stockholders thereof; and to authorize and provide a method for amending the articles of incorporation of any such corporation, and for the increase or reduction of the capital stock of any such corporation, and to authorize the issuance of one or more classes of preferred stock by any such corporation; and to limit the scope and effect of Sections 9246, 9247, 9248, 9248-a1, 9251, 9252 and 9253, Code of Iowa, 1931, relating to assessments and double liability and the imposition and enforcement of assessments upon capital stock and liabilities of stockholders of such corporations and providing rules of construction in event of conflict or unconstitutionality of a part of the act, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS

1. Amend section four (4) by inserting, after the word "such" in line eight (8), the word "preferred".

2. Amend section four (4), sub-division "A" thereof, by inserting before the semi-colon (;) in line eight (8) thereof the following: ", such rights, privileges, preferences, limitations and conditions, however, shall not permit such stockholder, either common or preferred, in case of liquidation of such bank, to share in the assets thereof before the depositors shall have been paid in full".

3. Strike out the word "as" in line six (6) of section six (6) and insert in lieu thereof the word "are".

Mr. Ellsworth moved that the House concur in part 1 of the Senate amendments. On the question, "Shall the House concur?"

The ayes were, 12.

Bruce	Grau	Osborn	Schlatter
Crouch	Hartman	Ostby	Wieben
Gittinger	Humeston	Ryder	Yager

The nays were, 86.

Aldrich	Bowers	Dole	Falvey
Alesch	Brady	Donlon	Felter
Avery	Burgess	Doran	Fletcher
Beath	Craven	Dreessen	Foster
Beswick	Cunningham	Durant	Frizzell
Bonnstetter	Davis	Ellsworth	Fuelling
Bouska	Dean	Fabritz	Fuester

Digitized by Google

Gallagher	Laughlin	Mooty	Stimpson
Garner	Lichty	Peaco	Strachan
Gissel	Lookingbill	Peet	Swift
Goode	McCreery	Rawlings	Teter
Hanson of Lyon	McDermott	Rice	Thies
Hanson of Winnebago	McKinnon	Roe	Thiessen
	McLean	Schmitz	Treimer
Hook	Malone	Schroeder	Weed
Hopp	Maniece	Smith	Wiese
Hough	Mercer	Snyder	Willis
Hultman	Metcalf	Sours	Wolf
Jenkins	Millhone	Speidel	Zipse
Jensen	Mitchell	Stansell	Zylstra
Johnson	Moore of Benton	Stanzel	Mr. Speaker
Koch	Moore of Harrison	Stewart	

Absent or not voting, 10.

Augustine	Grell	Paisley	Reed
Casey	McCarthy	Porter	Sheridan
Elliott	McFarlane		

So the House refused to concur in part one of the Senate amendments.

Ellsworth of Hardin moved that the House concur in parts 2 and 3 of the Senate amendments.

On the question "Shall the House concur in parts 2 and 3 of the of the Senate amendment?"

The ayes were, 100.

Aldrich	Fletcher	Lookingbill	Schmitz
Alesch	Foster	McCreery	Schroeder
Avery	Frizzell	McDermott	Smith
Beath	Fuelling	McKinnon	Snyder
Beswick	Fuester	McLean	Sours
Bonnstetter	Gallagher	Malone	Speidel
Bouska	Garner	Maniece	Stansell
Bowers	Gissel	Mercer	Stanzel
Brady	Gittinger	Metcalf	Stewart
Bruce	Goode	Millhone	Stimpson
Burgess	Grau	Mitchell	Strachan
Craven	Hanson of Lyon	Moore of Benton	Swift
Crouch	Hanson of Winnebago	Moore of Harrison	Teter
Cunningham			Thies
Davis	Hartman	Mooty	Thiessen
Dean	Hook	Osborn	Treimer
Dole	Hopp	Ostby	Weed
Donlon	Hough	Paisley	Wieben
Doran	Hultman	Peaco	Wiese
Dreessen	Humeston	Peet	Willis
Durant	Jenkins	Rawlings	Wolf
Elliott	Jensen	Rice	Yager
Ellsworth	Johnson	Roe	Zipse
Fabritz	Koch	Ryder	Zylstra
Falvey	Laughlin	Schlatter	Mr. Speaker
Felter	Lichty		

Digitized by Google

The nays were, none.

Absent or not voting, 8.

Augustine	Grell	McFarlane	Reed
Casey	McCarthy	Porter	Sheridan

So the House concurred in parts two and three of the Senate amendments.

INTRODUCTION OF BILLS

House File No. 117 by Brady of Pottawattamie, a bill for an act to amend Section sixty-two hundred thirty-one (6231), Code, 1931 relating to road poll tax.

Read first and second times and referred to committee on county and township organization.

House File No. 118 by Garner of Butler, a bill for an act to make permanent the transfers of county funds in Butler County to the poor fund from the maintenance fund, where said transfers were originally made with the approval of the Director of the Budget.

Read first and second times and referred to committee on Judiciary No. 2.

House File No. 119 by Ryder of Dubuque, a bill for an act to amend section seventy-one hundred ninety-three-a-one (7193-a1), Code, 1931, providing for the compromise of taxes on real estate for the year 1932 and/or any prior year or years, and providing for redemption from tax sales thereof and repealing all Acts or parts of Acts in conflict herewith and declaring an emergency.

Read first and second times and referred to committee on emergency legislation.

House File No. 120 by Ryder of Dubuque, a bill for an act to authorize cities and towns to borrow funds from the Federal Public Works Administration for the purpose of constructing public works, as herein defined, and to issue "Revenue Bonds" as security therefor, payable solely from revenue to be derived from such public works.

Read first and second times and referred to committee on emergency legislation.

House File No. 121 by Beswick of Van Buren, a bill for an act to require the Iowa State Fair Board to issue to Crop Reporters

Digitized by Google

and/or Weather Observers passes to the Iowa State Fair, and to require said Reporters and/or Observers who accept the courtesy to attend the School of Instruction conducted during said Fair.

Read first and second times and referred to committee on agriculture.

House File No. 122 by committee on banks and banking, a bill for an emergency act to provide for the issuance of preferred stock of one or more classes by state banks, savings banks and trust companies organized under the laws of this State that have been reorganized and/or recapitalized, or are in the process of reorganization and/or recapitalization; providing for the consent of "certificate holders" and subordinating the rights of "certificate holders" in and to earnings or income of such banks and trust companies, to the rights of holders of preferred stock, both as to dividends and sinking fund; and binding non-consenting "certificate holders" upon written consent of required number and amount; providing for public bodies as "certificate holders" entering into written consents and subordination agreements; and providing rules of construction in event of conflict or unconstitutionality of a part of the Act.

Read first and second times and passed on file.

House File No. 123 by Fuester of Ida, a bill for an act to amend section seventy-one hundred seventy-one (7171), Code, 1931, relating to the repeal of the poll tax levied on each male resident over twenty-one years of age.

Read first and second times and referred to committee on county and township organization.

House File No. 124 by Thies of Pottawattamie, a bill for an act to amend chapter ninety-one (91), Acts of the 45th General Assembly and sub-section twelve (12) of section fifty-two hundred twenty (5220), Code 1931, as amended, relating to the salaries of county auditors in certain counties; to amend chapter ninety-two (92), Acts of the 45th General Assembly and sub-section thirteen (13) of Section fifty-two hundred twenty-two (5222), Code 1931, as amended, relating to the salaries of county treasurers in certain counties; to amend chapter ninety-three (93), Acts of the 45th General Assembly and sub-section eleven (11) of section fifty-two hundred twenty-four (5224), Code, 1931,

Digitized by Google

as amended, relating to the salaries of county recorders in certain counties; to amend chapter ninety-four (94), Acts of the 45th General Assembly and sub-section eleven (11) of section fifty-two hundred twenty-six (5226), Code 1931, as amended, relating to the salaries of county sheriffs in certain counties; to amend chapter ninety-five (95), Acts of the 45th General Assembly and the fourth (4th) paragraph of sub-section ten (10) of section fifty-two hundred twenty-eight (5228), Code 1931, as amended, relating to the salaries of county attorneys in certain counties; to amend chapter ninety-six (96), Acts of the 45th General Assembly and sub-section twelve (12) of section fifty-two hundred thirty (5230), Code 1931, as amended, relating to the salaries of clerks of the district court in certain counties.

Read first and second times and referred to committee on county and township organization.

House File No. 125 by Aldrich of Wright, a bill for an act to make permanent a temporary transfer of funds, made June 5, 1933, by authority of the Director of the Budget, of fifty thousand and no/100 dollars ($50,000.00) from the Road Maintenance Fund of Wright County, Iowa, to the Poor Fund of said county.

Read first and second times and referred to committee on judiciary No. 1.

CONSIDERATION OF BILLS

House File No. 34, a bill for an act to amend section eleven hundred sixty-six (1166), Code, 1931, relating to nepotism, with report of committee recommending amendment and passage, was taken up for consideration.

Goode of Davis moved the amendments proposed by the committee, found on page 119 of the journal of November 18th, be adopted.

Hanson of Lyon moved to amend the committee amendment to House File No. 34 as follows:

Add to line 5 after the comma following the word "board" the following: "unless by unanimous vote of the members of the board".

Roll call was demanded and on the question "Shall the amendment to the committee amendment be adopted?"

Digitized by Google

The ayes were, 56.

Aldrich	Fuester	Metcalf	Sours
Alesch	Garner	Millhone	Spiedel
Beath	Goode	Moore of Benton	Stansell
Bonnstetter	Grau	Moore of	Stanzel
Bowers	Hanson of Lyon	Harrison	Stewart
Brady	Hanson of	Osborn	Strachan
Burgess	Winnebago	Paisley	Swift
Davis	Hook	Peaco	Thies
Dean	Hultman	Rice	Treimer
Doran	Jenkins	Roe	Weed
Dreessen	Koch	Ryder	Wieben
Durant	Laughlin	Schmitz	Willis
Elliott	Lichty	Sheridan	Zipse
Felter	Maniece	Snyder	Mr. Speaker
Fletcher	Mercer		

The nays were, 42.

Augustine	Fabritz	Humeston	Peet
Avery	Falvey	Jensen	Schlatter
Beswick	Foster	Johnson	Schroeder
Bouska	Frizzell	McCreery	Smith
Bruce	Fuelling	McDermott	Stimpson
Craven	Gallagher	McKinnon	Teter
Crouch	Gissel	McLean	Wiese
Cunningham	Gittinger	Malone	Wolf
Dole	Grell	Mitchell	Yager
Donlon	Hopp	Mooty	Zylstra
Ellsworth	Hough		

Absent or not voting, 10.

Casey	McCarthy	Porter	Reed
Hartman	McFarlane	Rawlings	Thiessen
Lookingbill	Ostby		

So the amendment to the committee amendment was adopted.

Zylstra of Sioux moved to amend the committee amendment by striking the word "third" in line four and inserting in lieu thereof the word "second".

Amendment lost.

On the question "Shall the committee amendments as amended be adopted?"

The ayes were, 54.

Aldrich	Dean	Grau	Metcalf
Alesch	Doran	Hanson of Lyon	Moore of Benton
Avery	Dreessen	Hook	Moore of
Beath	Durant	Hultman	Harrison
Beswick	Elliott	Humeston	Peaco
Bonnstetter	Ellsworth	Jensen	Peet
Bouska	Felter	Koch	Rawlings
Bowers	Fletcher	Laughlin	Rice
Brady	Garner	McCarthy	Roe
Bruce	Gissel	McCreery	Schlatter
Davis	Goode	Maniece	Schmitz

Digitized by Google

Schroeder	Stansell	Strachan	Weed
Sheridan	Stanzel	Thies	Yager
Speidel	Stewart	Treimer	

The nays were, 46.

Augustine	Fuester	Malone	Stimpson
Burgess	Gallagher	Mercer	Swift
Craven	Gittinger	Mitchell	Teter
Crouch	Grell	Mooty	Thiessen
Cunningham	Hopp	Osborn	Wieben
Dole	Hough	Ostby	Wiese
Donlon	Jenkins	Paisley	Willis
Fabritz	Johnson	Ryder	Wolf
Falvey	Lichty	Smith	Zipse
Foster	McDermott	Snyder	Zylstra
Frizzell	McKinnon	Sours	Mr. Speaker
Fuelling	McLean		

Absent or not voting, 8.

Casey	Hartman	McFarlane	Porter
Hanson of Winnebago	Lookingbill	Millhone	Reed

So the committee amendments as amended were adopted.

Goode of Davis moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Ellsworth	Johnson	Schlatter
Alesch	Fabritz	Lichty	Schmitz
Augustine	Felter	McCarthy	Schroeder
Avery	Fletcher	McCreery	Sheridan
Beath	Frizzell	McDermott	Snyder
Beswick	Fuelling	McFarlane	Sours
Bonnstetter	Fuester	McLean	Speidel
Bouska	Gallagher	Malone	Stansell
Bowers	Garner	Maniece	Stewart
Brady	Gittinger	Mercer	Stimpson
Bruce	Goode	Metcalf	Teter
Burgess	Grau	Millhone	Thies
Craven	Grell	Mitchell	Thiessen
Crouch	Hanson of Lyon	Moore of Harrison	Treimer
Cunningham	Hartman	Osborn	Weed
Davis	Hook	Peaco	Wieben
Dean	Hopp	Peet	Wiese
Dole	Hough	Rice	Wolf
Doran	Hultman	Roe	Yager
Durant	Humeston		Zylstra
Elliott	Jensen		

The nays were, 15.

Dreessen	Koch	Rawlings	Swift
Foster	Moore of Benton	Ryder	Willis
Gissel	Mooty	Stanzel	Zipse
Jenkins	Paisley	Strachan	

Digitized by Google

Absent or not voting, 12.

Casey	Hanson of Winnebago	McKinnon	Reed
Donlon	Laughlin	Ostby	Smith
Falvey	Lookingbill	Porter	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Goode of Davis moved that the vote by which House File No. 34 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

CONSIDERATION OF BILLS

House File No. 92, a bill for an act to amend section eleven hundred, seventy one-b1 (1171-b1) of the code, 1931, relating to preference for coal and other domestic products, materials, supplies, provisions and other articles, and providing for the purchase and use thereof by the state and certain municipal corporations or political subdivisions thereof, and providing penalties for failing to give such preference in the purchase and use of domestic coal for fuel; and to repeal section eleven hundred, seventy one-b2 (1171-b2) of the code, 1931, and to enact a substitute therefor, relating to advertising for bids and proposals for materials, coal and other domestic products, supplies, provisions, and other articles to be purchased at public expense, and relating to the rejection and acceptance of bids for domestic coal for fuel, and providing for contract and bond on acceptance of any such bids for coal for fuel, with report of committee, recommending passage, was taken up for consideration.

Fabritz of Wapello moved that House File No. 92 be rereferred to committee on mines and mining. Motion prevailed and House File No. 92 was rereferred to committee on mines and mining.

House File No. 5, a bill for an act to amend chapter four hundred ninety-six (496), Code 1931, to provide for the entering of judgment notwithstanding the verdict in certain cases and to prescribe the practice in such cases upon review by the Supreme Court, and to repeal all acts and parts of acts inconsistent with the provisions of this act, with report of committee recommending passage, was taken up for consideration.

Johnson of Linn moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Aldrich	Frizzell	Lichty	Schlatter
Augustine	Fuelling	McCarthy	Schmitz
Avery	Gallagher	McCreery	Schroeder
Bouska	Garner	McDermott	Smith
Bowers	Gissel	McFarlane	Snyder
Brady	Goode	McLean	Speidel
Bruce	Grau	Malone	Stansell
Burgess	Grell	Mercer	Stewart
Crouch	Hanson of Lyon	Metcalf	Stimpson
Cunningham	Hartman	Mitchell	Swift
Dole	Hopp	Moore of Harrison	Thies
Donlon	Hough	Mooty	Thiessen
Doran	Hultman	Osborn	Treimer
Dreessen	Humeston	Peaco	Weed
Durant	Jensen	Peet	Wieben
Elliott	Johnson	Rawlings	Wiese
Ellsworth	Koch	Ryder	Wolf
Fabritz	Laughlin		Mr. Speaker
Fletcher			

The nays were, 25.

Alesch	Foster	Paisley	Strachan
Beath	Fuester	Rice	Teter
Beswick	Gittinger	Roe	Willis
Bonnstetter	Hook	Sheridan	Yager
Davis	McKinnon	Sours	Zipse
Falvey	Ostby	Stanzel	Zylstra
Felter			

Absent or not voting, 11.

Casey	Hanson of Winnebago	Lookingbill	Moore of Benton
Craven	Jenkins	Maniece	Porter
Dean		Millhone	Reed

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that the vote by which House File No. 5 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 79, a bill for an act relating to the notice of tax sale by the county treasurer and the service of such notice by publication in a newspaper.

Digitized by Google

Also: That the Senate recedes from amendment No. 1 to House File 87 relating to the rights, powers, privileges, duties and liabilities of state or savings banks or trust companies.

BYRON G. ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 79, a bill for an act to amend the provisions of Section seven thousand, two hundred-forty-six (7246), Code, 1931, relating to the notice of the tax sale by the county treasurer and the service of such notice by publications in a newspaper.

Read first and second times.

Grau of Buena Vista asked and obtained unanimous consent for the immediate consideration of Senate File No. 79.

Grau of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Alesch	Fletcher	Laughlin	Ryder
Avery	Foster	Lichty	Schlatter
Beath	Frizzell	McCarthy	Schmitz
Beswick	Fuelling	McCreery	Schroeder
Bonnstetter	Fuester	McDermott	Sheridan
Bouska	Gallagher	McFarlane	Smith
Bowers	Garner	McKinnon	Snyder
Bruce	Gissel	McLean	Sours
Burgess	Gittinger	Malone	Speidel
Craven	Goode	Mercer	Stansell
Crouch	Grau	Metcalf	Stanzel
Cunningham	Grell	Millhone	Stewart
Davis	Hanson of Lyon	Mitchell	Stimpson
Dean	Hanson of Winnebago	Moore of Benton	Strachan
Dole	Hartman	Moore of Harrison	Swift
Donlon	Hook	Mooty	Thiessen
Doran	Hopp	Osborn	Treimer
Dreessen	Hough	Ostby	Weed
Durant	Hultman	Paisley	Wieben
Elliott	Humeston	Peet	Wiese
Ellsworth	Jensen	Rawlings	Willis
Fabritz	Johnson	Rice	Wolf
Falvey	Koch	Roe	Zipse
Felter			Mr. Speaker

The nays were, none.

Absent or not voting, 14.

Aldrich	Jenkins	Porter	Thies
Augustine	Lookingbill	Reed	Yager
Brady	Maniece	Teter	Zylstra
Casey	Peaco		

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Grau of Buena Vista moved that the vote by which Senate File No. 79 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

ADDITIONAL COPIES ORDERED PRINTED

McFarlane of Black Hawk asked and obtained unanimous consent to have three hundred (300) additional copies of House File No. 93 printed.

AMENDMENTS FILED

Aldrich of Wright filed the following amendment to House File No. 63:

Amend House File No. 63 as follows:

1. Section one (1), line one (1), strike the words "the second installment of".
2. Line seven (7), strike the word and figures "October 1, 1933" and insert in lieu thereof "the time when due".
3. Section two (2), line one (1), strike the word "second."

Beswick of Van Buren filed the following amendment to House File No. 63:

Amend House File No. 63 by striking from section one (1), lines three (3) and five (5), the word and figures: "December 31, 1933" and inserting in lieu thereof the word and figures: "February 5, 1934".

On the motion of Mercer of Johnson, the House adjourned until 10 o'clock a. m. Thursday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 23, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. C. B. Rayhill, pastor M. E. church, Leon, Iowa.

Journal of November 22d corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Schmitz of Winneshiek for the day, on request of Bouska of Howard.

PETITIONS AND MEMORIALS

Favoring special tax on chain stores. Speaker Miller from business interests in Shelby county.

Favoring a special tax on chain stores. Alesch, from the business men of Plymouth county; Beath, from the business men of Adams county; Bonnstetter, from the business men of Kossuth county; Bowers, from the business men of Union county; Brady, from the business men of Pottawattamie county; Craven, from the business men of Jasper county; Doran, from the business men of Boone county; Dreesen, from the business men of Crawford county; Durant, from the business men of Hancock county; Felter, from the business men of Warren county; Fletcher, from the business men of Osceola county; Foster, from the business men of Cedar county; Fuelling, from the business men of Clayton county; Grell, from the business men of Scott county; Hook, from the business men of Taylor county; Hultman, from the business men of Montgomery county; Millhone, from the business men of Page county; Peaco, from the business men of Clinton county; Peet, from the business men of Guthrie county; Schlatter, from the business men of Jackson county; Schroeder, from the business men of Carroll county; Smith, from the business men of Cherokee county; Stansell, from the business men of Clarke

Digitized by Google

county; Stanzel, from the business men of Sac county; Stewart, from the business men of Calhoun county; Stimpson, from the business men of Jones county; Swift, from the business men of Dubuque county; Willis, from the business men in Dallas county. Referred to committee on tax revision.

Favoring the gross income tax plan. Schlatter, from the board of supervisors of Jackson county; Burgess, from a Tax Payers League of Woodbury county. Referred to committee on tax reduction.

Opposing the establishment of liquor stores operated by the state. Grell of Scott, from the Iowa Tobacco and Candy Wholesalers Association. Referred to committee on liquor control.

Favoring the child labor amendment. Wiese of Scott, from the Amalgamated Lithographers of America. Referred to committee on constitutional amendments.

Opposing legalizing hard liquors. Hopp, from the citizens of Mills county. Referred to committee on liquor control.

Opposing the Beatty-Bennett Act. Cunningham of Polk, from the board of directors of the Des Moines Public Schools. Referred to the committee on tax reduction.

REPORTS OF COMMITTEES

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2, to whom was referred House File No. 15, a bill for an act to amend section eighty-nine hundred forty (8940), Code, 1931, by striking out certain provisions relating to the inurement of policies of insurance to the benefit of one who has obtained a judgment against the insured, to repeal section nine thousand seventy-one (9071) of said code, and to enact a substitute for such stricken and repealed provisions, and to provide the time in which an action to enforce such inurement may be brought, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 17, a bill for an act to repeal section seventy-two

Digitized by Google

hundred three (7203), Code, 1931, and to enact a substitute therefor, relating to the lien of poll taxes and of taxes on personal property, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 19, a bill for an act to amend section twelve thousand eight hundred seventy-four (12874), Code, 1931, and to require the filing of the shorthand reporter's translation of his report of a trial and to constitute such filed translation a public record for the use of all parties to an appeal, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 21, a bill for an act to amend section seventy-one hundred sixty-four (7164), Code, 1931, by repealing lines nine (9) to nineteen (19), inclusive, of said section, relating to the computation of tax rates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 25, a bill for an act to amend sections eleven thousand six hundred eleven (11611) and eleven thousand six hundred twelve (11612), Code, 1931, relating to the filing of motions and hearing thereon in proceedings for judgments on motion, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 32, a bill for an act to amend section twenty-eight hundred eight (2808) Code, 1931, relating to the definition of hotel, beg leave to report they have had the same under consideration and have

Digitized by Google

instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 14, a bill for an act to define the term "search warrant," to declare the conditions under which search warrants may issue, to amend, revise, and codify various statutes pertaining to search warrants, in order to provide a uniform procedure governing search warrant proceedings, and to this end to repeal chapter six hundred seventeen (617) of the Code, 1931, and to enact a substitute therefor; also to amend sections two thousand ten (2010), thirty-one hundred fifty-nine (3159) and thirteen thousand two hundred three (13203) of said Code; also to repeal the following chapter and sections of said Code, to wit:

1. Sections fifteen hundred seventy-eight (1578) to fifteen hundred eighty-one (1581), inclusive.
2. Section thirty-one hundred sixty (3160).
3. Chapter ninety-six (96).
4. Sections thirteen thousand two hundred (13200), thirteen thousand two hundred one (13201), and sections thirteen thousand two hundred four (13204) to thirteen thousand two hundred nine (13209), inclusive.
5. Sections thirteen thousand two hundred eleven (13211) to thirteen thousand two hundred fifteen (13215), inclusive, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 24, a bill for an act to repeal sections thirty-seven hundred fourteen (3714), and thirty-seven hundred fifteen (3715), Code, 1931, and to enact a substitute therefor, and so to amend sections thirty-seven hundred two (3702), thirty-seven hundred seventeen (3717), and thirty-seven hundred nineteen (3719), of said code as to coordinate said sections with chapter four hundred seventy-three (473) of said code, relating to the adoption of children, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 30, a bill for an act to amend Chapter two (2),

Digitized by Google

Code, 1931, relating to the appointment of members of the General Assembly to office, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. BRADY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 48, a bill for an act to provide against discrimination or monopoly in the sale of replacement and repair parts of machines and mechanical devices, and for the regulation of the distribution and sale of same, and providing penalties for the violation of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Section one (1), line five (5), after the word "repair" insert the words "and/or replacement",

Also, strike from lines three (3) and four (4), the words "the State of Iowa" and insert in lieu thereof "this state,".

Also, strike the "period" at the end thereof and insert the following: "; and such established, uniform price shall be the reasonable value of such repair and/or replacement parts."

Section three (3), line two (2), strike the words "State of Iowa" and insert in lieu thereof "this state,".

Also, strike from line five (5), the word "the" and insert in lieu thereof "such".

Also, strike from the last line thereof the word "accordingly."

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 52, a bill for an act to declare the ineligibility of members of the Senate and House of Representatives of this state to hold certain offices during the time for which they shall have been elected as such Senator or Representative, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. BRADY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 1, to whom was referred House File No. 60, a bill for an act to provide that abstracts of title on real estate shall be unnecessary prior to January 1, 1910, and any

Digitized by Google

contract therefor invalid, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN F. BRADY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 63, a bill for an act to extend the time in which to pay, without penalty, the second installment of all taxes payable in 1933, and to provide for interest on said installment in case payment is not made within the specified time, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 66, a bill for an act to amend section seven thousand one hundred seventy-one (7171), Code, 1931, relating to the annual levy of taxes in the county, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. C. S. HOOK, *Chairman.*

Passed on file.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 99, a bill for an act to amend Section Thirty-six (36) Chapter Thirty-seven (37), Acts of the Forty-fifth General Assembly, relating to revenues from permit fees, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Koch of Bremer introduced the following resolution:

HOUSE RESOLUTION NO. 2

Resolved, That the Speaker be and he is hereby authorized and empowered to pass upon and give or withhold his consent to the placing upon the desks of the members of this House, of notices, circulars, including circular letters, literature of any and all kinds including pamphlets and newspapers, except such as are furnished by any officer or Depart-

Digitized by Google

ment of the State Government, and those upon which regular postage is paid, and that no such distribution, except as herein stated, shall be permitted or allowed in the House of Representatives without the consent and approval of the Speaker.

Further, that the postmistress be instructed to place no such literature as herein designated without the consent of the Speaker in the boxes of the members of this House, except such as carry the regular postage therefor, and such as may be requested by State Officials, department heads or members of this House.

Koch of Bremer asked and obtained unanimous consent for immediate consideration of the resolution.

Koch of Bremer moved the adoption of the resolution. Resolution was adopted.

Davis of Appanoose presented the following resolution:

MEMORIAL RESOLUTION NO. 8

Whereas, The Honorable Frank S. Payne, who was a member of the twenty-eighth and twenty-ninth General Assemblies, from Appanoose County, died at his home in Centerville, Iowa, April 13, 1933,

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly Extra Session, That a committee of three be appointed to draft suitable resolutions to be presented to the House commemorating his life, character, and service to the State.

Unanimous consent having been obtained for its immediate consideration, Davis of Appanoose moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the following committee: Davis of Appanoose, Falvey of Monroe and Goode of Davis.

Thiessen of Clinton presented the following resolution:

MEMORIAL RESOLUTION NO. 9

Whereas, The Honorable Dallas D. Rorick, who was a member of the 19th regular session, died at his home in Monticello, Iowa, during the month of July, 1932.

Therefore, be it Resolved by the House of Representatives of the Forty-fifth General Assembly in Extra Session, That a committee of three be appointed to draft suitable resolution commemorating his life, character, and service to the state.

Unanimous consent having been obtained for its immediate consideration, Thiessen of Clinton moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the

Digitized by Google

following committee: Thiessen of Clinton, Peaco of Clinton and Stimpson of Jones.

Jensen of Audubon and McKinnon of Henry introduced the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 5

Whereas, The Forty-fifth General Assembly had its regular session appropriated the sum of twenty-five thousand dollars ($25,000.00) for the purpose of making possible a survey of our government in this state by the Brookings Institute, and for the purpose of securing their recommendations on the reorganization of our state and our local government in the State of Iowa for the purpose of reducing governmental expenditures, and

Whereas, The said Brookings Institute undertook said work and have been engaged in the same since practically the first of January, 1933, and

Whereas, Said Brookings Institute has the result of their said investigation and have made a report recommending certain changes in our state and local government, said report being available to the members of the Forty-fifth General Assembly only through one report which has been placed at the chief clerk's desk, and

Whereas, The information contained in such report is of vital interest to the people of the State of Iowa and to the members of the General Assembly and should be printed so the information contained therein may be made accessible to the members of the General Assembly, and

Whereas, According to the report of the Interim Committee in charge of the work of the Brookings Institute there is remaining out of said appropriation the sum of seven thousand seven hundred sixty-eight dollars and fifty-six cents ($7,768.56), now, therefore

Be it Resolved by the House, the Senate Concurring, That said committee shall be, and they are hereby authorized to have the report of the Brookings Institute printed in book form for the use of the members of the Forty-fifth General Assembly and that three hundred (300) additional copies be printed for sale to the citizens of the State of Iowa at a price to be determined by the committee, the proceeds of the sales of said copies to go to said Interim Committee to replace the fund used in printing said report for use by the members of the said assembly, the value received from the sale of said report to be turned over to the state treasurer for use in the General Fund of the State of Iowa.

Laid over under rule 34.

Malone of Cass and Maniece of Emmett introduced the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 6

Resolved by the House, the Senate concurring, That adjournment of the Forty-fifth General Assembly, Extra Session be had on Wednesday at 12

Digitized by Google

o'clock noon November 29, 1933, to be reconvened on Monday, December 4, 1933, at 10 o'clock.

Be it Further Resolved, That no compensation be allowed the members of the legislature for the three days following the adjournment.

Laid over under rule 34.

INTRODUCTION OF BILLS

House File No. 126 by Yager of Dickinson, a bill for an act to amend section seven thousand two hundred eighty-three (7283) of the Code, 1931, relating to costs of serving notice to redeem from tax sale and report and entry of such costs.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 127 by Yager of Dickinson, a bill for an act to legalize certain tax deeds issued without compliance with the requirements of section seven thousand two hundred eighty-three (7283) of the Code, 1931, and corresponding sections of earlier codes, relating to collections of costs of serving notice.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 128 by Gallagher of Iowa, a bill for an act to amend section eleven hundred fifty-nine (1159), Code, 1931, relating to appointments and promotions of honorably discharged soldiers, sailors, marines and nurses of the Army and Navy of the United States and providing they shall be entitled to preference over other applicants in certain cases.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 129 by Cunningham of Polk, a bill for an act to repeal Section Seven (7) of Chapter One Hundred Twenty-three (123), Acts of the Forty-fifth General Assembly, relating to levies to be made by any city or town for fire fund and fire department maintenance, and enacting a substitute therefor, permitting the council of any city or town to levy a millage rate sufficient to raise an amount up to, but not to exceed, amounts raised by the 1930 levy for said funds.

Read first and second times and referred to committee on cities and towns.

Digitized by Google

House File No. 130 by Burgess of Woodbury, a bill for an act to amend Section Nineteen Hundred Sixty, (1960), Code, 1931, relating to judgment liens on real estate rendered for violation of provision under Title VI, Code, 1931, and providing for the termination of same.

Read first and second times and referred to committee on police regulation, suppression of crime and intemperance.

House File No. 131 by Strachan of Humboldt, Beswick of Van Buren, McLean of Marshall, Felter of Warren and Crouch of Greene, a bill for an act to limit the amount of taxes assessed against property, to provide for the raising of public revenue from other sources by imposing a tax or taxes upon the privilege of doing business in the State of Iowa, based upon the gross income of such business in accordance with certain specified classifications and to provide for the ascertainment, assessment, and collection of such taxes; to provide for the distribution and use of revenue derived under this act so as to provide a substitute for such property taxes; to regulate the revenue raised by public schools from tuition; to amend Chapter sixty-two (62) of the laws of the Forty-fifth General Assembly; to repeal all laws or parts of laws in conflict herewith, and to provide penalties for the violation of the provisions of this act.

Read first and second times and referred to committee on tax revision.

House File No. 132 by Dreessen of Crawford and Brady of Pottawattamie, a bill for an act providing for the examination of persons in court or any judge thereof having knowledge of the effects or property of persons under guardianship and all persons suspected of having wrongful possession of the effects and property of any person under guardianship, and providing for the enforcement of orders connected therewith.

Read first and second times and referred to committee on judiciary No. 1.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

Digitized by Google

MR. SPEAKER: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled: House File No. 87; Senate Files 70 and 79.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House File No. 87; Senate Files No. 70 and 79.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 23d day of November, 1933, sent to the Governor for his approval: House File No. 87. WM. KOCH, *Chairman.*

Report adopted.

CONSIDERATION OF BILLS

House File No. 23, a bill for an act to amend section forty-six hundred forty-four c eight (4644-c8), Code, 1931, relating to the secondary road construction, with report of committee recommending passage, was taken up for consideration.

Strachan of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 98.

Aldrich	Dean	Fuelling	Hopp
Alesch	Dole	Fuester	Hough
Avery	Donlon	Gallagher	Hultman
Beath	Doran	Garner	Humeston
Beswick	Dreessen	Gissel	Jenkins
Bonnstetter	Durant	Gittinger	Jensen
Bouska	Elliott	Goode	Koch
Bowers	Ellsworth	Grau	Laughlin
Brady	Fabritz	Grell	Lichty
Bruce	Falvey	Hanson of Lyon	Lookingbill
Burgess	Felter	Hanson of Winnebago	McCarthy
Casey	Fletcher	Hartman	McCreery
Craven	Foster	Hook	McFarlane
Cunningham	Frizzell		McKinnon

Digitized by Google

McLean	Paisley	Sours	Treimer
Malone	Peaco	Speidel	Weed
Maniece	Peet	Stansell	Wieben
Mercer	Rawlings	Stanzel	Wiese
Metcalf	Roe	Stewart	Willis
Millhone	Ryder	Stimpson	Wolf
Mitchell	Schlatter	Strachan	Yager
Moore of Benton	Schroeder	Swift	Zipse
Mooty	Sheridan	Teter	Zylstra
Osborn	Smith	Thies	Mr. Speaker
Ostby	Snyder	Thiessen	

The nays were, none.

Absent or not voting, 10.

Augustine	Johnson	Moore of	Reed
Crouch	McDermott	Harrison	Rice
Davis		Porter	Schmitz

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

HOUSE FILE NO. 4 WITHDRAWN

Durant of Hancock asked and obtained unanimous consent to withdraw House File No. 4.

ADDITIONAL COPIES ORDERED PRINTED

Gallagher of Iowa asked and obtained unanimous consent for the printing of 500 additional copies of House File No. 107.

CONSIDERATION OF BILLS

House File No. 26, a bill for an act to repeal sections ninety-one hundred eighty-nine (9189), ninety-two hundred fourteen (9214), ninety-two hundred fifteen (9215), ninety-two hundred seventeen (9217), ninety-three hundred one (9301), and ninety-three hundred two (9302), of the code, 1931, relating to state banks, savings banks, and loan and trust companies, with report of committee recommending passage, was taken up for consideration.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 98.

Aldrich	Beath	Bouska	Bruce
Alesch	Beswick	Bowers	Burgess
Avery	Bonnstetter	Brady	Casey

Digitized by Google

Craven	Gittinger	McKinnon	Snyder
Cunningham	Goode	McLean	Sours
Davis	Grau	Malone	Speidel
Dean	Grell	Maniece	Stansell
Dole	Hanson of Lyon	Mercer	Stewart
Donlon	Hanson of	Metcalf	Stimpson
Doran	Winnebago	Millhone	Strachan
Dreessen	Hartman	Mitchell	Swift
Durant	Hook	Moore of Benton	Teter
Elliott	Hopp	Mooty	Thies
Ellsworth	Hough	Osborn	Thiessen
Fabritz	Hultman	Ostby	Treimer
Falvey	Humeston	Paisley	Weed
Felter	Jenkins	Peaco	Wieben
Fletcher	Jensen	Peet	Wiese
Foster	Johnson	Rawlings	Willis
Frizzell	Koch	Roe	Wolf
Fuelling	Lichty	Ryder	Yager
Fuester	Lookingbill	Schlatter	Zipse
Gallagher	McCarthy	Schroeder	Zylstra
Garner	McCreery	Sheridan	Mr. Speaker
Gissel	McDermott	Smith	

The nays were, none.

Absent or not voting, 10.

Augustine	McFarlane	Porter	Schmitz
Crouch	Moore of	Reed	Stanzel
Laughlin	Harrison	Rice	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Brady of Pottawattamie moved that the vote by which House File No. 26 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 49, a bill for an act to legalize the corporate acts and proceedings of Marshalltown Manufacturing Company of Marshalltown, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Marshalltown Manufacturing Company, with report of committee recommending passage, was taken up for consideration.

McLean of Marshall moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Aldrich	Beath	Bowers	Burgess
Alesch	Bonnstetter	Brady	Casey
Avery	Bouska	Bruce	Craven

Digitized by Google

Crouch	Gittinger	McDermott	Snyder
Cunningham	Goode	McKinnon	Sours
Davis	Grau	McLean	Speidel
Dean	Grell	Malone	Stansell
Dole	Hanson of Lyon	Maniece	Stewart
Donlon	Hanson of	Mercer	Stimpson
Doran	Winnebago	Metcalf	Strachan
Dreessen	Hartman	Millhone	Swift
Durant	Hook	Mitchell	Teter
Elliott	Hopp	Mooty	Thies
Ellsworth	Hough	Osborn	Thiessen
Fabritz	Hultman	Ostby	Treimer
Felter	Humeston	Paisley	Weed
Fletcher	Jenkins	Peaco	Wieben
Foster	Jensen	Rawlings	Wiese
Frizzell	Johnson	Roe	Willis
Fuelling	Koch	Ryder	Wolf
Fuester	Lichty	Schlatter	Yager
Gallagher	Lookingbill	Schroeder	Zylstra
Garner	McCarthy	Sheridan	Mr. Speaker
Gissel	McCreery	Smith	

The nays were, none.

Absent or not voting, 14.

Augustine	McFarlane	Peet	Schmitz
Beswick	Moore of Benton	Porter	Stanzel
Falvey	Moore of	Reed	Zipse
Laughlin	Harrison	Rice	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 86, a bill for an act to legalize and validate an issue of $210,000.00 school building bonds of the independent school district of Clinton, in the county of Clinton, state of Iowa, with report of committee recommending passage, was taken up for consideration.

Peaco of Clinton asked and obtained unanimous consent to have the name of the Wheatland Gazette of Wheatland, Iowa, inserted as the second newspaper in the publication clause of the bill.

Peaco of Clinton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Bonnstetter	Bruce	Davis
Alesch	Bouska	Burgess	Dole
Avery	Bowers	Casey	Donlon
Beath	Brady	Cunningham	Doran

Digitized by Google

Dreessen	Hanson of Lyon	McLean	Smith
Durant	Hanson of	Malone	Sours
Elliott	Winnebago	Maniece	Stansell
Ellsworth	Hook	Mercer	Stewart
Fabritz	Hopp	Metcalf	Stimpson
Falvey	Humeston	Millhone	Strachan
Felter	Jenkins	Mitchell	Swift
Fletcher	Jensen	Mooty	Teter
Foster	Johnson	Osborn	Thiessen
Frizzell	Koch	Ostby	Treimer
Fuelling	Laughlin	Paisley	Weed
Fuester	Lichty	Peaco	Wieben
Gallagher	Lookingbill	Rawlings	Wiese
Garner	McCarthy	Roe	Willis
Gissel	McCreery	Ryder	Yager
Gittinger	McDermott	Schlatter	Zylstra
Grell	McFarlane	Schroeder	Mr. Speaker

The nays were, 5.

Grau	McKinnon	Speidel	Zipse
Hough			

Absent or not voting, 20.

Augustine	Hartman	Peet	Sheridan
Beswick	Hultman	Porter	Snyder
Craven	Moore of Benton	Reed	Stanzel
Crouch	Moore of	Rice	Thies
Dean	Harrison	Schmitz	Wolf
Goode			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 122, a bill for an Emergency Act to provide for the issuance of preferred stock of one or more classes by state banks, savings banks and trust companies organized under the laws of this State that have been reorganized and/or recapitalized, or are in the process of reorganization and/or recapitalization; providing for the consent of "certificate holders" and subordinating the rights of "certificate holders" in and to earnings or income of such banks and trust companies, to the right of holders of preferred stock, both as to dividends and sinking fund; and binding non-consenting "certificate holders" upon written consent of required number and amount; providing for public bodies as "certificate holders" entering into written consents and subordination agreements; and providing rules of construction in event of conflict or unconstitutionality of a part of the Act, was taken up for consideration.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Foster	McCarthy	Schlatter
Alesch	Frizzell	McCreery	Schroeder
Avery	Fuelling	McDermott	Sheridan
Beswick	Fuester	McFarlane	Smith
Bonnstetter	Gallagher	McKinnon	Snyder
Bouska	Gissel	Malone	Speidel
Bowers	Gittinger	Maniece	Stansell
Bruce	Hanson of Lyon	Mercer	Stanzel
Burgess	Hanson of Winnebago	Metcalf	Stewart
Casey	Hartman	Millhone	Stimpson
Crouch	Hook	Mitchell	Swift
Cunningham	Hopp	Moore of Benton	Teter
Davis	Hough	Moore of Harrison	Thiessen
Dole	Hultman	Mooty	Treimer
Doran	Humeston	Osborn	Weed
Dreessen	Jenkins	Paisley	Wieben
Durant	Jensen	Peaco	Wiese
Elliott	Johnson	Peet	Willis
Ellsworth	Koch	Rawlings	Wolf
Fabritz	Laughlin	Roe	Yager
Falvey	Lichty	Ryder	Zipse
Felter	Lookingbill		Zylstra
Fletcher			

The nays were, 7.

Beath	Dean	Grau	Sours
Brady	Goode	McLean	

Absent or not voting, 13.

Augustine	Grell	Reed	Strachan
Craven	Ostby	Rice	Thies
Donlon	Porter	Schmitz	Mr. Speaker
Garner			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Ellsworth of Hardin moved that the vote by which House File No. 122 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 69, a bill for an act to amend Chapter one hundred thirty-seven (137), section one (1), Acts of the Forty-fifth General Assembly, relating to the location of depository banks, with report of committee recommending passage was taken up for consideration.

Bowers of Union moved that action on House File No. 69 be deferred. Motion lost.

Moore of Harrison moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Fletcher	Jensen	Rawlings
Alesch	Foster	McCarthy	Roe
Avery	Frizzell	McCreery	Ryder
Bouska	Fuelling	McDermott	Schroeder
Bruce	Fuester	McFarlane	Sheridan
Burgess	Gallagher	McLean	Smith
Casey	Garner	Malone	Sours
Craven	Gissel	Maniece	Speidel
Cunningham	Gittinger	Mercer	Stansell
Davis	Goode	Metcalf	Stewart
Dean	Grau	Millhone	Stimpson
Donlon	Grell	Mitchell	Strachan
Dreessen	Hanson of Lyon	Moore of	Swift
Durant	Hanson of	Harrison	Thiessen
Elliott	Winnebago	Mooty	Treimer
Ellsworth	Hook	Osborn	Weed
Fabritz	Hough	Ostby	Wiese
Falvey	Hultman	Peaco	Yager
Felter	Humeston	Peet	Zylstra

The nays were, 15.

Beath	Dole	Looingbill	Willis
Beswick	Doran	McKinnon	Zipse
Bowers	Hartman	Stanzel	Mr. Speaker
Crouch	Johnson	Teter	

Absent or not voting, 19.

Augustine	Koch	Porter	Snyder
Bonnstetter	Laughlin	Reed	Thies
Brady	Lichty	Rice	Wieben
Hopp	Moore of Benton	Schlatter	Wolf
Jenkins	Paisley	Schmitz	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Moore of Harrison moved that the vote by which House File No. 69 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 111, a bill for an act to amend, revise, and codify sections one hundred thirty-six (136), forty-three hundred eighteen (4318), fifty-one hundred sixty (5160), fifty-one hundred sixty-one (5161), fifty-six hundred forty-five (5645), seventy-four hundred ninety-six (7496), seventy-four hundred ninety-seven (7497), and seventy-four hundred ninety-eight (7498), Code, 1931, and all that part of section one hundred thirty-five (135) of said code which follows the word "presentation" in line three (3),

Digitized by Google

relating to warrants drawn on public treasuries and not paid for want of funds, was taken up for consideration.

Fabritz of Wapello moved to amend Section 2, line 6 by inserting after the comma following the word "annum", the words, "on state and county warrants and 6% per annum on city, drainage and school warrants."

Speidel of Washington moved action on House File No. 111 be deferred until Monday, November 27th. Motion prevailed.

ADDITIONAL TIME ON HOUSE FILES

Fabritz of Wapello asked unanimous consent for the committee on motor vehicles and transportation to retain House Files Nos. 2, 10 and 33, for several additional days. Objected to.

Fabritz of Wapello moved that the committee on motor vehicles and transportation be permitted to hold House Files Nos. 2-10-33 for additional time. Fabritz of Wapello withdrew his motion.

Fabritz of Wapello asked unanimous consent to hold House File No. 62 in the committee on public utilities for additional time. Objected to.

Fabritz of Wapello moved that the committee on public utilities be permitted to hold House File No. 62 for additional time. Motion prevailed.

Hopp of Mills asked unanimous consent that the committee on constitutional amendments be permitted to hold House Joint Resolution No. 1 additional time. Objected to.

Hopp of Mills moved that the committee on constitutional amendments be permitted to hold House Joint Resolution No. 1 for additional time. Motion prevailed.

REPORT OF SPECIAL GASOLINE TAX REFUND COMMITTEE

To the 45th General Assembly: Special Session.

The Joint Committee appointed in pursuance of House Joint Resolution No. 9 of the regular session of the 45th General Assembly to make an investigation of the refunds made of motor vehicle fuel license fees and to make such recommendation as they deem proper to improve the administrative features of the law, beg leave to submit the following report:

Your Committee commenced its investigation immediately following the adjournment of the regular session of the 45th General Assembly

Digitized by Google

and in the prosecution of its work had the cooperation and assistance of the Attorney General's office, and particularly of the special Assistant Attorney General in charge of litigation in connection with motor vehicle fuel license fee matters, and in addition your Committee employed to assist it an accountant and other clerical help in auditing some of the claims.

Your Committee found that the matter of paying refunds has been during the years past, very loosely handled in the Treasurer's office, and that in 1932, particularly in the latter part of that year, the machinery for handling those claims seems to have completely broken down, especially where claims of contractors and alleged contractors were involved.

Prior to the 16th day of December, 1931, claims of contractors for refunds of motor vehicle fuel used in tractors in construction work on highways shut off from public travel were not allowed by the Treasurer's office. On that date the Supreme Court in the case of Des Moines Asphalt Paving Company vs. Johnson decided that contractors were entitled to a refund on such motor vehicle fuel.

Thereafter at least two attorneys in Des Moines, who maintained a close personal contact with certain men in the Treasurer's office who passed upon refund claims, employed solicitors on a commission basis to canvass the State and solicit claims from contractors. These claims were taken on a fifty per cent contingent fee basis and numerous claims were then presented in large amounts by contractors and alleged contractors. One witness working on a contingent basis testified before the committee, revealing the fact that he received approximately $7,000.00 for three or four months work. Such claims were presented and paid, sometimes upon merely a vague statement contained in the affidavit of the claimant and covering alleged purchases as much as five or six years previous and without any original invoices attached showing such purchases to have been made. Such claims also indicated the payment of many claims based upon duplicate invoices which had previously been paid, in spite of the fact that the law during all of that time limited the right of the Treasurer to pay refunds to cases where the claim was filed within ninety days of the purchase, and the purchase was evidenced by an original invoice attached to the claim. In some instances a refund of three cents per gallon was made on motor vehicle fuel which the claim showed was purchased at a time when the license fee collected by the State was only two cents per gallon.

There was evidence quite conclusive in its nature that these attorneys and others engaged in the same racket were splitting their fees with certain employees in the Treasurer's office, whose duty it was to pass upon and allow refund claims. In fact one employee of the former Treasurer's office confessed to receiving such a division.

The Committee made a detailed study of claims allowed to about sixteen different claimants, who claimed to have used motor vehicle fuel in construction work upon the public highway.

For the purpose of securing the information embodied in this report, for claims investigated, the Committee met five times, calling many witnesses before the Committee, and employed help, finally having to

Digitized by Google

cease its activities because of lack of funds. The Committee used its appropriation as follows to-wit:

Auditors	$774.39	
Auditor's Help	125.00	
Stenographer and Reporter	233.56	
		$1,132.95
Expenses of Committee Meeting—Mileage @ 5c		223.75
Miscellaneous—		
Telephone, Telegraph, Office Supplies		68.48
Photostat Paper		60.00
Total Expense		$1,485.18
Money collected in cash		978.50
Total Cost to State of Iowa for Investigation		$ 506.68

The following audited claims were selected somewhat at random and the Committee believes are fairly representative of the hundreds that were allowed such contractors and alleged contractors. The information concerning the overpayment to each of said claimants, whose claims were audited, are open for inspection to the Legislature, as photostatic copies have been made of same. The following audited claims may be summarized as follows:

	Overpaid on Account of Error in Computation	Overpaid on on Acc't of Gallonage Duplication	Overpaid on Acc't of Gallonage not Represented by invoices within 90 days	Total
Wilson Constr. Co.	$ 866.25	$ 232.50	$ 8,431.35	$ 9,030.10
Herrick Paving Company	240.18	124.02	1,541.58	1,905.78
Henry L. Lemons, Inc.		230.58	1,645.23	1,875.81
D. J. Ryan Constr. Co.		421.59	12,871.81	13,293.40
Guy Longerbone	.90	7.50	11,970.82	11,979.22
J. W. Ault	17.40	26.70	2,374.86	2,418.96
E. V. Martin	95.46	713.76	@ 2c 2,331.68 @ 3c 7,646.97	10,787.87
Larson Construction Co. (Highway Constr. Co.)	61.23	4,534.11	5,513.40	10,108.74
Carlson Constr. Co. (Nebr.)	58.77	324.75	9,108.15	9,491.67
Carlson Constr. Co. (Iowa)	1.56	61.05	1,049.64	1,112.25
H. Miller	136.71		1,202.46	1,339.17
Littig Construction Co.	38.25	(61.59)	4,671.60	4,788.26
Ben C. Johnson		133.65	1,972.41	2,106.06
Herman Anderson	998.85		1,974.54	2,973.39
A. L. Mack			3,671.25	3,671.25
	$2,015.56	$6,810.21	$77,977.75	$86,803.52

Making a total of $86,803.52 paid in refunds not in accordance with the code.

The Committee's investigation disclosed that the last two claimants listed above, are mythical and that no such claimants exist. The claims presented in the name of Herman Anderson, were prepared and presented by an employee in the office of the former Treasurer co-operating with an attorney in Des Moines. The other claim, that of A. L. Mack, was prepared and presented by the same employee in the former Treasurer's office co-operating with a relative who went to Minnesota for the purpose of sending in the claim from there. The evidence showed that the employee in the Treasurer's office and the person co-operating with him split the proceeds of the claim when presented. These facts were brought to light as the result of the work of the committee.

Digitized by Google

Another class of claims which has come to the Committee's notice involved the payment of refunds to two oil companies which the Committee believe to be illegal and unauthorized. The statutes of the State of Iowa provide that all distributors receiving motor vehicle fuel from outside the State shall report to the Treasurer of State the invoiced gallonage of each tank car or other receptacle in which motor vehicle fuel is imported into the State and permits such distributor to deduct 3 per cent thereof for evaporation and loss.

These two companies had been making the 3% deduction as permitted by law and then coming in later and filing claims for refund for the actual evaporation and loss or the difference between the invoiced gallonage and the unloaded gallonage of each tank car. These refund claims have reached in the case of one company $1200.00 to $1500.00 per month, and in the other to $400.00 or $500.00 per month, and an audit of the amount which they have heretofore been paid on claims of that character, discloses that the one company has received approximately $100,000.00 and the other about $16,000.00. As a result of the testimony taken from many witnesses during the investigation, the Committee recommended, on or about June 10th, 1933 and upon advice of the Attorney General, the Treasurer's Office was instructed and is now refusing to pay refund claims of that character. The refusal of the Treasurer's Office to pay these claims has been saving to the State of Iowa up to this time approximately $10,000.00. Suit has been brought against these two oil companies as well as other audited claims to recover the illegal payments heretofore received by them and trial of said suits is expected in the near future.

On investigation at the present time the records show that there has been a decrease in the payment of gasoline refunds, during the first ten months of 1933, of $313,658.41. There were 130,474 claims in the first ten months of 1932 and 142,632 during the first ten months of 1933, an increase in claims of 12,158 in the first ten months of 1933 and a decrease in the cost of administration for first ten months of 1933 of $62,120.34. While there has not been as much contracting business this year as before, some of this decrease has been due to the fact that the Treasurer's Office has refused to pay many claims.

The ordinary refund claim affords an opportunity for fraud and such fraud is not easy to detect. For example, the present administration of the Treasurer's Office is exercising special diligence to prevent the payment of fraudulent claims and yet during the present year it has been discovered that an employee of the former Treasurer had stolen a book of invoices from an oil company and from time to time would make out these invoices, attach them to a claim for refund and under an assumed name send them in from different points over the State. This fraud was finally discovered and the man plead guilty and was sentenced. In another instance where the suspicions of the Treasurer's office were aroused, an investigation disclosed that a man had bought kerosene and altered the invoice so as to show the purchase of gasoline and had altered another invoice covering the purchase of gasoline so as to increase the amount. This fraud also was discovered and the man convicted. These two instances were brought to light and prosecuted by reason of the high degree

Digitized by Google

of diligence and care which is now being exercised in the Treasurer's office, but the Committee is convinced that there are other claims where the fraud cannot be detected from the face of the claim and where the claimants are using motor vehicle fuel in vehicles and claiming a refund thereon.

RECOMMENDATIONS

1. The Committee, as a result of their investigation feel that the present law should be changed for the purpose of eliminating the many fraudulent refunds discovered by the Committee and we recommend that when the law is changed that refunds be limited to gasoline used for agricultural purposes.

2. Should it be deemed advisable to limit it as above provided, your Committee recommends that such changes be made in the law with reference thereto as will safeguard as far as possible the interests of the State and reduce correspondingly the opportunities for fraud. In the first place, the law now seems to contemplate that the Treasurer shall have no discretion in the matter, but provides that he shall upon the filing of the requisite affidavit, issue the warrant for payment of the claim. A much more complete and conclusive showing should be required of claimants and claims should be fortified with a supporting affidavit by some person other than the claimant and the Treasurer should be given some discretion in the matter and be permitted to make an investigation to determine whether or not a particular claim should be allowed. In the second place, your Committee feels that the Treasurer should be given a little more latitude in the matter of compensating the personnel in his office. During last year when the irregularities which have been mentioned in this report occurred, the matter of passing on refund claims amounting in many instances to $150,000.00 to $200,000.00 per month, was entrusted to clerks receiving a clerk's compensation. Men handling transactions of that importance should not have the status of clerk and the Treasurer should be empowered to seek and adequately compensate people capable of giving to the State the kind of service that that particular task requires.

3. Your Committee believes that it should be continued and provided with a sufficient fund to enable it to complete the investigation and the Committee believes that the sum which will be recovered by the State will be many times more than the expenditures made in the investigation. Your Committee believes that in view of the current interest in the collection of motor vehicle license fees that its powers should be enlarged to cover an investigation of that subject.

4. There are many cases now pending in the courts involving the collection of motor vehicle fuel license fees, and the Special Council representing the State in those cases procured a decree yesterday in the United States District Court for the Southern District of Iowa, which released to the State about $118,000.00 of motor vehicle license fees which had been held in trust pending the outcome of the litigation. Other suits are pending, involving large sums, and which will be tried as rapidly as an opportunity is afforded to present the matter to the court. There are complaints that certain products are being sold under the name of tractor

Digitized by Google

fuel, which is being used as motor vehicle fuel, and your committee's attention has been called to certain defects in the law with reference to enforcement and the definition of motor vehicle fuel as contained in the present law. Your committee believe it should be continued to investigate all such matters, and your committee will present a bill to revise the law with reference to motor vehicle fuel license fees so as to strengthen the enforcement provisions of the present law.

C. D. MOORE,
Chairman of House Committee.
JOHN H. MITCHELL
PAUL CUNNINGHAM
On the part of the House.

HAROLD IRWIN
Chairman of Senate Committee.
VINCENT F. HARRINGTON
IRVING H. KNUDSON
On the part of the Senate.

AMENDMENTS FILED

Hopp of Mills filed the following amendment to House Concurrent Resolution No. 4:

Amend House Concurrent Resolution No. 4 by striking from lines five and six the words "at least one day" and substitute in lieu thereof the words: "one day or portion thereof".

Hanson of Winnebago filed the following amendment to House Concurrent Resolution No. 6:

Amend House Concurrent Resolution No. 6 by striking "Monday, December 4" and inserting in lieu thereof "Friday, December 1" and by striking the last paragraph of the resolution.

HOUSE FILES CALLED UNDER RULE 58

Under rule 58 the Speaker called in the following House Files: 2, 3, 7, 8, 9, 10, 11, 13, 16, 18, 20, 22, 27, 29, 31, 33, 35, 37, 41, 42, 43.

MOTION FILED TO AMEND RULES

We move to amend the Rules of Procedure of the Forty-fifth General Assembly, Extraordinary Session, 1933, rule fifty-eight (58), by striking therefrom paragraph two (2) of said rule except the following: "But this shall not apply to the committee on appropriations."

John F. Brady	E. H. Fabritz	Milton Peaco
John Speidel	O. N. Hultman	Ed. Rawlings
H. M. Hartman	J. H. Thiessen	Sam Swift
Jas. G. Casey	W. J. Dreessen	Wm. H. Smith
R. E. Lee Aldrich	F. G. Snyder	Gustave Alesch
Alva Humeston	B. L. Metcalf	E. E. Wieben
G. J. Gittinger	John H. Mitchell	R. G. Moore
W. Treimer	J. Wilbur Dole	Paul L. Millhone
John H. Schroeder	C. D. Moore	E. O. Ellsworth
Paul Cunningham	John Jenkins	E. J. Maniece
Walter Osborn	Charles J. Zylstra	Thomas Stimpson
W. H. Gissel	Wm. R. Sheridan	Earl M. Dean

Digitized by Google

Christian Grell	Roy J. Sours	L. C. Bowers
A. H. Bonnstetter	M. C. Falvey	Andrew Stewart
C. S. Hook	W. A. Yager	C. E. Malone
Arch W. McFarlane	E. M. Lichty	W. A. Mooty
D. R. McCreery	Ben B. Doran	John McDermott
E. P. Laughlin	Ove T. Roe	H. N. Hanson
S. B. Durant	L. S. Mercer	Geo. M. Schlatter
F. J. McCarthy	Blake Willis	A. W. Wolf
Jas. Burgess	A. R. Weed	Dewey E. Goode
Louis H. Wiese	Wm. Paisley	LaMar Foster
Lloyd W. Zipse	E. A. Johnson	Victor Felter
Wm. Koch	F. D. Augustine	R. C. Hopp
A. C. Hanson	Otto Fuelling	J. D. Bouska
John Ryder	C. G. Fletcher	S. B. Crouch
C. E. Lookingbill		

Crouch of Greene moved to adjourn to 10:00 o'clock a. m. Friday.

McKinnon of Henry moved to amend by adjourning to 9:30 o'clock a. m. Friday.

The McKinnon amendment was adopted and the House adjourned to 9:30 o'clock a. m. Friday, November 24.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 24, 1938.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Dilman Smith, Chaplain of the Iowa Methodist Hospital, Des Moines, Iowa.

Journal of November 23 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Schmitz of Winneshiek for the day, on request of Bouska of Howard.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Jenson, from the business men of Audubon county; McCarthy, from the business men of Woodbury county; Rawlings, from the business men of Monona county. Referred to committee on tax revision.

Favoring Senate File No. 68. Gittinger of Lucas, from citizens of Williamson, Iowa. Referred to committee on ways and means.

Favoring repeal of The Salary Reduction Act. Casey, from the county officers and deputies of Mitchell county. Referred to committee on county and township organization.

MOTION TO AMEND HOUSE RULES

Brady of Pottawattamie called up his motion filed November 23 and found on page 179 of the Journal and moved its adoption.

A roll call was demanded and on the question "Shall rule 58 be amended by striking all of the second paragraph except the last sentence?"

Digitized by Google

The ayes were, 88.

Aldrich	Felter	McCarthy	Schlatter
Alesch	Fletcher	McCreery	Smith
Beath	Frizzell	McDermott	Snyder
Beswick	Fuelling	McKinnon	Sours
Bonnstetter	Fuester	McLean	Spiedel
Bouska	Gittinger	Malone	Stansell
Bowers	Goode	Maniece	Stewart
Brady	Grau	Mercer	Strachan
Burgess	Grell	Metcalf	Swift
Casey	Hanson of Lyon	Millhone	Teter
Craven	Hanson of Winnebago	Mitchell	Thies
Crouch	Hartman	Moore of Benton	Thiessen
Cunningham	Hook	Moore of Harrison	Treimer
Dean	Hopp	Osborn	Weed
Dole	Hultman	Paisley	Wieben
Donlon	Humeston	Peaco	Wiese
Doran	Jenkins	Peet	Willis
Dreessen	Johnson	Rawlings	Wolf
Durant	Koch	Rice	Yager
Elliott	Laughlin	Roe	Zipse
Ellsworth	Lichty	Ryder	Zylstra
Fabritz	Lookingbill		Mr. Speaker
Falvey			

The nays were, 5.

Bruce	Gallagher	Hough	Mooty
Foster			

Absent or not voting, 15.

Augustine	Gissel	Porter	Sheridan
Avery	Jensen	Reed	Stanzel
Davis	McFarlane	Schmitz	Stimpson
Garner	Ostby	Schroeder	

The motion having the necessary two-thirds majority vote prevailed and House Rule No. 58 was amended.

REPORTS OF COMMITTEES

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 74, a bill for an act to amend section one (1), Chapter seventy-three (73), Acts of the Forty-fifth General Assembly, relating to the payment of road poll tax, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. That section one (1) of the bill be stricken out and the following be inserted in lieu thereof, to wit:

"Section 1. Section forty-six hundred forty-four-c fifty-eight (4644-c58), Code, 1931, as amended by section one (1), chapter seventy-three (73), Acts Forty-fifth (45th) General Assembly, is hereby amended by striking from line one (1) of said section forty-six hundred forty-four-c

Digitized by Google

fifty-eight (4644-c58) the word "three" and by inserting in lieu thereof the word "two".

2. That a new section be added to the bill as follows:

Sec. 2. That sections four (4) to seven (7), inclusive, of chapter seventy-three (73), Acts Forty-fifth (45th) General Assembly, are hereby repealed."

3. That section 2 of said bill be changed to read "Sec. 3.".

4. That the title of the bill be stricken out and the following be inserted in lieu thereof, to wit:

"A bill for an act to amend section forty-six hundred forty-four-c fifty, eight (4644-c58), Code, 1931, as amended by section one (1), chapter seventy-three (73), Acts Forty-fifth (45th) General Assembly, and to repeal sections four (4) to seven (7), inclusive, of chapter seventy-three (73), Acts Forty-fifth (45th) General Assembly, all relating to the road poll tax". C. S. HOOK, *Chairman.*

Report adopted.

Durant of Hancock, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health to whom was referred House File No. 7, a bill for an act to legalize the practice of naprapathy by certain persons in the state of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. S. B. DURANT, *Chairman.*

Passed on file.

Treimer of O'Brien, from the committee on insurance, submitted the following report:

MR. SPEAKER: Your committee on insurance to whom was referred House File No. 45, a bill for an act requiring liability insurance for certain employees operating state owned motor vehicles, and providing that the fact that the title to such motor vehicle is in the state of Iowa and such officer or employee is in discharge of his duties, shall be no defense to claim for damages based on negligence of such officers or employees in operating such motor vehicle, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. TREIMER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on insurance to whom was referred House File No. 77, a bill for an emergency act to amend the law as it appears in Section eighty-nine hundred twelve (8912), Code, 1931, relating to and regulating the advancement of funds to Mutual Insurance Companies other than life, so as to authorize such insurance companies

Digitized by Google

to establish a guaranty fund, and to provide for the establishment, regulation and administration of such fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend House File No. 77 by striking from section one, line fifteen the word "one-half" and inserting in lieu thereof the word "one-third".

WM. TREIMER, *Chairman.*

Report adopted.

Hanson of Winnebago, from the committee on drainage, submitted the following report:

MR. SPEAKER: Your committee on drainage to whom was referred House File No. 61, a bill for an act to amend Section seventy-seven hundred seventy-one (7771), of the Code of 1931, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the State, and to provide for the diversion of the water therefrom; also, to provide for the submission of cost records for promotion, construction, repairs and/or additions to projects constructed and operated under the provisions of Section seventy-seven hundred seventy-one (7771) of the Code of 1931, and to provide for the recapture of such projects by the State, and/or political subdivisions thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. H. N. HANSON, *Chairman.*

Report adopted.

Donlon of Palo Alto, from the committee on ways and means, submitted the following report:

MR. SPEAKER: Your committee on ways and means to whom was referred House File No. 58, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in this state for a prescribed time; to create within the Bureau of Labor a department to be known as the Old Age Pension Department to be under the supervision of the State Labor Commissioner, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. P. H. DONLON, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on ways and means to whom was referred House File No. 73, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act, beg leave to report they have had the same under consideration and have

Digitized by Google

instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. P. H. DONLON, *Chairman*.

Passed on file.

Bonnstetter of Kossuth presented the following resolution:

MEMORIAL RESOLUTION NO. 10

Whereas, The Honorable T. P. Harrington, who was a member of the Thirty-seventh and Thirty-eighth General Assemblies, died at his home in Algona, Iowa, May 17th, 1933, therefore,

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly in Extra Ordinary Session, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

Unanimous consent having been granted for its immediate consideration, Bonnstetter of Kossuth moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the following committee: Bonnstetter of Kossuth, Aldrich of Wright and Durant of Hancock.

INTRODUCTION OF BILLS

House File No. 133 by Felter of Warren, Crouch of Greene, Strachan of Humboldt, Beswick of Van Buren and McLean of Marshall, a bill for an act to limit the total tax levies in each taxing district of the state for any year for the support of the state, the county government, and the public school system.

Read first and second times and referred to committee on tax revision.

House File No. 134, by Doran of Boone, a bill for an act to amend Chapter one hundred fifty-six (156), Section one (1), Acts of the Forty-fifth General Assembly, relating to the right of the superintendent of banking to take possession of banking institutions without insolvency proceedings.

Read first and second times and referred to committee on banks and banking.

House File No. 135, by Stansell of Clarke and Cunningham of Polk, a bill for an act to amend Section twenty-eight hundred twelve (2812), Code, 1931, relating to the annual license fee to be paid by restaurants, and to amend Chapter one hundred thirty-

Digitized by Google

three (133), Code, 1931, providing for an inspection fee from any restaurant hereafter opened or hereafter changing ownership, and providing for the creation of a separate fund in the hands of the State Treasurer to be known as the restaurant fund, and limiting the purpose for which said fund may be used.

Read first and second times and referred to committee on agriculture.

House File No. 136, by Craven of Jasper, a bill for an act to amend sections fifty-five hundred eighty-two (5582), fifty-five hundred eighty-three (5583), fifty-five hundred eighty-five (5585), to fifty-five hundred eighty-seven (5587), inclusive, Code, 1931, relating to township licenses of places of amusement.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 137, by Maniece of Emmett, a bill for an act to repeal Chapter one hundred eighty (180), Acts of the Forty-fifth General Assembly, relating to the appointment of referees in probate matters.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 138, by Burgess of Woodbury, a bill for an act to amend Chapter two hundred thirteen (213), Chapter two hundred eighty-seven (287), and Section fifty-two hundred fifty-eight (5258), Code 1931, to require city, county and school officials to confine annual expenditures to cash income.

Read first and second times and referred to committee on schools and textbooks.

House File No. 139, by Cunningham of Polk, a bill for an act to regulate the exhibition of motion pictures in theatres, places of amusement and public buildings and to prescribe methods for fire prevention in connection with the use of motion picture machines and prescribing a penalty for the violation thereof.

Read first and second times and referred to committee on public health.

House Joint Resolution No. 2, by Mercer of Johnson and Wolf of Franklin, a joint resolution to remove restrictions on the public

Digitized by Google

use and patronage of the State University Hospital during the present economic depression.

Read first and second times and referred to committee on public health.

HOUSE FILES REREFERRED

Strachan of Humboldt moved that House Files recalled from committees under rule 58, being Nos. 2, 3, 8, 9, 10, 11, 13, 16, 18, 20, 22, 27, 29, 31, 33, 35, 37, 41, 42 and 43 be rereferred to the respective committees. Motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 6 ADOPTED

Malone of Cass called up House Concurrent Resolution No. 6, found on page 164 of the Journal of November 23, and moved its adoption.

Hanson of Winnebago called up the amendment filed by him and found on page 179, of the Journal of November 23, and moved its adoption.

Moore of Harrison moved to amend the amendment by substituting "Thursday, November 30", for "Friday, December 1."

Crouch of Greene moved to lay the resolution and all pending amendments on the table. The motion was declared out of order.

A roll call was demanded, and on the question "Shall the amendment by Moore of Harrison be adopted?"

The ayes were, 38.

Aldrich	Fletcher	Hultman	Roe
Bonnstetter	Foster	Maniece	Schroeder
Bowers	Frizzell	Millhone	Smith
Brady	Gallagher	Mitchell	Sours
Burgess	Gittinger	Moore of Benton	Stansell
Cunningham	Grell	Moore of Harrison	Thiessen
Davis	Hartman	Mooty	Weed
Dean	Hook	Osborn	Zipse
Dole	Hopp	Peet	Mr. Speaker
Elliott	Hough		

The nays were, 57.

Alesch	Craven	Falvey	Hanson of Lyon
Augustine	Crouch	Felter	Hanson of Winnebago
Beath	Donlon	Fuelling	Humeston
Beswick	Doran	Fuester	Jenkins
Bouska	Durant	Garner	Jensen
Bruce	Ellsworth	Gissel	Johnson
Casey	Fabritz	Grau	

Digitized by Google

Koch	Malone	Snyder	Treimer
Laughlin	Mercer	Speidel	Wieben
Lookingbill	Metcalf	Stanzel	Wiese
McCarthy	Ostby	Stewart	Willis
McCreery	Paisley	Stimpson	Wolf
McDermott	Ryder	Swift	Yager
McKinnon	Schlatter	Thies	Zylstra
McLean	Sheridan		

Absent or not voting, 13.

Avery	McFarlane	Rawlings	Schmitz
Dreessen	Peaco	Reed	Strachan
Goode	Porter	Rice	Teter
Lichty			

Amendment lost.

McCreery of Linn moved to amend the amendment offered by Hanson of Winnebago by striking all but the last eight (8) words.

A roll call was demanded and on the question "Shall the amendment by McCreery be adopted?"

The ayes were, 36.

Avery	Fuelling	McCreery	Stansell
Beath	Fuester	McLean	Stanzel
Bouska	Gissel	Mercer	Stewart
Brady	Grell	Metcalf	Strachan
Burgess	Hanson of Lyon	Mitchell	Swift
Cunningham	Hultman	Moore of Harrison	Wiese
Davis	Jenkins	Paisley	Willis
Fabritz	Johnson	Peet	Zipse
Felter	Laughlin	Ryder	Zylstra

The nays were, 56.

Aldrich	Fallvey	Humeston	Schroeder
Augustine	Foster	Jensen	Sheridan
Beswick	Frizzell	Koch	Smith
Bonnstetter	Gallagher	Lookingbill	Snyder
Bowers	Garner	McDermott	Sours
Bruce	Gittinger	McKinnon	Speidel
Craven	Goode	Malone	Stimpson
Crouch	Grau	Maniece	Thies
Dean	Hanson of Winnebago	Moore of Benton	Thiessen
Dole	Hartman	Mooty	Treimer
Donlon	Hook	Osborn	Weed
Doran	Hopp	Ostby	Wolf
Durant	Hough	Roe	Yager
Elliott		Schlatter	Mr. Speaker
Ellsworth			

Absent or not voting, 16.

Alesch	Lichty	Peaco	Rice
Casey	McCarthy	Porter	Schmitz
Dreessen	McFarlane	Rawlings	Teter
Fletcher	Millhone	Reed	Wieben

Amendment lost.

Digitized by Google

A roll call was demanded on the Hanson amendment and on the question "Shall the amendment offered by Hanson of Winnebago be adopted?"

The ayes were, 87.

Aldrich	Falvey	Jensen	Sheridan
Alesch	Felter	Koch	Smith
Augustine	Fletcher	Laughlin	Snyder
Beswick	Foster	Lookingbill	Sours
Bonnstetter	Frizzell	McCarthy	Speidel
Bowers	Fuelling	McCreery	Stanzel
Brady	Fuester	McDermott	Stewart
Bruce	Gallagher	McKinnon	Strachan
Burgess	Garner	McLean	Swift
Casey	Gissel	Malone	Teter
Craven	Gittinger	Maniece	Thies
Crouch	Goode	Millhone	Thiessen
Cunningham	Grau	Mitchell	Treimer
Davis	Hanson of	Moore of Benton	Weed
Dean	Winnebago	Mooty	Wieben
Dole	Hartman	Ostby	Wiese
Donlon	Hook	Peaco	Willis
Doran	Hopp	Peet	Wolf
Durant	Hough	Rice	Yager
Elliott	Hultman	Roe	Zipse
Ellsworth	Humeston	Schlatter	Zylstra
Fabritz	Jenkins	Schroeder	Mr. Speaker

The nays were, 15.

Avery	Grell	Moore of	Rawlings
Beath	Hanson of Lyon	Harrison	Ryder
Bouska	Johnson	Osborn	Stansell
Dreessen	Mercer	Paisley	Stimpson

Absent or not voting, 6.

Lichty	Metcalf	Reed	Schmitz
McFarlane	Porter		

Amendment adopted.

On the adoption of House Concurrent Resolution No. 6 a roll call was demanded and on the question "Shall House Concurrent Resolution No. 6, as amended, be adopted?"

The ayes were, 84.

Aldrich	Crouch	Fletcher	Hartman
Alesch	Cunningham	Foster	Hook
Augustine	Davis	Frizzell	Hopp
Beath	Dean	Fuelling	Hough
Beswick	Dole	Gallagher	Hultman
Bonnstetter	Donlon	Garner	Humeston
Bouska	Doran	Gissel	Jenkins
Bowers	Durant	Gittinger	Jensen
Bruce	Elliott	Goode	Koch
Burgess	Ellsworth	Grau	Laughlin
Casey	Fabritz	Hanson of	Lookingbill
Craven	Felter	Winnebago	McCarthy

Digitized by Google

McCreery	Ostby	Sours	Treimer
McDermott	Paisley	Speidel	Weed
McKinnon	Peet	Stanzel	Wieben
Malone	Rice	Stewart	Wiese
Maniece	Roe	Stimpson	Willis
Metcalf	Schlatter	Strachan	Wolf
Millhone	Sheridan	Teter	Zipse
Mitchell	Smith	Thies	Zylstra
Moore of Benton	Snyder	Thiessen	Mr. Speaker
Mooty			

The nays were, 12.

Avery	Hanson of Lyon	Moore of	Ryder
Brady	Johnson	Harrison	Stansell
Fuester	Mercer	Osborn	Swift
Grell			

Absent or not voting, 12.

Dreessen	McFarlane	Porter	Schmitz
Falvey	McLean	Rawlings	Schroeder
Lichty	Peaco	Reed	Yager

Resolution adopted.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 5

Jensen of Audubon called up House Concurrent Resolution No. 5, found on page 164 of the Journal of November 23, and moved its adoption.

Rice of Keokuk moved to amend House Concurrent Resolution No. 5 by striking the last paragraph and inserting in lieu thereof the following:

Be It Resolved by the House, the Senate concurring, That there is hereby appropriated from the general fund of the state, the sum of one thousand dollars ($1,000), for the use of the Interim Committee, which is hereby authorized to have printed one thousand copies of that part of the Brookings report not yet printed, two hundred of said copies for free distribution to the members of the General Assembly and state officials, the balance to be sold by the Committee at a price to be determined by them, and the proceeds of said sale to accrue to the account of said fund appropriated, and to be accounted for by the Committee in its final report.

Amendment lost.

Dole of Jefferson moved to amend the resolution by striking all after the word "assembly" in line eight (8) of the last paragraph.

A roll call was demanded and on the question "Shall the Dole amendment be adopted?"

Digitized by Google

The ayes were, 69.

Aldrich	Fabritz	Koch	Ostby
Augustine	Falvey	Laughlin	Peet
Beath	Felter	Lichty	Rice
Beswick	Frizzell	McCarthy	Roe
Bonnstetter	Fuelling	McCreery	Snyder
Bouska	Gallagher	McKinnon	Sours
Bowers	Gissel	McLean	Speidel
Brady	Goode	Malone	Stansell
Bruce	Grau	Maniece	Stanzel
Burgess	Hanson of Lyon	Mercer	Stewart
Crouch	Hanson of Winnebago	Metcalf	Stimpson
Cunningham	Hartman	Millhone	Treimer
Davis	Hopp	Mitchell	Weed
Dole	Hough	Moore of Benton	Wieben
Doran	Jenkins	Moore of Harrison	Willis
Durant	Jensen	Mooty	Wolf
Elliott	Johnson	Osborn	Yager
Ellsworth			

The nays were, 22.

Alesch	Gittinger	Paisley	Teter
Casey	Grell	Peaco	Thies
Dreessen	Hook	Ryder	Thiessen
Foster	Hultman	Smith	Zipse
Fuester	Lookingbill	Swift	Zylstra
Garner	McDermott		

Absent or not voting, 17.

Avery	Humeston	Reed	Sheridan
Craven	McFarlane	Schlatter	Strachan
Dean	Porter	Schmitz	Wiese
Donlon	Rawlings	Schroeder	Mr. Speaker
Fletcher			

Amendment adopted.

A roll call was demanded on the passage of House Concurrent Resolution No. 5, and on the question "Shall House Concurrent Resolution No. 5 as amended be adopted?"

The ayes were, 31.

Alesch	Johnson	Ostby	Stanzel
Augustine	McCreery	Paisley	Stimpson
Bonnstetter	McKinnon	Peaco	Swift
Cunningham	Maniece	Ryder	Thiessen
Davis	Mitchell	Schlatter	Treimer
Dreessen	Moore of Benton	Schroeder	Wieben
Grau	Moore of Harrison	Sheridan	Yager
Jensen		Sours	Zylstra

The nays were, 60.

Aldrich	Bruce	Doran	Frizzell
Beath	Burgess	Durant	Fuelling
Beswick	Craven	Elliott	Fuester
Bouska	Crouch	Ellsworth	Gallagher
Bowers	Dole	Felter	Garner
Brady	Donlon	Foster	Gissel

Digitized by Google

Gittinger	Koch	Millhone	Stewart
Goode	Laughlin	Mooty	Strachan
Grell	Lichty	Osborn	Teter
Hanson of Lyon	Lookingbill	Peet	Thies
Hartman	McCarthy	Rice	Weed
Hook	McLean	Roe	Willis
Hopp	Malone	Smith	Wolf
Hough	Mercer	Snyder	Zipse
Hultman	Metcalf	Stansell	Mr. Speaker

Absent or not voting, 17.

Avery	Fletcher	McDermott	Reed
Casey	Hanson of Winnebago	McFarlane	Schmitz
Dean		Porter	Speidel
Fabritz	Humeston	Rawlings	Wiese
Falvey	Jenkins		

The resolution failed to be adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 85, a bill for an act relating to the Iowa butter trademark.

Also, that the Senate has adopted the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 3, a joint resolution amending Senate joint resolution No. 2, acts of the forty-fifth general assembly in extraordinary session, relating to compensation.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 84, a bill for an act to amend the law relating to certain standards as to the weight of bread.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 39, a bill for an act pertaining to the posting of ordinances of a general or permanent nature.

BYRON G. ALLEN, *Secretary.*

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 4

Hopp of Mills called up House Concurrent No. 4, found on page 144 of the Journal of November 22, and moved its adoption.

Hopp of Mills called up the amendment filed by him, and found on page 179 of the Journal of November 23, and moved its adoption. Amendment adopted.

Fuester of Ida moved the previous question. Motion prevailed.

Digitized by Google

On the question "Shall House Concurrent Resolution No. 4 as amended be adopted?" The motion prevailed and the resolution was adopted.

HOUSE FILE NO. 91 WITHDRAWN

Fuester of Ida asked and obtained unanimous consent to withdraw House File No. 91 from further consideration of the House.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution No. 3, a resolution amending Senate Joint Resolution No. 2, acts of the forty-fifth general assembly in extraordinary session, fixing the compensation of officers and employees of the forty-fifth general assembly in extraordinary session.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 85, a bill for an act to repeal sections three thousand eighty-nine (3089), three thousand ninety (3090), three thousand ninety-one (3091), and three thousand ninety-two (3092), Code, 1931, and to enact substitutes therefor, relating to the Iowa Butter Trademark; and to create the Iowa Butter Control Board, to define its powers and duties, and to vest title to the Iowa State Butter trade mark in the Iowa Trademark Butter Association.

Read first and second times and referred to committee on agriculture.

Senate File No. 84, a bill for an act to amend the law as it appears in sections thirty-two hundred forty-four b one (3244-b1), thirty-two hundred forty-four b three (3244-b3) and thirty-two hundred forty-four b six (3244-b6), Code, 1931, relating to certain standards as to weight of bread, providing penalties for violation, and authorizing the secretary of agriculture to make rules and regulations for the enforcement of the law pertaining to bread, and amending Chapter one hundred sixty-one (161), Code, 1931, relating to the time, place and manner of weighing bread.

Read first and second times and referred to committee on agriculture.

MOTION TO RECONSIDER

I move to reconsider the vote by which House Concurrent Resolution No. 5 failed to be adopted. LA MAR FOSTER.

13

Digitized by Google

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. SPEAKER: Your House committee on committee clerks begs leave to report the following clerk assigned to Stewart of Calhoun county: Katherine Burk.

LEROY MERCER.
F. D. AUGUSTINE.
OVE T. ROE.

AMENDMENTS FILED

Mitchell of Webster and Sheridan of Lee filed the following amendment:

Amend House File 111 as follows:

1. Strike out lines 1 to 8, inclusive, immediately following the enacting clause and in lieu insert the following:

"Sections one hundred thirty-six (136), forty-three hundred eighteen (4318), fifty-one hundred sixty (5160), fifty-one hundred sixty-one (5161), fifty-six hundred forty-five (5645), fifty-six hundred forty-six (5646), fifty-six hundred forty-seven (5647), fifty-six hundred forty-eight (5648), seventy-four hundred ninety-six (7496), seventy-four hundred ninety-seven (7497), and seventy-four hundred ninety-eight (7498), Code, 1931, and all that part of section one hundred thirty-five (135) of said code which follows the word "presentation" in line three (3) are hereby amended, revised, and codified to read as follows:"

2. Strike out the title to the bill and in lieu insert the following:

"An Act to amend, revise, and codify sections one hundred thirty-six (136), forty-three hundred eighteen (4318), fifty-one hundred sixty (5160), fifty-one hundred sixty-one (5161), fifty-six hundred forty-five (5645), fifty-six hundred forty-six (5646), fifty-six hundred forty-seven (5647), fifty-six hundred forty-eight (5648), seventy-four hundred ninety-six (7496), seventy-four hundred ninety-seven (7497), and seventy-four hundred ninety-eight (7498), Code, 1931, and all that part of section one hundred thirty-five (135) of said code which follows the word "presentation" in line three (3), relating to warrants drawn on public treasuries and not paid for want of funds."

Doran of Boone filed the following amendment:

Amend House File 111 by striking lines 6, 7, and 8 from Section 2 and inserting in lieu thereof the following: "five per cent (5%) per annum on warrants in excess of fifty dollars ($50,00) and six per cent (6%) per annum on warrants of fifty dollars ($50.00) or less."

Davis of Appanoose filed the following amendment:

Amend House File No. 45 by striking the word "liability" in line six (6), Section 1 and inserting in lieu thereof the words "public liability and property damage".

Also insert between the words "or" and "damaged" in line seven (7), Section 1 the word "property".

On motion of Schlatter of Jackson, the House adjourned until 10 o'clock a. m. Saturday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 25, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Dr. William Mack, pastor of the Union Park Presbyterian Church, Des Moines, Iowa.

Journal of November 24 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Mitchell of Webster for the day, on request of Stewart of Calhoun; Stimpson of Jones for the day, on request of Hough of Fayette; Grell of Scott for the day, on request of Crouch of Greene; Stansell of Clarke for the day, on request of Fuelling of Clayton; Cunningham of Polk for the day, on request of Aldrich of Wright; Thies of Pottawattamie for the day, on request of Metcalf of Muscatine; Maniece of Emmet for the day, on request of Bonnstetter of Kossuth; Swift of Dubuque for the day, on request of Casey of Mitchell; Willis of Dallas for the day, on request of Laughlin of Fremont; McCarthy of Woodbury for the day, on request of Laughlin of Fremont; Teter of Marion for the balance of day, on request of Millhone of Page; Craven of Jasper for the balance of day, on request of Millhone of Page.

PETITIONS AND MEMORIALS

Favoring the repeal of the Beatty-Bennett law. Cunningham, from the citizens of Polk; Peaco and Thiessen of Clinton, by the Central P. T. A. of Lyons Independent School District. Referred to committee on tax reduction.

Favoring ratification of amendment prohibiting child labor. McLean of Marshall, from the Twentieth Century Club of Marshalltown; Peaco and Thiessen of Clinton, by Y. W. C. A. of Clinton. Referred to committee on constitutional amendments.

Favoring state allocation of school funds. Peaco and Thiessen of Clinton, from Franklin P. T. A. of Clinton. Referred to committee on schools and text books.

Favoring a special tax on chain stores. Speidel, from the busi-

Digitized by Google

ness men of Washington county. Referred to committee on tax revision.

Opposing House File No. 9. Hanson, from the Board of Supervisors of Lyon county. Referred to committee on county and township organization.

Opposing legalizing hard liquors. McLean, from the Bangor Quarterly Meeting of Friends of Marshall county. Referred to committee on liquor control.

REPORTS OF COMMITTEES

Roe of Allamakee, from the committee on compensation of public officers, submitted the following report:

MR. SPEAKER: Your committee on compensation of public officers to whom was referred Senate Joint Resolution No. 3, amending Senate Joint Resolution No. 2, Acts of the 45th General Assembly in extraordinary session, fixing the compensation of officers and employees of the 45th General Assembly in extraordinary session, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. OVE T. ROE, *Chairman.*

Report adopted.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 82, a bill for an act to authorize cities and towns to regulate and fix rents, rates or charges for telephones and telephonic service, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. BLAKE WILLIS, *Chairman.*

Report adopted.

Gallagher of Iowa, from the committee on schools and text books, submitted the following report:

MR. SPEAKER: Your committee on schools and text books to whom was referred House File No. 68, a bill for an act to fix a minimum limitation upon the size of school districts; to repeal section 4132, Code, 1931, and to enact a substitute therefor; and to repeal sections 4131-c1; 4135, and 4152, relating to the alteration of the boundary lines of school districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. J. P. GALLAGHER, *Chairman.*

Report adopted.

Digitized by Google

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3

Bonnstetter of Kossuth asked and obtained unanimous consent to take up Senate Joint Resolution No. 3, a joint resolution amending Senate Joint Resolution No. 2, acts of the Forty-fifth General Assembly in extraordinary session, fixing the compensation of officers and employees of the Forty-fifth General Assembly in extraordinary session, at this time.

Mr. Bonnstetter moved the adoption of the resolution and on the question 'Shall the Senate Joint Resolution No. 3 be adopted?''

The ayes were, 83.

Aldrich	Fletcher	Johnson	Rice
Alesch	Foster	Koch	Roe
Augustine	Frizzell	Laughlin	Ryder
Beath	Fuelling	Lookingbill	Schmitz
Beswick	Fuester	McCreery	Schroeder
Bonnstetter	Gallagher	McDermott	Smith
Bouska	Garner	McKinnon	Sours
Bowers	Gissell	McLean	Speidel
Bruce	Gittinger	Mercer	Stanzel
Burgess	Goode	Metcalf	Stewart
Casey	Grau	Millhone	Strachan
Davis	Hanson of Lyon	Moore of Benton	Thiessen
Dean	Hanson of Winnebago	Moore of Harrison	Triemer
Dole	Hartman	Mooty	Weed
Donlon	Hook	Osborn	Wieben
Doran	Hopp	Ostby	Wiese
Dreessen	Hough	Paisley	Wolf
Durant	Hultman	Peaco	Yager
Elliott	Jenkins	Peet	Zipse
Ellsworth	Jensen	Rawlings	Zylstra
Fabritz			Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 25.

Avery	Humeston	Mitchell	Stansell
Brady	Lichty	Porter	Stimpson
Craven	McCarthy	Reed	Swift
Crouch	McFarlane	Schlatter	Teter
Cunningham	Malone	Sheridan	Thies
Felter	Maniece	Snyder	Willis
Grell			

So the joint resolution having received a constitutional majority was declared to have passed the House and the title agreed to.

INTRODUCTION OF BILLS

House File No. 140, by Ellsworth of Hardin, a bill for an act relating to place of payment of public bonds and interest thereon.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 1.

House File No. 141, by Willis of Dallas, a bill for an act to make permanent the transfer of funds in Washington Consolidated Independent School District, Dallas county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 142, by Elliott of Polk, a bill for an act to amend section fifty-eight hundred thirteen-d two (5813-d2), Code, 1931, and providing for a method of abolishing a Permanent Park Board in cities over 125,000 established under Chapter 293-d1, providing for the question of the abolishment of the Permanent Park Board to be submitted to the voters at the next city election in March following the adoption of this amendment; providing that if a majority of the votes upon said proposition be in favor thereof, said Permanent Park Board shall be abolished and the provisions of Chapter 293-d1 shall not apply to said city thereafter; providing for the automatic return of all property under the jurisdiction of said Permanent Park Board to the City Council of said city for disposition as by law provided, and providing that officers and members of said Permanent Park Board shall stand discharged.

Read first and second times and referred to committee on cities and towns.

House File No. 143 by Elliott of Polk, a bill for an act amending Section two (2) of Chapter One Hundred Twenty-three (123) of the Acts of the Forty-fifth General Assembly relating to exceptions to mandatory tax reductions.

Read first and second times and referred to committee on tax reduction.

House File No. 144 by Wiese of Scott, a bill for an act to amend Chapter Two Hundred Ninety-two (292), Code, 1931, relating to dangerous structures.

Read first and second times and referred to committee on cities and towns.

House File No. 145 by Peet of Guthrie, a bill for an act to regulate personal and mental endurance contests in public competition.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 1.

House File No. 146, by Craven of Jasper, a bill for an act giving the operator of a hospital in this State a lien upon all causes of action for damages accruing to a patient therein, or to the legal representative of such patient, for the reasonable charges for hospital care necessitated by the injuries giving rise to such causes of action.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 147, by Osborn of Decatur, a bill for an act to amend section seventy-two hundred fifty-three (7253), Code, 1931, relating to bid and purchaser at delinquent tax sales and permitting counties to be purchasers at same.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 148, by committee on motor vehicles and transportation, a bill for an act to amend Sections Forty-nine hundred sixty-d five (4960-d5), Forty-nine hundred sixty-d ten (4960-d10), Forty-nine hundred sixty-d twenty-nine (4960-d29), and Forty-nine hundred sixty-d forty-five (4960-d45), Code, 1931; and to repeal Sections Forty-nine hundred sixty-d eleven (4960-d11) and Five thousand twenty-five (5025) Code, 1931, relating to operators' and chauffeurs' license law.

Read first and second times and passed on file.

House File No. 149, by committee on motor vehicle and transportation, a bill for an act to amend Section Forty-nine hundred four (4904), Code, 1931, relating to storage affidavits on motor vehicles for the year 1933 and registration fees and penalties.

Read first and second times and passed on file.

House File No. 150, by committee on motor vehicles and transportation, a bill for an act to amend Section Forty-nine sixty-d thirty-two, (4960-d32), Code, 1931, relating to reporting of convictions and recommendation of suspension of operator's or chauffeur's license.

Read first and second times and passed on file.

Digitized by Google

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am dircted to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 122, a bill for an Emergency Act to provide for the issuance of preferred stock of one or more classes by state banks, savings banks and trust companies.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 3, a bill for an act to revise and modernize the laws of this state relating to certain co-operative corporations with or without capital stock; to provide for the incorporation, Regulation and Dissolution of such corporations; to define certain Terms used in this act, etc.

Also: That the Senate has adopted the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 1, a joint resolution ratifying a proposed amendment to the Constitution of the United States relative to Child Labor.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 51, a bill for an act relating to the collection of motor vehicle license fees, etc. BYRON G. ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 3, a bill for an act to revise and modernize the laws of this state relating to certain cooperative corporations with or without capital stock; to provide for the Incorporations; to define terms used in this act; to enumerate the powers and purposes of such corporations; to prescribe the rights, privileges and obligations of membership therein; to provide for the marketing contracts and remedies for breach of said contracts; to provide for by laws and what they shall contain; to extend the provisions of this Act to certain corporations; to require certain reports to be filed; to provide for certain fees and penalties to be paid the Secretary of State; to repeal Chapter 389 of the Code, 1931, relating to Cooperative Associations with capital stock; to repeal Chapter 390 of the Code, 1931, relating to non-profit sharing Cooperative Associations; and to repeal Chapter 391 of the Code, 1931, relating to collective bargaining.

Read first and second times and referred to committee on judiciary No. 2.

Digitized by Google

Senate File No. 51, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), Code, 1931, as amended by chapters seventy-six (76), Acts Forty-fifth (45th) General Assembly, relating to the collection of motor vehicle license fees; also to repeal section seven of chapter seventy-six (76), Acts of the Forty-fifth (45th) General Assembly, relating to said fees.

Read first and second times and referred to committee on motor vehicle and transportation.

Senate Joint Resolution No. 1, a resolution ratifying a proposed amendment to the constitution of the United States of America, relative to the labor of persons under eighteen (18) years of age.

Whereas, both houses of the sixty-eighth congress of the United States of America, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America, to-wit:

"JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States. 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, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ARTICLE .....

"Section 1. That Congress shall have power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

"Section 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

Digitized by Google

Read first and second times and referred to committee on constitutional amendments.

ADDITIONAL COPIES ORDERED PRINTED

Strachan of Humboldt asked and obtained unanimous consent for the printing of 300 additional copies of House File No. 131.

CONSIDERATION OF BILLS

House File No. 44, a bill for an act to legalize the corporate acts and proceedings of Pooley Lumber Company of Greene, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation by said Pooley Lumber Company, with report of committee recommending passage, was taken up for consideration.

Garner of Butler moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Ellsworth	Johnson	Roe
Augustine	Fabritz	Koch	Ryder
Avery	Falvey	Laughlin	Schlatter
Beath	Fletcher	Lookingbill	Schmitz
Beswick	Foster	McCreery	Schroeder
Bonnstetter	Frizzell	McDermott	Sheridan
Bouska	Fuelling	McKinnon	Snyder
Bowers	Gallagher	McLean	Sours
Brady	Garner	Mercer	Speidel
Bruce	Gissel	Metcalf	Stanzel
Burgess	Gittinger	Millhone	Strachan
Casey	Goode	Moore of Benton	Thiessen
Crouch	Grau	Moore of Harrison	Treimer
Davis	Hartman	Mooty	Weed
Dean	Hook	Osborn	Wieben
Dole	Hopp	Ostby	Wiese
Donlon	Hough	Paisley	Wolf
Doran	Hultman	Peaco	Yager
Dreessen	Humeston	Rawlings	Zipse
Durant	Jenkins	Rice	Zylstra
Elliott	Jensen		Mr. Speaker

The nays were, none.

Absent or not voting, 25.

Alesch	Felter	Hanson of Lyon	Lichty
Craven	Fuester	Hanson of Winnebago	McCarthy
Cunningham	Grell		McFarlane

Digitized by Google

Malone	Porter	Stewart	Teter
Maniece	Reed	Stimpson	Thies
Mitchell	Smith	Swift	Willis
Peet	Stansell		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 14, a bill for an act to define the term "search warrant," to declare the conditions under which search warrants may issue, to amend, revise, and codify various statutes pertaining to search warrants, in order to provide a uniform procedure governing search warrant proceedings, and to this end to repeal chapter six hundred seventeen (617) of the Code, 1931, and to enact a substitute therefor; also to amend sections two thousand ten (2010), thirty-one hundred fifty-nine (3159) and thirteen thousand two hundred three (13203) of said Code; also to repeal the following chapter and sections of said Code, to wit:

1. Sections fifteen hundred seventy-eight (1578) to fifteen hundred eighty-one (1581), inclusive.

2. Section thirty-one hundred sixty (3160).

3. Chapter ninety-six (96).

4. Sections thirteen thousand two hundred (13200), thirteen thousand two hundred one (13201), and sections thirteen thousand two hundred four (13204) to thirteen thousand two hundred nine (13209), inclusive.

5. Sections thirteen thousand two hundred eleven (13211) to thirteen thousand two hundred fifteen (13215), inclusive, with report of committee recommending passage, was taken up for consideration.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Brady	Donlon	Fabritz
Avery	Bruce	Doran	Falvey
Beswick	Burgess	Dreessen	Fletcher
Bonnstetter	Casey	Durant	Foster
Bouska	Davis	Elliott	Frizzell
Bowers	Dole	Ellsworth	Fuelling

Digitized by Google

Fuester	Jenkins	Moore of Harrison	Snyder
Gallagher	Jensen	Mooty	Sours
Garner	Johnson	Osborn	Speidel
Gittinger	Koch	Ostby	Stanzel
Goode	Laughlin	Paisley	Stewart
Grau	Lookingbill	Peaco	Strachan
Hanson of Lyon	McCreery	Rawlings	Thiessen
Hanson of Winnebago	McKinnon	Roe	Treimer
Hartman	McLean	Ryder	Weed
Hook	Malone	Schlatter	Wieben
Hopp	Mercer	Schmitz	Wiese
Hough	Metcalf	Schroeder	Wolf
Hultman	Millhone	Sheridan	Zylstra
Humeston	Moore of Benton	Smith	Mr. Speaker

The nays were, 1.

Zipse

Absent or not voting, 27.

Alesch	Felter	Maniece	Stimpson
Augustine	Gissel	Mitchell	Swift
Beath	Grell	Peet	Teter
Craven	Lichty	Porter	Thies
Crouch	McCarthy	Reed	Willis
Cunningham	McDermott	Rice	Yager
Dean	McFarlane	Stansell	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 15, a bill for an act to amend section eighty-nine hundred forty (8940), Code, 1931, by striking out certain provisions relating to the inurement of policies of insurance to the benefit of one who has obtained a judgment against the insured, to repeal section nine thousand seventy-one (9071) of said code, and to enact a substitute for such stricken and repealed provisions, and to provide the time in which an action to enforce such inurement may be brought, with report of committee recommending passage, was taken up for consideration.

McCreery of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 82.

Aldrich	Bowers	Dean	Elliott
Avery	Brady	Dole	Ellsworth
Beath	Bruce	Donlon	Fabritz
Beswick	Burgess	Doran	Falvey
Bonnstetter	Casey	Dreessen	Felter
Bouska	Davis	Durant	Fletcher

Digitized by Google

Foster	Hopp	Millhone	Smith
Frizzell	Hough	Moore of Benton	Snyder
Fuelling	Hultman	Moore of	Sours
Fuester	Humeston	Harrison	Speidel
Gallagher	Jenkins	Mooty	Stanzel
Garner	Jensen	Osborn	Stewart
Gissel	Johnson	Paisley	Strachan
Gittinger	Koch	Peaco	Thiessen
Goode	Laughlin	Peet	Treimer
Grau	McCreery	Roe	Weed
Hanson of Lyon	McKinnon	Ryder	Wieben
Hanson of	McLean	Schlatter	Wiese
Winnebago	Malone	Schmitz	Yager
Hartman	Mercer	Schroeder	Zylstra
Hook	Metcalf	Sheridan	Mr. Speaker

The nays were, none.

Absent or not voting, 26.

Alesch	Lookingbill	Porter	Swift
Augustine	McCarthy	Rawlings	Teter
Craven	McDermott	Reed	Thies
Crouch	McFarlane	Rice	Willis
Cunningham	Maniece	Stansell	Wolf
Grell	Mitchell	Stimpson	Zipse
Lichty	Ostby		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 17, a bill for an act to repeal section seventy-two hundred three (7203), Code, 1931, and to enact a substitute therefor, relating to the lien of poll taxes and of taxes on personal property, with report of committee recommending passage, was taken up for consideration.

Millhone of Page moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Dean	Frizzell	Hook
Avery	Dole	Fuelling	Hopp
Beath	Donlon	Fuester	Hough
Beswick	Doran	Gallagher	Hultman
Bonnstetter	Dreessen	Garner	Humeston
Bouska	Durant	Gissel	Jenkins
Bowers	Elliott	Gittinger	Jensen
Brady	Ellsworth	Goode	Johnson
Bruce	Fabritz	Grau	Koch
Burgess	Falvey	Hanson of Lyon	Laughlin
Casey	Felter	Hanson of	Lookingbill
Crouch	Fletcher	Winnebago	McCreery
Davis	Foster	Hartman	McDermott

Digitized by Google

McKinnon	Osborn	Schroeder	Thiessen
McLean	Peaco	Sheridan	Treimer
Malone	Peet	Smith	Weed
Mercer	Rawlings	Snyder	Wieben
Metcalf	Rice	Sours	Wiese
Millhone	Roe	Speidel	Wolf
Moore of Benton	Ryder	Stanzel	Yager
Moore of Harrison	Schlatter	Stewart	Zylstra
Mooty	Schmitz	Strachan	Mr. Speaker

The nays were, 1.

Ostby

Absent or not voting, 20.

Alesch	Lichty	Paisley	Swift
Augustine	McCarthy	Porter	Teter
Craven	McFarlane	Reed	Thies
Cunningham	Maniece	Stansell	Willis
Grell	Mitchell	Stimpson	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 19, a bill for an act to amend section twelve thousand eight hundred seventy-four (12874), Code, 1931, and to require the filing of the shorthand reporter's translation of his report of a trial and to constitute such filed translation a public record for the use of all parties to an appeal, with report of committee recommending passage, was taken up for consideration.

McCreery of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Dreessen	Hanson of Lyon	Malone
Alesch	Durant	Hanson of Winnebago	Mercer
Avery	Elliott	Hartman	Metcalf
Beath	Ellsworth	Hook	Millhone
Beswick	Falvey	Hopp	Moore of Benton
Bouska	Felter	Hough	Moore of Harrison
Bowers	Fletcher	Hultman	Mooty
Brady	Foster	Humeston	Osborn
Bruce	Frizzell	Jenkins	Ostby
Burgess	Fuelling	Jensen	Paisley
Casey	Fuester	Johnson	Peaco
Crouch	Gallagher	Koch	Peet
Davis	Garner	Laughlin	Rawlings
Dean	Gissel	McCreery	Roe
Dole	Gittinger	McKinnon	Ryder
Donlon	Goode	McLean	Schlatter
Doran	Grau		

Digitized by Google

Schmitz	Speidel	Thiessen	Wolf
Schroeder	Stanzel	Treimer	Yager
Sheridan	Stewart	Weed	Zipse
Smith	Strachan	Wieben	Zylstra
Snyder		Wiese	Mr. Speaker
Sours			

The nays were, none.

Absent or not voting, 22.

Augustine	Lichty	Maniece	Stansell
Bonnstetter	Lookingbill	Mitchell	Stimpson
Craven	McCarthy	Porter	Swift
Cunningham	McDermott	Reed	Teter
Fabritz	McFarlane	Rice	Thies
Grell			Willis

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 21, a bill for an act to amend section seventy-one hundred sixty-four (7164), Code, 1931, by repealing lines nine (9) to nineteen (19), inclusive, of said section, relating to the computation of tax rates, with report of committee recommending passage was taken up for consideration.

Speidel of Washington moved to amend House File No. 21 as follows:

Strike from lines two and three, the words and figures, "nine (9) to nineteen (19)" and insert in lieu thereof the words and figures, "twenty (20) to thirty-two (32)."

Amendment adopted.

Goode of Davis moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Aldrich	Dean	Frizzell	Hook
Alesch	Dole	Fuelling	Hopp
Avery	Donlon	Fuester	Hough
Beath	Doran	Gallagher	Hultman
Beswick	Dreessen	Garner	Humeston
Bonnstetter	Durant	Gissel	Jenkins
Bouska	Elliott	Gittinger	Jensen
Bowers	Ellsworth	Goode	Johnson
Bruce	Fabritz	Grau	Koch
Burgess	Falvey	Hanson of Lyon	Laughlin
Casey	Felter	Hanson of Winnebago	Lookingbill
Crouch	Fletcher	Hartman	McCreery
Davis	Foster		

Digitized by Google

McDermott	Mooty	Smith	Weed
McKinnon	Paisley	Snyder	Wieben
McLean	Peaco	Sours	Wiese
Mercer	Peet	Speidel	Wolf
Metcalf	Rawlings	Stanzel	Yager
Millhone	Roe	Stewart	Zipse
Moore of Benton	Schlatter	Strachan	Zylstra
Moore of Harrison	Schmitz	Thiessen	Mr. Speaker
	Sheridan	Treimer	

The nays were, 1.

Osborn

Absent or not voting, 23.

Augustine	McCarthy	Porter	Stimpson
Brady	McFarlane	Reed	Swift
Craven	Malone	Rice	Teter
Cunningham	Maniece	Ryder	Thies
Grell	Mitchell	Schroeder	Willis
Lichty	Ostby	Stansell	

So the bill having received a constitutional majority was declared to have passed the House.

Goode of Davis moved that the Chief Clerk be authorized to correct the title, and it was corrected to read as follows:

"An Act to amend section seventy-one hundred sixty-four (7164), Code, 1931, by repealing lines twenty (20) to thirty-two (32), inclusive, of said section, relating to the computation of tax rates."

House File No. 24, a bill for an act to repeal sections thirty-seven hundred fourteen (3714), and thirty-seven hundred fifteen (3715), Code, 1931, and to enact a substitute therefor, and so to amend sections thirty-seven hundred two (3702), thirty-seven hundred seventeen (3717), and thirty-seven hundred nineteen (3719), of said code as to coordinate said sections with chapter four hundred seventy-three (473) of said code, relating to the adoption of children, with report of committee recommending passage, was taken up for consideration.

Dole of Jefferson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Bouska	Crouch	Dreessen
Alesch	Bowers	Davis	Durant
Avery	Brady	Dean	Elliott
Beath	Bruce	Dole	Ellsworth
Beswick	Burgess	Donlon	Fabritz
Bonnstetter	Casey	Doran	Falvey

Digitized by Google

Felter	Hopp	Millhone	Snyder
Fletcher	Hough	Moore of Benton	Sours
Foster	Humeston	Moore of Harrison	Speidel
Frizzell	Jenkins	Osborn	Stanzel
Fuelling	Jensen	Paisley	Stewart
Fuester	Johnson	Peaco	Strachan
Gallagher	Koch	Peet	Thiessen
Garner	Laughlin	Rawlings	Treimer
Gissel	Lookingbill	Roe	Weed
Gittinger	McCreery	Ryder	Wieben
Goode	McDermott	Schlatter	Wiese
Grau	McKinnon	Schmitz	Wolf
Hanson of Lyon	McLean	Schroeder	Yager
Hanson of Winnebago	Malone	Sheridan	Zipse
Hartman	Mercer	Smith	Zylstra
Hook	Metcalf		Mr. Speaker

The nays were, none.

Absent or not voting, 21.

Augustine	McCarthy	Ostby	Stimpson
Craven	McFarlane	Porter	Swift
Cunningham	Maniece	Reed	Teter
Grell	Mitchell	Rice	Thies
Hultman	Mooty	Stansell	Willis
Lichty			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

MOTION TO RECONSIDER CALLED UP

Foster of Cedar called up the motion to reconsider the vote by which House Concurrent Resolution No. 5 failed to be adopted by the House. Motion prevailed and the House reconsidered the vote by which House Concurrent Resolution No. 5 failed to pass the House.

Foster of Cedar moved to amend House Concurrent Resolution No. 5 by adding after the "comma" in the last line the following:

"And be it further resolved that in the event said Interim Committee should exhaust its funds prior to the completion of its work, it shall be reimbursed from the general fund of the State of Iowa by a sum not to exceed the amount expended in printing said report, as herein provided, less any and all proceeds realized from the sale of said printed report."

Amendment adopted.

On the adoption of House Concurrent Resolution No. 5 a roll call was demanded, and on the question 'Shall House Concurrent Resoultion No. 5 as amended be adopted?"

Digitized by Google

The ayes were, 70.

Aldrich	Foster	Johnson	Roe
Alesch	Frizzell	Koch	Ryder
Augustine	Fuelling	Laughlin	Schlatter
Beswick	Fuester	Lookingbill	Schmitz
Bonnstetter	Gallagher	McCreery	Schroeder
Bouska	Garner	McDermott	Sheridan
Burgess	Gissel	McKinnon	Snyder
Casey	Gittinger	Malone	Speidel
Crouch	Grau	Mercer	Stewart
Davis	Hanson of Lyon	Metcalf	Thiessen
Dean	Hanson of Winnebago	Moore of Harrison	Treimer
Donlon	Hartman	Mooty	Wieben
Dreessen	Hook	Ostby	Wiese
Durant	Hopp	Paisley	Wolf
Fabritz	Humeston	Peaco	Yager
Falvey	Jenkins	Rawlings	Zipse
Felter	Jensen	Rice	Zylstra
Fletcher			Mr. Speaker

The nays were, 13.

Bowers	Goode	McLean	Stanzel
Doran	Hough	Osborn	Strachan
Elliott	Hultman	Sours	Weed
Ellsworth			

Absent or not voting, 25.

Avery	Grell	Mitchell	Stansell
Beath	Lichty	Moore of Benton	Stimpson
Brady	McCarthy	Peet	Swift
Bruce	McFarlane	Porter	Teter
Craven	Maniece	Reed	Thies
Cunningham	Millhone	Smith	Willis
Dole			

So the resolution as amended was adopted.

WAIVING PRINTING OF HOSPITAL COMMITTEE REPORT IN HOUSE JOURNAL

Speidel of Washington moved that the House waive the printing of the report of the committee appointed to hold conferences with members of the faculty of the medical college and members of the staff of the hospital of the State University of Iowa in the Journal of the House, as it already has been printed in the Journal of the Senate. Motion prevailed.

CONSIDERATION OF BILLS

House File No. 25, a bill for an act to amend sections eleven thousand six hundred eleven (11611) and eleven thousand six hundred twelve (11612), Code, 1931, relating to the filing of motions and hearing thereon in proceedings for judgments on motion,

Digitized by Google

with report of committee recommending passage, was taken up for consideration.

Sheridan of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Fabritz	Jenkins	Schlatter
Alesch	Falvey	Jensen	Schmitz
Augustine	Felter	Koch	Schroeder
Avery	Fletcher	Laughlin	Sheridan
Beath	Foster	Lookingbill	Smith
Beswick	Fuelling	McCreery	Snyder
Bonnstetter	Fuester	McLean	Sours
Bouska	Gallagher	Malone	Speidel
Bowers	Garner	Mercer	Stanzel
Brady	Gissel	Metcalf	Stewart
Burgess	Gittinger	Millhone	Strachan
Casey	Goode	Moore of Harrison	Thiessen
Crouch	Grau	Mooty	Treimer
Davis	Hanson of Lyon	Osborn	Weed
Dean	Hanson of Winnebago	Paisley	Wieben
Dole	Hartman	Peaco	Wiese
Donlon	Hook	Rawlings	Wolf
Doran	Hopp	Rice	Yager
Dreessen	Hough	Roe	Zipse
Durant	Humeston	Ryder	Zylstra
Elliott			Mr. Speaker
Ellsworth			

The nays were, none.

Absent or not voting, 25.

Bruce	Lichty	Mitchell	Stansell
Craven	McCarthy	Moore of Benton	Stimpson
Cunningham	McDermott	Ostby	Swift
Frizzell	McFarlane	Peet	Teter
Grell	McKinnon	Porter	Thies
Hultman	Maniece	Reed	Willis
Johnson			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 48, a bill for an act to provide against discrimination or monopoly in the sale of replacement and repair parts of machines and mechanical devices, and for the regulation of the distribution and sale of same, and providing penalties for the violation of this act, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Brady of Pottawattamie the amendments pro-

Digitized by Google

posed by the committee, found on page 161 of the journal of November 23, were adopted.

McLean of Marshall moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Falvey	Jenkins	Roe
Alesch	Felter	Jensen	Ryder
Avery	Fletcher	Johnson	Schlatter
Beath	Foster	Koch	Schmitz
Beswick	Frizzell	Laughlin	Schroeder
Bonnstetter	Fuelling	Lookingbill	Sheridan
Bouska	Fuester	McCreery	Smith
Bowers	Gallagher	McDermott	Sours
Bruce	Garner	McKinnon	Speidel
Burgess	Gissel	McLean	Stanzel
Casey	Goode	Malone	Stewart
Crouch	Grau	Mercer	Strachan
Davis	Hanson of Lyon	Metcalf	Thiessen
Dean	Hanson of Winnebago	Millhone	Treimer
Dole	Hartman	Mooty	Weed
Donlon	Hook	Osborn	Wieben
Dreessen	Hopp	Ostby	Wiese
Durant	Hough	Paisley	Yager
Elliott	Humeston	Peaco	Zipse
Ellsworth		Rawlings	Mr. Speaker
Fabritz			

The nays were, 1.

Gittinger

Absent or not voting, 26.

Augustine	McCarthy	Peet	Swift
Brady	McFarlane	Porter	Teter
Craven	Maniece	Reed	Thies
Cunningham	Mitchell	Rice	Willis
Grell	Moore of Benton	Snyder	Wolf
Hultman	Moore of Harrison	Stansell	Zylstra
Lichty		Stimpson	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 63, a bill for an act to extend the time in which to pay, without penalty, the second installment of all taxes payable in 1933, and to provide for interest on said installment in case payment is not made within the specified time, with report of committee recommending passage, was taken up for consideration.

Aldrich of Wright called up the amendment filed by him and

Digitized by Google

found on page 156 of the Journal of November 22, and moved its adoption. Amendment lost.

Beswick of Van Buren called up the amendment filed by him and found on page 156 of the Journal of November 22, and moved its adoption. Amendment lost.

McCreery of Linn moved the previous question. Motion prevailed.

Beswick of Van Buren moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 31.

Aldrich	Ellsworth	Metcalf	Ryder
Alesch	Falvey	Moore of Benton	Schlatter
Beswick	Fletcher	Moore of Harrison	Schmitz
Bonnstetter	Foster	Osborn	Sheridan
Bouska	Gittinger	Ostby	Stewart
Casey	Hook	Paisley	Thiessen
Davis	Hough	Rice	Treimer
Elliott	Humeston		Zipse

The nays were, 51.

Augustine	Durant	Hartman	Peaco
Avery	Fabritz	Hopp	Peet
Beath	Felter	Hultman	Rawlings
Bowers	Frizzell	Jenkins	Roe
Brady	Fuelling	Jensen	Schroeder
Bruce	Fuester	Johnson	Smith
Burgess	Gallagher	Koch	Snyder
Crouch	Gissel	Lookingbill	Sours
Dean	Goode	McCreery	Strachan
Dole	Grau	McKinnon	Wieben
Donlon	Hanson of Lyon	McLean	Wiese
Doran	Hanson of Winnebago	Mercer	Yager
Dreessen		Mooty	Zylstra

Absent or not voting, 26.

Craven	McDermott	Reed	Teter
Cunningham	McFarlane	Speidel	Thies
Garner	Malone	Stansell	Weed
Grell	Maniece	Stanzel	Willis
Laughlin	Millhone	Stimpson	Wolf
Lichty	Mitchell	Swift	Mr. Speaker
McCarthy	Porter		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Digitized by Google

CONSIDERATION OF SENATE AMENDMENTS

On request of Ellsworth of Hardin, unanimous consent having been given, House File No. 122, a bill for an Emergency Act to provide for the issuance of preferred stock of one or more classes by state banks, savings banks and trust companies organized under the laws of this State that have been reorganized and/or recapitalized, or are in the process of reorganization and/or recapitalization; providing for the consent of "certificate holders" and subordinating the rights of "certificate holders" in and to earnings or income of such banks and trust companies, to the right of holders of preferred stock, both as to dividends and sinking fund; and binding non-consenting "certificate holders" upon written consent of required number and amount; providing for public bodies as "certificate holders" entering into written consents and subordination agreements; and providing rules of construction in event of conflict or unconstitutionality of a part of the Act, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE NO. 122

1. Amend the title by inserting after the semi-colon (;) following the word "agreements" in line fourteen (14) thereof the following:

"further defining the term 'reorganization' as used in this Act and as used in Chapters one hundred fifty-six (156), one hundred fifty-nine (159) and one hundred sixty (160), Acts of the Forty-fifth General Assembly;".

2. Amend by adding as section seven (7), the following:

"Sec. 7. The reorganization of state banks, savings banks and trust companies referred to in this Act and in Chapters one hundred fifty-six (156), one hundred fifty-nine (159) and one hundred sixty (160), Acts of the Forty-fifth General Assembly and Acts amendatory thereto, may with the approval of the Superintendent of Banking be brought about through the use of the existing corporation or by the organization of a new bank, where such bank as so reorganized acquires all or a portion of the assets, and assumes all or a portion of the liabilities, of one or more existing banks.

3. Amend by renumbering the sections following.

4. Amend section nine (9) by inserting after the word "jurisdiction" in line two (2) thereof the words "to be".

Mr. Ellsworth moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

Digitized by Google

The ayes were, 78.

Aldrich	Ellsworth	Hough	Rawlings
Alesch	Fabritz	Humeston	Roe
Avery	Falvey	Jenkins	Ryder
Beath	Felter	Jensen	Schlatter
Beswick	Fletcher	Johnson	Schmitz
Bonnstetter	Foster	Koch	Schroeder
Bouska	Frizzell	McCreery	Snyder
Bowers	Fuelling	McDermott	Speidel
Burgess	Foster	Malone	Stanzel
Casey	Gallagher	Mercer	Stewart
Crouch	Gissel	Metcalf	Thiessen
Davis	Gittinger	Millhone	Treimer
Dean	Grau	Moore of	Wieben
Dole	Hanson of Lyon	Harrison	Wiese
Donlon	Hanson of	Mooty	Wolf
Doran	Winnebago	Osborn	Yager
Dreessen	Hartman	Paisley	Zylstra
Durant	Hook	Peaco	Mr. Speaker
Elliott	Hopp	Peet	

The nays were, 4.

McKinnon	Ostby	Strachan	Zipse

Absent or not voting, 31.

Augustine	Hultman	Mitchell	Stansell
Brady	Laughlin	Moore of Benton	Stimpson
Bruce	Lichty	Porter	Swift
Craven	Lookingbill	Reed	Teter
Cunningham	McCarthy	Rice	Thies
Garner	McFarlane	Sheridan	Weed
Goode	McLean	Smith	Willis
Grell	Maniece	Sours	

So the House concurred in the Senate amendments of House File No. 122.

Johnson of Linn moved that the vote by which the House concurred in the Senate amendments to House File No. 122, be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

Koch of Bremer moved that the House adjourn until 10 o'clock a. m. Monday.

McKinnon of Henry moved to amend by adjourning until 11 o'clock a. m. Monday. Motion lost.

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Iowa Recorder, Greene, Iowa, relating to House File No. 44, a bill for an act to legalize the corporate acts and proceedings of Pooley Lumber Company of Greene, Iowa. VIRGIL LEKIN, *Chief Clerk of the House.*

The motion by Koch of Bremer prevailed, and the House stood adjourned until Monday at 10 o'clock a. m.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 27, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. N. H. Carmen, Director of Education, Iowa Baptist Church, Des Moines, Iowa.

Journal of November 25 corrected and approved.

PETITIONS AND MEMORIALS

Favoring equal service by telephone companies. Stansell, from citizens of Osceola and Clarke County. Referred to committee on telephone, telegraph and express.

Favoring the Gross Income Tax Plan. Stansell, from citizens of Clark County. Referred to committee on tax reduction.

INTRODUCTION OF BILLS

House File No. 151 by Johnson of Linn, a bill for an act to provide an appropriation to defray the expenses of the Supreme Court and the judges thereof during the biennium from July first nineteen hundred thirty-three to June thirtieth nineteen hundred thirty-five.

Read first and second times and referred to committee on appropriations.

House File No. 152 by Weed of Madison, a bill for an act to repeal sections forty-three hundred thirty-two (4332) and forty-three hundred thirty-five (4335), Code, 1931, relating to state aid for standard rural schools, payment and expenditure of same.

Read first and second times and referred to committee on schools and textbooks.

CONSIDERATION OF BILLS

House File No. 111, a bill for an act to amend, revise, and codify

Digitized by Google

sections one hundred thirty-six (136), forty-three hundred eighteen (4318), fifty-one hundred sixty (5160), fifty-one hundred sixty-one (5161), fifty-six hundred forty-five (5645), seventy-four hundred ninety-six (7496), seventy-four hundred ninety-seven (7497), and seventy-four hundred ninety-eight (7498), Code, 1931, and all that part of section one hundred thirty-five (135) of said code which follows the word "presentation" in line three (3), relating to warrants drawn on public treasuries and not paid for want of funds, was taken up for consideration.

Fabritz of Wapello called up the amendment filed by him, and found on page 174 of the Journal of November 23, and moved its adoption. Amendment adopted.

Doran of Boone asked and obtained unanimous consent to withdraw his amendment, found on page 194 of the Journal of November 23, from further consideration of the House.

Mitchell of Webster called up the amendment filed by him, and found on page 194 of the Journal of November 24, and moved its adoption. Amendment adopted.

Sheridan of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass"

The ayes were, 99.

Aldrich	Ellsworth	Hough	Moore of Harrison
Alesch	Fabritz	Hultman	Mooty
Augustine	Falvey	Jenkins	Osborn
Avery	Felter	Jensen	Paisley
Beath	Fletcher	Johnson	Peaco
Beswick	Foster	Koch	Peet
Bonnstetter	Frizzell	Laughlin	Rawlings
Bouska	Fuelling	Lichty	Rice
Bowers	Fuester	Lookingbill	Roe
Brady	Gallagher	McCarthy	Ryder
Bruce	Garner	McCreery	Schlatter
Burgess	Gissel	McDermott	Schmitz
Casey	Gittinger	McKinnon	Schroeder
Craven	Goode	McLean	Sheridan
Cunningham	Grau	Malone	Smith
Davis	Grell	Maniece	Snyder
Dean	Hanson of Lyon	Mercer	Sours
Donlon	Hanson of Winnebago	Metcalf	Speidel
Doran	Hartman	Millhone	Stansell
Dreessen	Hook	Mitchell	Stewart
Durant	Hopp	Moore of Benton	Stimpson
Elliott			

Digitized by Google

Strachan	Thiessen	Wiese	Yager
Swift	Treimer	Willis	Zylstra
Teter	Weed	Wolf	Mr. Speaker
Thies	Wieben		

The nays were, 2.

Ostby	Zipse

Absent or not voting, 7.

Crouch	Humeston	Porter	Stanzel
Dole	McFarlane	Reed	

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

House File No. 99, a bill for an act to amend Section thirty-six (36), chapter thirty-seven (37), Acts of the forty-fifth General Assembly, relating to revenues from permit fees, with report of committee recommending passage, was taken up for consideration.

McCreery of Linn moved to amend House File No. 99, Section 1 by striking lines 5, 6, and 7 and inserting in lieu thereof the following:

"A. Seventy-five per cent (75%) to the municipality collecting same, and twenty-five per cent (25%) to the general fund of the County in which such municipality is located".

Strachan of Humboldt moved to amend the amendment by striking from line one (1) of the amendment the words and figures "seventy-five percent (75%)" and inserting in lieu thereof the words and figures "fifty percent (50%)"; also strike from line three (3) of the amendment, the words and figures "twenty-five percent (25%)" and insert in lieu thereof the words and figures "fifty percent (50%)".

A roll call was demanded and on the question "Shall the amendment to the amendment be adopted?"

The ayes were, 13.

Beath	Gissel	Roe	Teter
Bruce	Hanson of Lyon	Stanzel	Wolf
Durant	Hanson of Winnebago	Strachan	Yager
Felter			

The nays were, 85.

Aldrich	Avery	Bouska	Burgess
Alesch	Beswick	Bowers	Casey
Augustine	Bonnstetter	Brady	Cunningham

Digitized by Google

Davis	Grell	Malone	Schmitz
Dean	Hartman	Maniece	Schroeder
Dole	Hook	Mercer	Sheridan
Donlon	Hopp	Metcalf	Smith
Doran	Hough	Millhone	Sours
Dreessen	Hultman	Mitchell	Stansell
Elliott	Humeston	Moore of Benton	Stewart
Ellsworth	Jenkins	Moore of Harrison	Stimpson
Fabritz	Jensen	Mooty	Swift
Fletcher	Johnson	Ostby	Thies
Foster	Koch	Paisley	Thiessen
Frizzell	Laughlin	Peaco	Treimer
Fuelling	Lichty	Peet	Weed
Fuester	Lookingbill	Rawlings	Wieben
Gallagher	McCarthy	Rice	Wiese
Garner	McCreery	Ryder	Willis
Gittinger	McFarlane	Schlatter	Zipse
Goode	McKinnon		Zylstra
Grau	McLean		

Absent or not voting, 10.

Craven	McDermott	Reed	Speidel
Crouch	Osborn	Snyder	Mr. Speaker
Falvey	Porter		

So the amendment to the amendment was lost.

On the adoption of the McCreery amendment, a roll call was demanded and on the question, "Shall the McCreery amendment be adopted?"

The ayes were, 70.

Alesch	Felter	Jensen	Schroeder
Augustine	Fletcher	Johnson	Smith
Avery	Foster	Koch	Snyder
Beath	Frizzell	Lichty	Sours
Bonnstetter	Fuester	Lookingbill	Speidel
Bowers	Gallagher	McCreery	Stanzel
Bruce	Gissel	McDermott	Stewart
Craven	Goode	McKinnon	Stimpson
Cunningham	Grau	McLean	Strachan
Davis	Grell	Metcalf	Thies
Dean	Hanson of Lyon	Millhone	Treimer
Dole	Hanson of Winnebago	Moore of Benton	Weed
Donlon	Hook	Mooty	Wieben
Doran	Hopp	Peet	Wiese
Dreessen	Hough	Rawlings	Yager
Elliott	Hultman	Roe	Zipse
Ellsworth	Jenkins	Schlatter	Zylstra
Falvey		Schmitz	

The nays were, 29.

Aldrich	Garner	Mitchell	Ryder
Beswick	Gittinger	Moore of Harrison	Sheridan
Bouska	Hartman	Osborn	Stansell
Brady	Humeston	Ostby	Swift
Burgess	McCarthy	Paisley	Thiessen
Casey	Malone	Peaco	Willis
Durant	Maniece		Wolf
Fuelling	Mercer		

Digitized by Google

Absent or not voting, 9.

Crouch	McFarlane	Reed	Teter
Fabritz	Porter	Rice	Mr. Speaker
Laughlin			

Amendment adopted.

Zylstra of Sioux moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill as amended pass?"

The ayes were, 88.

Aldrich	Felter	Johnson	Schlatter
Alesch	Fletcher	Koch	Schmitz
Augustine	Foster	Laughlin	Schroeder
Avery	Frizzell	Lookingbill	Smith
Beath	Fuelling	McCreery	Snyder
Bonnstetter	Fuester	McDermott	Sours
Bouska	Gallagher	McKinnon	Speidel
Bowers	Garner	McLean	Stansell
Bruce	Gissel	Malone	Stanzel
Burgess	Gittinger	Maniece	Stewart
Casey	Goode	Mercer	Stimpson
Craven	Grau	Metcalf	Strachan
Cunningham	Grell	Millhone	Thies
Davis	Hanson of Lyon	Mitchell	Thiessen
Dean	Hanson of Winnebago	Moore of Benton	Treimer
Dole	Hook	Moore of Harrison	Weed
Donlon	Hopp	Mooty	Wieben
Doran	Hough	Ostby	Wiese
Dreessen	Hultman	Peet	Yager
Elliott	Humeston	Rawlings	Zipse
Ellsworth	Jenkins	Roe	Zylstra
Fabritz	Jensen		Mr. Speaker
Falvey			

The nays were, 16.

Beswick	Lichty	Paisley	Swift
Brady	McCarthy	Peaco	Teter
Durant	McFarlane	Ryder	Willis
Hartman	Osborn	Sheridan	Wolf

Absent or not voting, 4.

Crouch	Porter	Reed	Rice

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 45, a bill for an act requiring liability insurance for certain employees operating state owned motor vehicles, and providing that the fact that the title to such motor vehicle is in the state of Iowa and such officer or employee is in discharge of his duties, shall be no defense to claim for damage based on neg-

Digitized by Google

ligence of such officers or employees in operating such motor vehicles, with report of committee recommending passage, was taken up for consideration.

Davis of Appanoose called up the amendment filed by him, and found on page 194 of the Journal of November 24, and moved its adoption. Amendment adopted.

Ellsworth of Hardin moved to amend House File No. 45 by striking from line two (2) of section one (1) the words, "except employees paid on an hourly basis". Amendment adopted.

Zylstra of Sioux moved that action on House File No. 45 be deferred until tomorrow. Motion prevailed.

HOUSE FILE NO. 7 REREFERRED

Johnson of Linn obtained unanimous consent to have House File No. 7 rereferred to the committee on public health.

HOUSE FILE NO. 61 MADE SPECIAL ORDER

Metcalf of Muscatine obtained unanimous consent to have House File No. 61 made a special order for Tuesday, November 27, at 10:30 o'clock a. m.

CONSIDERATION OF BILLS

House File No. 74, a bill for an act to amend Section one (1) Chapter seventy-three (73), Acts of the Forty-fifth (45th) General Assembly, relating to the payment of road poll tax, with report of committee recommending amendment and passage was taken up for consideration.

Millhone of Page moved the previous question on the main bill and all pending amendments. Motion prevailed.

Hook of Taylor moved that the amendments proposed by the committee and found on page 182 of the Journal of November 24, be adopted.

A roll call was demanded and on the question, "Shall the committee amendments be adopted?"

The ayes were, 29.

Avery	Elliott	Johnson	Moore of Harrison
Beath	Ellsworth	Koch	Schmitz
Beswick	Falvey	Lichty	Speidel
Bonnstetter	Fuelling	Lookingbill	Strachan
Bruce	Gittinger	McCreery	Treimer
Dean	Grau	McFarlane	Willis
Doran	Jenkins	Maniece	Mr. Speaker
Durant			

Digitized by Google

The nays were, 69.

Aldrich	Garner	Mercer	Smith
Alesch	Gissel	Metcalf	Snyder
Augustine	Goode	Millhone	Sours
Bouska	Grell	Mitchell	Stansell
Bowers	Hanson of Lyon	Mooty	Stanzel
Burgess	Hanson of Winnebago	Osborn	Stewart
Casey	Hartman	Ostby	Stimpson
Cunningham	Hook	Paisley	Swift
Davis	Hopp	Peaco	Teter
Dole	Hough	Peet	Thies
Dreessen	Hultman	Rawlings	Thiessen
Fabritz	Humeston	Rice	Weed
Felter	Jensen	Roe	Wiese
Fletcher	McCarthy	Ryder	Wolf
Foster	McKinnon	Schlatter	Yager
Frizzell	McLean	Schroeder	Zipse
Fuester	Malone	Sheridan	Zylstra
Gallagher			

Absent or not voting, 10.

Brady	Donlon	Moore of Benton	Reed
Craven	Laughlin	Porter	Wieben
Crouch	McDermott		

So the committee amendments were lost.

Foster of Cedar moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Aldrich	Felter	Johnson	Ryder
Alesch	Fletcher	Koch	Schlatter
Augustine	Foster	Laughlin	Schmitz
Avery	Frizzell	Lichty	Schroeder
Beath	Fuelling	Lookingbill	Snyder
Beswick	Fuester	McCarthy	Sours
Bonnstetter	Gallagher	McCreery	Speidel
Bouska	Garner	McDermott	Stansell
Bowers	Gissel	McKinnon	Stewart
Bruce	Gittinger	Malone	Stimpson
Burgess	Goode	Maniece	Strachan
Casey	Grau	Mercer	Swift
Craven	Grell	Metcalf	Teter
Cunningham	Hanson of Winnebago	Mitchell	Thies
Davis	Hartman	Moore of Harrison	Treimer
Dean	Hook	Mooty	Weed
Dole	Hopp	Osborn	Wieben
Donlon	Hough	Ostby	Wiese
Doran	Hultman	Peaco	Willis
Dreessen	Humeston	Peet	Wolf
Durant	Jenkins	Rawlings	Yager
Elliott	Jensen	Roe	Zipse
Fabritz			Zylstra
Falvey			

Digitized by Google

The nays were, 10.

Ellsworth	McLean	Rice	Stanzel
Hanson of Lyon	Millhone	Smith	Thiessen
McFarlane	Paisley		

Absent or not voting, 7.

Brady	Moore of Benton	Reed	Mr. Speaker
Crouch	Porter	Sheridan	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Durant of Hancock moved that the vote by which House File No. 74 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 39 and 122.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 39 and 122.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 27th day of November, 1933, sent to the Governor for his approval: House Files No. 39 and 122.

WM. KOCH, *Chairman.*

Report adopted.

PROOFS OF PUBLICATION

I hereby certify there has been filed with me, as chief clerk of the House of Representatives, a proof of publication from the Grand Junction Globe, Grand Junction, Iowa, relating to House File No. 89, a bill for an act to

Digitized by Google

legalize the proceedings relating to an election held in the town of Grand Junction, Greene County, Iowa.

VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify there has been filed with me, as chief clerk of the House of Representatives, a proof of publication from the O'Brien County Bell, Primghar, Iowa, relating to House File No. 115, a bill for an act to make permanent a temporary transfer of funds from the Secondary Road Construction Fund to the Poor Fund of O'Brien County, Iowa.

VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify there has been filed with me, as chief clerk of the House of Representatives, a proof of publication from the Waverly Journal, Waverly, Iowa, relating to House File No. 106, a bill for an act to legalize the corporate acts and proceedings relating to the incorporation of the Heiberg Brewing Company, Waverly, Iowa.

VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify there has been filed with me, as chief clerk of the House of Representatives, a proof of publication from the Harrison County Herald, Logan, Iowa, relating to House File No. 116, a bill for an act to make permanent a temporary transfer of funds from the Secondary Road Trunk Construction Fund to the General Fund of Harrison County, Iowa.

VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify there has been filed with me, as chief clerk of the House of Representatives, a proof of publication from the Cherokee Daily Times, Cherokee, Iowa, relating to House File No. 75, a bill for an act to make permanent a temporary transfer of funds from the Maintenance Fund to the Poor Fund of Cherokee County.

VIRGIL LEKIN, *Chief Clerk of the House.*

On the motion of McKinnon of Henry, the House adjourned until 10 o'clock a. m. tomorrow.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 28, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. P. R. Stevens, Pastor of the Capitol Hill Church of Christ, Des Moines, Iowa.

Journal of November 27, corrected and approved.

PETITIONS AND MEMORIALS

Favoring equal service by telephone companies. Stansell, from citizens of Clarke county. Referred to committee on telephone, telegraph and express.

Favoring special tax on chain stores. Snyder, from the business men of Hamilton county. Referred to committee on tax revision.

Opposing the removal of the reimbursement of gasoline tax. Burgess, from the Holiday Association of Woodbury county. Referred to committee on tax revision.

Opposing legalizing hard liquors. Lichty of Black Hawk, from the Helen Byrnes' Chapter of the Young Peoples' Branch of the W. C. T. U. of Waterloo, Iowa. Referred to the committee on liquor control.

Favoring the child labor amendment. Millhone, from the Young Woman's Christian Association Board, of Page county. Referred to committee on child welfare.

Favoring the child labor amendment and the bill for the Old Age Pensions. Lichty and McFarlane, from the citizens of Black Hawk county. Referred to the committees on appropriations and child welfare.

Favoring immediate action on tax revision measures. Moore of Benton, from Tax Payers League of Benton county. Referred to committee on tax revision.

Digitized by Google

REPORTS OF COMMITTEES

Thiessen of Clinton, from the committee on Elections, submitted the following reports:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 3, a bill for an act to repeal the law as it appears in sections (527) to (642), inclusive, (643) as amended by Chap. (19), Acts of the 45th General Assembly, and (644) to (648), both inclusive, of the Code, 1931, Chap. (36) providing for nomination of candidates for township, county, district, state and municipal offices, and of candidates for presidential electors and representatives and senators in the Congress of the United States, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. H. THIESSEN, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 76, a bill for an act to amend section ten hundred forty-three (1043) and Chapter forty-nine (49), Code, 1931, relative to costs of contesting elections of County Officers and elections for seats in the General Assembly, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. THIESSEN, *Chairman.*

Report adopted.

Hanson of Winnebago, from the committee on Drainage, submitted the following report:

MR. SPEAKER: Your committee on drainage to whom was referred House File No. 102, a bill for an act to amend section thirteen thousand one hundred fourteen (13114), Code 1931, relative to obstructing natural water courses and public drains, begs leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman.*

Report adopted.

Hopp of Mills, from the committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your committee on constitutional amendments to whom was referred Senate Joint Resolution No. 1, ratifying a proposed amendment to the Constitution of the United States relative to child labor, begs leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

R. C. HOPP, *Chairman.*

Report adopted.

Digitized by Google

Augustine of Ringgold, from the committee on Motor Vehicles and Transportation, submitted the following report:

MR. SPEAKER: Your committee on motor vehicles and transportation to whom was referred Senate File No. 51, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), Code, 1931, as amended by chapter seventy-six (76), Acts Forty-fifth (45th) General Assembly, relating to the collection of motor vehicle license fees; also to repeal section seven (7) of chapter seventy-six (76), Acts of the Forty-fifth (45th) General Assembly, relating to said fees, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. F. D. AUGUSTINE, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on Judiciary 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 84, a bill for an act to make permanent the transfers of County Funds in Humboldt County to the Poor Fund from the Bovine Tubercular Eradication Fund, where said transfers were originally made with the approval of the Director of the Budget, June 25, 1932, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 18, a bill for an act so to amend and revise the statutes relative to motor vehicles and the operation thereof as to eliminate therefrom obsolete matter, duplications, inconsistencies and contradictions, to supply manifest omissions, to change the classification of motor vehicles, and to this end to amend sections forty-eight hundred sixty-three (4863) and thirteen thousand ninety-two-d one (13092-d1), and to repeal sections forty-nine hundred twenty-two (4922), five thousand twenty-seven-d one (5027-d1), and five thousand twenty-seven-d two (5027-d2), all of the Code, 1931, and all relating to motor vehicles, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Digitized by Google

Also:

MR. SPEAKER: Your committee on judiciary No. 1, to whom was referred House File No. 98, a bill for an act to amend section nineteen hundred five-c twenty-six (1905-c26) code, 1931, relating to real estate brokers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking the period at the end of Section 1 of the printed bill, and adding thereto the following:

"for any of the parties exempted under this section."

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 116, a bill for an act to make permanent the temporary transfer, made December 28, 1932, of money from the secondary road trunk construction fund to the General Fund of Harrison County, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN F. BRADY, *Chairman.*

Passed on file.

Willis of Dallas, from the committee on Cities and Towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 108, a bill for an act to amend Section Six Thousand Six Hundred Six (6606) Code, 1931 relating to the power to establish Armory, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. BLAKE WILLIS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 101, a bill for an act to amend Sections 1822-a1, 1822-a2, 1822-a3, Code, 1931, relating to the expenditure by cities in aiding in the purchase of land for state parks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Digitized by Google

Mitchell of Webster, from the committee on Judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 78, a bill for an act to repeal section twelve thousand three hundred and seventy-seven (12377), Code, 1931, relating to General Executions of balance, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 118, a bill for an act to make permanent the transfers of county funds in Butler County to the poor fund from the maintenance fund, where said transfers were originally made with the approval of the Director of the Budget, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 115, a bill for an act to make permanent a temporary transfer made August 16, 1932, by authority of the Director of the Budget for Iowa, of ten thousand dollars ($10,000.00) from the Secondary Road Construction Fund of O'Brien County, Iowa, to the Poor Fund of said county, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 65, a bill for an act to amend sections forty-four hundred eighty-eight (4488) and forty-five hundred seven (4507) of the Code, 1931, relating to the rate of interest on the permanent school fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

Digitized by Google

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 8, a bill for an act to legalize action of the Board of Supervisors of Lee County, Iowa, in making expenditures from the Lee County Insane Fund for the purpose of paying the expenses and maintenance of the Lee County Home, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 75, a bill for an act to make permanent a temporary transfer made June 12, 1933, by authority of the Director of the Budget for Iowa, of twenty-five thousand dollars ($25,000.00) from the maintenance fund of Cherokee County, Iowa, to the poor fund of said county, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 89, a bill for an act to legalize the proceedings relating to an election held in the Town of Grand Junction, Greene County, Iowa, on the proposition of establishing a municipal electric light plant within said town; and to legalize the proceedings taken by the Council of said town in letting a contract for the construction of said municipal electric light plant, under Sections 6134-d1 to 6134-d7, inclusive, of the Code of Iowa; and to legalize the contract entered into between said Town of Grand Junction, Iowa, and Fairbanks, Morse & Company for the construction of said municipal electric light plant, and the issuance of pledge-orders in payment thereof; and declaring said contract, and the pledge-orders issued thereunder, as valid, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 90, a bill for an act to make permanent the temporary transfer, made October 20, 1933, of money from the secondary road maintenance fund to the poor fund of Cass County, Iowa, beg leave to report they have had the same under consideration and have instructed

Digitized by Google

me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 102, a bill for an act to legalize all programs and projects for the construction of secondary roads in all counties of the State of Iowa, where the officers whose duty it is to initiate or adopt the same, did so, in the year 1933.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 93, a bill for an act relating to storage affidavits on motor vehicles for the year 1933 and registration fees and penalties.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 94, a bill for an act relating to reporting of convictions and recommendation of suspension of Operator's or Chauffeur's licenses.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 5 providing for the printing of the report of the Brookings Institute. BYRON G. ALLEN, *Secretary.*

Malone of Cass and McKinnon of Henry presented the following resolution:

HOUSE RESOLUTION NO. 3

Whereas, One of the principle reasons the Governor called this extra Session of the Legislature was to enact a program of tax revision, and,

Whereas, In order that it might be most effective it should be enacted and put into force by January 1, 1934, therefore,

Be It Resolved by the House of Representatives, That every effort possible be put forth to speed up this Legislation.

Be It Further Resolved, That the Chairman of the Tax Revision Committee be given the power to call his committee together as a committee on the whole at any time for the consideration of any Tax Revision measure.

Unanimous consent having been granted for its immediate consideration, Malone of Cass moved the adoption of the resolution.

Donlon of Palo Alto moved to amend the resolution by adding thereto at the end thereof the following:

"And that Friday and Saturday, December 1 and 2, be set aside for the consideration of tax revision bills by the tax revision committee."

Digitized by Google

CONSIDERATION OF BILLS

The hour having arrived for Special Order No. 2, House File No. 61, a bill for an act to amend Section seventy-seven hundred seventy-one (7771), of the Code of 1931, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the State, and to provide for the diversion of the water therefrom; also, to provide for the submission of cost records for promotion, construction, repairs and/or additions to projects constructed and operated under the provisions of Section seventy-seven hundred seventy-one (7771) of the Code of 1931, and to provide for the recapture of such projects by the State, and/or political subdivisions thereof, with report of committee recommending passage, was taken up for consideration.

Zylstra of Sioux offered the following amendment and moved its adoption:

Amend House File No. 61 as follows: Section 2, line 14, by striking the "period" (.) and inserting in lieu thereof the following: "; until such time as the state shall avail itself of the powers of recapture as given in this act, the person, partnership, or corporation operating under a franchise from the state, shall pay annually into the general fund of the state an amount of three per cent (3%) of their gross receipts from any source, in addition to the regular taxes levied on them."

A roll call was demanded, and on the question "Shall the Zylstra amendment to House File No. 61 be adopted?"

The ayes were, 88.

Aldrich	Ellsworth	Jenkins	Schlatter
Alesch	Fabritz	Koch	Schmitz
Augustine	Falvey	Lichty	Schroeder
Avery	Felter	Lookingbill	Sheridan
Beath	Fletcher	McCreery	Smith
Beswick	Foster	McKinnon	Snyder
Bonnstetter	Fuelling	McLean	Speidel
Bouska	Fuester	Malone	Stewart
Bowers	Garner	Metcalf	Stimpson
Bruce	Gissel	Millhone	Strachan
Burgess	Gittinger	Moore of Harrison	Swift
Casey	Goode	Mooty	Teter
Craven	Grau	Osborn	Thies
Crouch	Grell	Ostby	Thiessen
Cunningham	Hanson of Lyon	Paisley	Treimer
Davis	Hanson of Winnebago	Peaco	Weed
Dean	Hartman	Peet	Wieben
Dole	Hook	Rawlings	Wiese
Donlon	Hopp	Rice	Yager
Doran	Hough	Roe	Zipse
Dreessen	Hultman	Ryder	Zylstra
Durant	Humeston		Mr. Speaker
Elliott			

Digitized by Google

The nays were, 12.

Brady	Johnson	Mercer	Stansell
Frizzell	Laughlin	Moore of Benton	Willis
Gallagher	McCarthy	Sours	Wolf

Absent or not voting, 8.

Jensen	McFarlane	Mitchell	Reed
McDermott	Maniece	Porter	Stanzel

Amendment adopted.

Foster of Cedar, Durant of Hancock, Gissel of Buchanan, Hanson of Lyon, Grell of Scott, Stimpson of Jones, Donlon of Palo Alto, Alesch of Plymouth, Jensen of Audubon, Davis of Appanoose, Hanson of Winnebago, Jenkins of Louisa, Zipse of Chickasaw and Fuester of Ida presented the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 7

Whereas, The agricultural and economic conditions today existing in Iowa and throughout the Nation are such as to make it imperative that immediate action be taken of a fundamental nature looking to the restoration and parity between agriculture and industry, the lessening of the debt burden, and the establishment of an adequate, sound and stable currency system. Therefore,

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly of Iowa in extraordinary session, the Senate concurring, That we hereby memorialize the President of the United States to cause immediate steps to be taken to control the agricultural surplus, by the purchase by the government of the United States of 40,000,000 acres of land, properly allocated as between cotton, corn and wheat, and as between states and counties so that the same may be removed from production, and be within the permanent control of the United States Government. Such land to be paid for as hereinafter provided.

In the passage of this memorial, we endorse as a temporary emergency measure furnishing partial relief, the plan of the Administration, but we believe that the increased seriousness of conditions demands immediate steps, looking to a basic and permanent plan which will restore the parity and balance between agriculture and industry, and create new values and new equities. The plan here recommended is in harmony with the suggestion of Henry Wallace, now Secretary of Agriculture, in his editorial of June 11, 1932.

Be It Further Resolved, That we endorse the action of the President of the United States in his efforts to bring about a rise in price levels so that the debtor may pay his debts in money of substantially the same value as when such debts were contracted, and to that end and for the purpose of furnishing the basis for a currency system, adequate and stable as well as sound and in harmony with action taken by all the other leading commercial nations of the world, we urge that the President exercise the powers conferred upon him by Congress and immediately cut the content

Digitized by Google

of the gold back of the dollar in two and fix the same at 11.61 grains of pure gold; that a sufficient amount of legal tender non-interest bearing notes be issued against this free gold and put in circulation by purchasing the 40,000,000 acres of land and paying for the Public Works Program, provided by Congress, so that the debt burden may be lessened instead of increased. The amount of new currency to be backed by the amount of reserves as fixed by statute.

We further urge that silver as well as gold be made eligible and compulsory for reserves back of all United States and Federal Reserve legal tender notes without interest; such notes to be redeemable in gold and/or silver at the option of the government or the Federal Reserve, and the quantity of such silver reserves to be fixed in a sufficient amount to restore and stabilize the price of silver in its proper relation to gold. We suggest a minimum of a 25% reserve in gold bullion at 41.34 per ounce for pure gold, and a minimum of 15% reserves of silver, provided, however, that on and after July 1, 1934, whenever and during such time as silver shall be below the price of 70c per ounce, the minimum reserves of silver back of all United States and Federal Reserve legal tender notes without interest shall be 25%. Silver, however, always to be valued at bullion or gold prices.

May we suggest the serious consideration of this plan. It will furnish the basis for an adequate, sound, and stable currency system as declared for by the President in his inaugural address. It will prevent undo expansion or undo contraction of the currency. It will have all the advantages of the gold standard symmetalism and bi-metallism without the disadvantages of any. It will furnish a single yardstick as a measuring value, namely gold, while restoring the value of, and stabilizing the price of silver, thus promoting trade with the silver producing and silver using countries of the world. It will have a metallic base equal to the requirements of all the leading commercial nations. The use of both gold and silver as primary money, silver to be measured at gold prices is in harmony with the recommendations of the Honorable William Windom, Secretary of the Treasury of the United States under President Harrison.

We further urge that by taxation or otherwise any profit resulting from the increased value of gold over the amount heretofore fixed by statute, of twenty dollars and sixty-seven cents ($20.67) per ounce, shall inure to the benefit of the United States Government and not to the Federal Reserve Bank or any other bank, or individual, holding gold at the present time.

We favor long-time financing on the amortization plan for farm and home ownership at as low a rate of interest as furnished to industry and finance.

May we respectfully urge, Mr. President, that conditions demand boldness of action and definiteness of plans of a far-reaching and fundamental nature. Agriculture expects and will demand its fair share of the national income and of the wealth which it creates, and the State of Iowa will support you in every move in furtherance of this object.

Be It Further Resolved, That a copy of this resolution be forwarded to the President of the United States, to the acting Secretary of the Treas-

Digitized by Google

ury, and to the Secretary of Agrciulture; to the Speaker of the House and to the President of the Senate of the United States Congress and to the Iowa delegation in Congress; to the Governors of the several states of the Union, to the Speaker of the House and the President of the Senate of the several state legislatures which are now or will shortly be in session; and to the Pesident of the National Farm Organizations and of our own state farm organizations.

Laid over under Rule 34.

INTRODUCTION OF BILLS

House File No. 153 by Osborn of Decatur, a bill for an act to amend section twenty-six hundred eighteen (2618), Code, 1931, relating to enrollment of animals with the Department of Agriculture, when said animals are being offered for public service.

Read first and second times and referred to committee on agriculture.

House File No. 154 by Schmitz of Winneshiek, a bill for an act to amend chapter two hundred forty-one (241) of the Code of Iowa, 1931, and acts amendatory thereto, relating to the financing of secondary roads and to the amount of assessments that may be levied against property for the surfacing of the county secondary road system and to provide for the refund of assessments heretofore made and paid, and for the cancellation of unpaid assessments; also to provide for the payment of outstanding and unpaid certificates of assessments.

Read first and second times and referred to committee on roads and highways.

House File No. 155 by Elliott of Polk, a bill for an act to authorize municipalities, as an emergency measure to be financed only through the Federal Emergency Administration of Public Works, to purchase, establish, construct, reconstruct, extend, repair, maintain and operate markets, market houses, and other market facilities, and pay for the same solely and only out of the earnings thereof; to authorize the issuance of revenue bonds payable solely and only out of the revenues thereof, and authorizing the pledge of property thus purchased and the revenue from such markets, market houses and other market facilities to the payment of such revenue bonds.

Digitized by Google

Read first and second times and referred to committee on emergency legislation.

House File No. 156 by Elliott of Polk, a bill for an act to amend Chapter one hundred twenty-three (123) of the Acts of the Forty-fifth General Assembly, relating to levies to be made by cities having a population of one hundred thousand, or more, for the lighting of streets and public places.

Read first and second times and referred to committee on cities and towns.

House File No. 157 by Felter of Warren, a bill for an act to repeal sections ten thousand two hundred sixty-one (10261), and ten thousand two hundred sixty-two (10262), Code, 1931, and to enact substitutes therefor, relating to landlord's liens and the recording thereof.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 158 by Felter of Warren, a bill for an act to prohibit "marathon dances," "walkathons," "skatathons," or any endurance contest in the State of Iowa, and providing penalties for any person, firm or corporation participating in, aiding or promoting such contests.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 159 by Durant of Hancock, a bill for an act requiring the completion of sewage or waste treatment plants for all cities and towns and all industrial plants on or before January 1, 1937, and providing for the approval of such sewage or waste treatment plants by the State Department of Health and that the operation and maintenance of such plants shall be in accordance with the regulations of the State Department of Health and providing for a penalty for failure to comply with this Act.

Read first and second times and referred to committee on public health.

House File No. 160 by committee on motor vehicles and transportation a bill for an act to amend section Forty-nine Hundred Nine (4909), Code, 1931, and to repeal Section Forty-nine Hun-

Digitized by Google

dred Ten (4910), Code, 1931, as amended by Chapter Seventy-seven (77), Section One (1), Acts of the Forty-fifth (45th) General Assembly, and enacting a substitute therefor, relating to motor vehicle license fees.

Read first and second times and passed on file.

House File No. 161 by Wiese of Scott, a bill for an act making an appropriation for Adolph Wiese because of injuries sustained by him while performing services while an inmate of the State Penitentiary at Fort Madison, Iowa.

Read first and second times and referred to committee on claims.

SENATE MESSAGES CONSIDERED

Senate File No. 93, a bill for an act relating to storage affidavits on motor vehicles for the year 1933 and registrations fees and penalties, amending Section Forty-nine hundred four (4904).

Read first and second times and referred to committee on motor vehicles and transportation.

Senate File No. 94, a bill for an act to amend Section Forty-nine Hundred Sixty-D Thirty-two (4960-d32), Code of Iowa, 1931, relating to reporting of convictions and recommendation of suspension of Operator's or Chauffeur's licenses.

Read first and second times and referred to committee on motor vehicles and transportation.

Senate File No. 102, a bill for an act to legalize all programs and projects for the construction of secondary roads in all counties of the State of Iowa, where the officers whose duty it is to initiate or adopt the same, did so, in the year 1933, in conformity to the provisions of chapter two hundred forty (240) of the 1931 Code of Iowa, except that they acted at a time or times later or after the time or times prescribed specifically in sections forty-six hundred forty-four-c twenty-five (4644-c25) and forty-six hundred forty-four-c thirty-three (4644-c33) of said chapter two hundred forty (240) of the 1931 Code of Iowa, and to authorize the adoption of a secondary road program or project prior to December 31, 1933.

Read first and second times and referred to committee on roads and highways.

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Joint Resolution No. 3.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following joint resolution: Senate Joint Resolution No. 3.

PROOF OF PUBLICATION

I hereby certify there has been filed with me, as chief clerk of the House of Representatives, a proof of publication from the Atlantic News-Telegraph, Atlantic, Iowa, relating to House File No. 90, a bill for an act to make permanent the temporary transfer of funds from the Secondary Road Maintenance Fund to the Poor Fund of Cass County, Iowa.

VIRGIL LEKIN, *Chief Clerk of the House.*

AMENDMENTS FILED

The committee on motor vehicles and transportation filed the following amendment:

Amend House File No. 148 as follows: Section 5, lines six (6) and seven (7) by striking therefrom the following words and figures: "Section forty-nine hundred sixty-d thirty-three (4960-d33)". and inserting in lieu thereof the following: "Sections forty-nine hundred sixty-d six (4960-d6), forty-nine hundred sixty-d thirty-three (4960-d33), and forty-nine hundred sixty-d forty-five (4960-d45)".

Further amend Section 5 by striking from line ten (10) the word "new" and inserting in lieu thereof the word "provisional".

Further amend Section 5 by striking from line seventeen (17) the word "new" and inserting in lieu thereof the words "a provisional".

Amend the title by inserting in line one (1) following the figures "(4960-d5)" the words and figures "Forty-nine hundred sixty-d six (4960-d6)".

Further amend the title by inserting in line three (3) following the figures "(4960-d29)" the words and figures "Forty-nine hundred sixty-d thirty-three (4960-d33)".

On the motion of Bonnstetter of Kossuth, the House adjourned until 9 o'clock a. m. Wednesday, at which time consideration of House File No. 61 will be resumed.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, NOVEMBER 29, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. R. Weed, Pastor West Star and Worthington Churches, Winterset, Iowa.

Journal of November 28 corrected and approved.

PETITIONS AND MEMORIALS

Favoring the Old Age Pension Bill. Frizzell, from the citizens of Poweshiek. Referred to committee on appropriations.

Favoring retaining prohibition laws in Iowa. Memorial by Beswick from Van Buren County Prohibition Emergency Organization. Referred to committee on liquor control.

REPORTS OF COMMITTEES

Ellsworth of Hardin, from the committee on banks and banking, submitted the following report:

MR. SPEAKER: Your committee on Banks and Banking to whom was referred House File No. 47, a bill for an act to protect trust funds set aside for the care, upkeep, and maintenance of graves and burial places, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1) by inserting after the comma (,) following the word "company" in line six (6) the following words: "under trust agreement between said bank and trust company and such depositor"

Further amend section one (1) by striking from line nine (9) the following: "other depositor in, or"

E. O. ELLSWORTH, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on emergency legislation, submitted the following report:

MR. SPEAKER: Your committee on Emergency Legislation to whom was referred House File No. 88, an act to amend Chapter one hundred seventy-

Digitized by Google

nine (179), section two (2), Acts of the 45th General Assembly relating to the period of extension of redemption of real estate in all real estate foreclosure actions where deeds of conveyance have not been granted, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

McFarlane of Black Hawk offered the following resolution:

MEMORIAL RESOLUTION NO. 11

Whereas, The Honorable W. E. Hager, who was a member of the House of Representatives in the twenty-sixth, twenty-sixth extra and twenty-seventh General Assemblies, from Black Hawk County, died at Long Beach, California, on September 1st, 1933, therefore,

Be It Resolved by the House of Representatives of the Forty-fifth Extra Assembly, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

Unanimous consent having been granted for its immediate consideration, McFarlane of Black Hawk moved the adoption of the resolution. The resolution was adopted and the Speaker appointed the following committee: McFarlane of Black Hawk, Lichty of Black Hawk and Wieben of Tama.

HOUSE FILE NO. 116 REREFERRED

Moore of Harrison obtained unanimous consent to have House File No. 116 rereferred to committee on judiciary No. 1.

HOUSE FILE NO. 120 WITHDRAWN

Ryder of Dubuque asked and obtained unanimous consent to withdraw House File No. 120 from further consideration of the House.

INTRODUCTION OF BILLS

House File No. 162, by Rice of Keokuk, Garner of Butler and Alesch of Plymouth, a bill for an act providing for the nonpartisan nomination and election of judges of the supreme and district courts of the State of Iowa; also for the form and contents of declaration of candidacy of such candidates and accompanying petitions; for the time and place of filing same and fees to be paid in connection therewith; for the certification of the names of such

Digitized by Google

candidates by the secretary of state to county auditors, and prescribing the duties of county auditors in connection therewith; providing for the form of ballots to be used for determining what candidates have been nominated for such offices; and providing for the certification of such nomination by the secretary of state to county auditors and prescribing the duties of county auditors in connection with the general elections; providing for the form of ballots to be used and also for determining what candidates have been elected for such offices; providing for the use of voting machines and also for the filling of vacancies; also that the general laws applicable to primary elections and to general elections, unless inconsistent with the provisions of this act, shall govern in the nomination of candidates at the primary election and in the election of candidates at the general election, and repealing all acts and parts of acts in conflict herewith.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 163, by Mitchell of Webster, (by request), a bill for an act authorizing cities and towns maintaining police or fire departments to provide for indemnifying their police or fire department employees against liability or loss because of any claim for bodily injuries, death or property damage made against such employees and resulting from their operation of motor vehicles while in the performance of their duties and authorizing said cities and towns to defend such employees in actions brought against them on account of any such claims or to compromise any such claims made against such employees and in case of judgment pay the same.

Read first and second times and referred to committee on cities and towns.

House File No. 164, by Dean of Cerro Gordo, a bill for an act to amend section seventy-two hundred seventy-nine (7279) and to repeal section seventy-two hundred eighty (7280), Code, 1931, and to enact a substitute therefor, pertaining to notice of expiration of right of redemption from tax sale and the manner of service thereof.

Read first and second times and referred to committee on judiciary No. 2.

Digitized by Google

House File No. 165, by Strachan of Humboldt, a bill for an act to amend section fifty-three hundred thirty-seven (5337), Code, 1931, as amended by Chapter one hundred twenty-one (121), section twenty-eight (28), Acts of the Forty-fifth General Assembly, relating to the levying of a poor tax for the support of the poor.

Read first and second times and referred to committee on tax reduction.

House File No. 166, by Hartman of Des Moines, a bill for an act creating a presumption in any action or proceeding to recover taxes upon property not listed or assessed for taxation during the life-time of any decedent, that any property, any evidence of ownership of property, and any evidence of a promise to pay, owned by a decedent at the date of his death, had been acquired by such decedent more than five years before the date of his death; and providing that the burden of proving that any such property had been acquired by such decedent less than five years before the date of his death shall be upon the heirs, legatees, and legal representatives of such decedent.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 167, by Schmitz of Winneshiek, a bill for an act to amend sections fifty-eight hundred seventy-five (5875) and sixty-two hundred nine (6209), Code, 1931, relating to cities which control their own tax levies for bridge purposes.

Read first and second times and referred to committee on cities and towns.

House File No. 168, by Ostby of Worth, Dreessen of Crawford and Zipse of Chickasaw, a bill for an act to amend section ten thousand two hundred sixty-four, (10264), Code, 1931, relating to landlord's lien.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 169, by Burgess of Woodbury, a bill for an act relating to interstate bridges, granting to the state highway commission authority with respect thereto, and authorizing counties, townships, cities and towns of this state, including cities acting

Digitized by Google

under special charter, to aid in the payment of the cost of the construction, acquisition and maintenance of such bridges and to levy taxes and issue bonds therefor.

Read first and second times and referred to committee on interstate bridges.

House File No. 170, by Beswick of Van Buren, a bill for an act to repeal section ten thousand six hundred fifty-six (10656), Code, 1931, and to enact a substitute therefor; also to amend section ten thousand six hundred fifty-seven (10657) of said Code, both relating to the jurisdiction of municipal courts.

Read first and second times and referred to committee on judiciary No. 1.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 19, a bill for an act relating to sewer fund permitting the use of the sewer fund for the construction, reconstruction, and repair of sewage disposal plant.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 20, a bill for an act relating to sewer bonds and indebtedness.

Also: That the Senate has tabled the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 6 relating to the adjournment on November 29, 1933 and reconvening at 10:00 o'clock Friday, December 1, 1933.

BYRON G. ALLEN, *Secretary.*

CONSIDERATION OF BILLS

Under special order No. 2 the House resumed consideration of House File No. 61, a bill for an act to amend Section seventy-seven hundred seventy-one (7771), of the Code of 1931, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the State, and to provide for the diversion of the water therefrom; also, to provide for the submission of cost records for promotion, construction, repairs and/or additions to projects constructed and operated under the provisions of Section seventy-seven hundred

Digitized by Google

seventy-one (7771) of the Code of 1931, and to provide for the reeapture of such projects by the State, and/or political subdivisions thereof.

Cunningham of Polk moved to amend House File No. 61 by adding thereto the following:

"Section 2½. Only citizens of Iowa shall be employed in the construction of any improvement contemplated herein."

Amendment adopted.

Fabritz of Wapello moved the previous question. Motion prevailed.

Metcalf of Muscatine moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 39.

Beswick	Gissel	Laughlin	Schmitz
Bouska	Hanson of Lyon	McCarthy	Sheridan
Bowers	Hanson of	McLean	Stanzel
Bruce	Winnebago	Malone	Stewart
Craven	Hartman	Metcalf	Stimpson
Cunningham	Hook	Millhone	Strachan
Fabritz	Hopp	Mitchell	Thies
Frizzell	Hough	Osborn	Thiessen
Gallagher	Hultman	Peet	Zylstra
Garner	Humeston	Schlatter	Mr. Speaker

The nays were, 66.

Aldrich	Elliott	Lookingbill	Schroeder
Alesch	Ellsworth	McCreery	Smith
Augustine	Falvey	McDermott	Snyder
Avery	Felter	McFarlane	Sours
Beath	Fletcher	McKinnon	Speidel
Bonnstetter	Foster	Maniece	Stansell
Brady	Fuelling	Mercer	Swift
Burgess	Fuester	Moore of Benton	Teter
Casey	Gittinger	Moore of	Treimer
Crouch	Goode	Harrison	Weed
Davis	Grau	Ostby	Wieben
Dean	Grell	Paisley	Wiese
Dole	Jenkins	Peaco	Willis
Donlon	Jensen	Rawlings	Wolf
Doran	Johnson	Rice	Yager
Dreessen	Koch	Roe	Zipse
Durant	Lichty	Ryder	

Absent or not voting, 3.

Mooty	Porter	Reed

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Digitized by Google

Jenkins of Louisa moved that the vote by which House File No. 61 failed to pass the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF JOINT COMMITTEE ON EXTRA HELP

MR. PRESIDENT: Your committee on extra help begs leave to make the following additional report and moves its adoption: Janitor—George Hall; Elevator Tender—Don De Raad.

WM. KOCH,	D. W. KIMBERLY,
ED RAWLINGS,	W. R. RITCHIE,
J. P. GALLAGHER,	VINCENT HARRINGTON,
On the Part of the House.	*On the Part of the Senate.*

Report adopted.

REPORT OF COMMITTEE TO INVESTIGATE IOWA HIGHWAY COMMISSION AND CEMENT TRUSTS

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF THE 45TH GENERAL ASSEMBLY EXTRA SESSION:

I

Your committee appointed pursuant to House Resolution No. 21, of the 45th Regular Session of the General Assembly, whose office and term was extended by the committee being continued for further report on other facts and information, which it had in its possession and knew where to secure, beg leave to make the following report to be supplemented from time to time, as further facts and information are secured and put into proper form.

1. In our report found in House Journal beginning at Page 1059 of the regular session of the 45th General Assembly, we established the fact according to the evidence submitted by Mr. Fred White, Chief Engineer, and the Iowa Highway Commission that in 1929 the Commission accepted bids on cement on nine different dates from 15 different companies from different states. The cement to be delivered to different stations in the state and each bid of all these companies was alike to the penny.

2. That the same facts prevailed in 1930 and 1931.

3. That the same facts developed for the year 1932.

4. In this report we set out Section 9906 of the 1931 Code which defines Pools and Trusts. We also set out Section 9929 which section provides as follows: "There is hereby created a committee consisting of the Governor and Attorney General which committee shall have full power and authority to protect, etc."

5. The facts in reference to the practice of the Highway Commission and the apparent monopoly were all well established in our former report. Also the Section 9929 provides that the committee, consisting of the Governor and Attorney General, has authority to act in case of violation of the statute.

II

1. Your committee was not provided with an appropriation to carry on its work during the interim period. For this reason it was impossible

Digitized by Google

to hold hearings, swear witnesses, and produce evidence under oath.

2. In spite of this handicap the various members of the committee, each took it upon themselves to investigate, whenever opportunity afforded, and the result from such investigation has placed, within the knowledge of the committee a large amount of information. Some of it facts, some of it no doubt rumors, but a large amount of information pointing toward irregularities, mismanagement of funds if not misappropriation of the same, all of which can be sifted out and, in our opinion, should be further investigated.

III

1. Your committee finds that on March 27, 1929, one, R. E. Montgomery sold, Lot One Southeast ¼, Southwest ¼, and Northeast ¼, Southeast ¼, and Northwest ¼, Southeast ¼, and Lot One Southeast ¼ and Lot One Southeast ¼, Southeast ¼, all in Sections 29-79-30, containing 141 acres more or less, to the State of Iowa for the sum of $56,500.00. In addition to the cost price of this particular piece of land there are additional expenditures running well over $5,000. This piece of land was purchased on the theory that it could be developed into a gravel pit; that there would be gravel on this land that could be used in laying Portland cement concrete. It developed that after this piece of land was purchased at this tremendous figure, and these expenditures made, that there was no gravel on the land of a quality that could be used in the building of Portland cement roads. That the gravel, what small amount there was on this property, was a very poor quality even for gravel roads.

2. It further develops from evidence ascertained, that this land could have been purchased at any time, by anybody, including the state of Iowa, for anywhere from ten dollars to fifty dollars per acre. It further develops that real estate agents had an exclusive sale of the land shortly prior to the purchase by the state, for the small sum of ten dollars per acre. It further develops that there was considerable trading to get this particular piece of land together and that the party who finally sold the land to the state was a non-resident of Iowa, living in Nebraska. It further develops that various engineers, representing either the county or the state, had examined this land on many occasions; that tests had been made and it had always been rejected because the gravel was of an inferior quality.

It further develops that several years ago the Rock Island Railroad inspected this property with the view of developing it for their purposes and rejected it because of a lack of quantity and quality in the gravel.

IV

1. Your committee also has in its possession a detailed statement concerning the disposal in a very careless manner, of surplus war material, resulting in a financial loss to the state of a very large sum. This statement contains further information regarding the unreliability and actions of various employees connected with the highway commission, extending over several years.

2. Attached hereto, and made a part hereof, the same as though they

Digitized by Google

were embodied in the report, are Exhibits B, C, D, and M. These statements were secured by W. H. Zelinsky, one of the special agents working out of the department of justice under the Honorable Edward L. O'Connor, Attorney General.

In addition to the above Exhibits, there is hereto attached and made a part of this report, the same as though it was embodied in the report, exhibit One. This statement is taken from the report of the state checkers.

3. In addition to the above there is attached hereto, and made a part of this report, the oral statement of three members of the committee, Gustave Alesch, Christian Grell, W. A. Yager, of a conversation with Hank Valeen of Nevada, Iowa, a former employee of the Highway Commission.

V

1. Another statement filed with the committee has to do with the purchasing of 43 carloads of snow fencing at 6.15c per lineal foot, although the commission had a bid as low as 5.48c per lineal foot. The reason given for said action was that the low bidding company did not have a snow fence manufacturing plant in operation in Iowa and the snow fence market was diminishing to such an extent it would not warrant the establishing of another manufacturing plant in the state.

VI

1. During the time from the close of the last session of the legislature down to the present, various members of the committee traveled on investigation tours throughout the surrounding states, bordering Iowa. In these travels much information of a valuable nature was secured in reference to various and sundry types of roads, the methods employed in other states, the type of engineers employed in other states, and certain information which is used in other states before they started out to build a stretch of state or primary road.

2. In Missouri, we find that with an expenditure of approximately $275,000,000 that state has approximately 15,000 miles of hard surfaced road that can be traveled 365 days of the year. We find that Iowa has spent approximately $285,000,000 and there is only approximately 4,000 miles of hard surfaced road in the state that can be traveled 365 days of the year.

3. From the investigation study and information secured from reliable sources in surrounding states, your committee beg leave to make the following recommendations to clarify the situation in Iowa, to rectify some of the glaring wrongs that have been perpetrated in the past, and to reduce the amount of money expended on highways by the state, thus reducing taxes, and at the same time increase the number of miles of hard surfaced roads, and actually saving millions of dollars to the taxpayers of Iowa.

FACT STATEMENT

1. The Federal Government we find has made an exhaustive study of traffic count, types of roads and the amount that can be expended and bring a return on the investment—make the road an investment.

Digitized by Google

2. There has been established in this country, by the United States Government Engineers in charge of roads, a scale governing the type of surfacing that should be placed on highways carrying different volumes of traffic. This scale was adopted, after careful consideration was given to the original costs and the effects of varying amounts of traffic on the cost of maintenance, and the riding surface furnished to the public.

3. Mr. E. W. James, Chief Division of Transportation, U. S. Bureau of Public Roads has given us the following scale:

0	100 Vehicles Daily	Earth Surface
100	300 Vehicles Daily	Sand, clay, top soil, etc.
300	500 Vehicles Daily	Gravel
500	1500 Vehicles Daily	Surface treated gravel, macadam, bituminous macadam, and other intermediate types
Over	1500 Vehicles Daily	Bituminous concrete, brick, Portland cement concrete and other pavement types.

4. Applying this scale to Iowa we find the following:

In 1927 the Iowa highway commission took traffic count at 41 points in the state. At 30 of these points the count showed less than 1500 cars daily.

It is therefore reasonable to presume that three-fourths of the Portland cement concrete paving in Iowa was laid on roads where the traffic did not justify the expenditure for that class of pavement, where there were not 1500 cars per day.

5. Records of paving lettings covering the work of the Iowa highway commission for the past ten years shows the average cost of Portland cement concrete pavement together with incidental expenses, to have been approximately $25,000 per mile. Cost figures taken from the records of states that have followed engineering principles and the dictates of common sense economics, show the cost of the intermediate types of surfacing to be from $1500 to $7000 per mile.

6. Therefore since only one-fourth of the 4000 miles of pavement built in Iowa, should have cost $25,000 per mile the other three-fourhs of the mileage, or 3000 miles, should have been built at a cost not to exceed $7000 per mile. Simple mathematics will show then, that a total unjustified expenditure amounting to $54,000,000 has been loaded on to the shoulders of the Iowa taxpayer by the Portland Cement Association Program. Added to this $54,000,000 of squandered money must be the interest on this amount running over a period of 20 years. Five percent on an average ten year period give a total of $27,000,000 in interest charges, which added to the $54,000,000 gives a grand total of $81,000,000 to be paid in tribute to pride.

7. Bearing in mind the above facts and figures and the reliability of the sources of information, your committee recommends that the following procedure for future road building in Iowa.

RECOMMENDATION

1. That a law be passed requiring the Iowa highway commission to make a traffic count in advance of the choosing of a type of surfacing for any particular stretch of road.

Digitized by Google

2. The count be in compliance with the following standards:

One count to be taken for each day of the week; the seven days count extending over a period of not less than sixty days.

3. The type of surfacing purchased to be governed by the traffic count in accordance with the following table:

0	100 Vehicles Daily	Earth Surface
100	300 Vehicles Daily	Sand, clay, top soil, etc.
300	500 Vehicles Daily	Gravel
500	1500 Vehicles Daily	Surface treated gravel, macadam, bituminous macadam and other intermediate types.
Over	1500 Vehicles Daily	Bituminous concrete, brick, Portland cement concrete and other pavement types.

4. If this program is adopted and it develops as we believe it will, that there are few if any miles of road left unsurfaced in the state that show a traffic count of 1500 or more cars per day, then the cost per mile for hard surfaced road in Iowa instead of being $25,000 and more as it has been in the past, will be not to exceed $7000 per mile.

5. By following this scale outlined in the traffic count schedule, the cost of the intermediate type surfacing per mile will vary from $1500 to $7000.

6. Assuming an average cost per mile of this intermediate type to be $4000, then a construction program covering 600 miles each and every year can be financed at an annual cost of less than two and one-half million dollars.

RETURN RECEIVED

1. This program from an economic stand point yields the following facts. Assuming gasoline mileage from all types of traffic to be one-tenth gallon per mile, the gas tax earned by a road carrying 1500 cars daily, gas tax at three cents amounts to $1642.50 per year. Figuring five percent interest on a $25,000 cost, plus a $300 yearly maintenance charge, gives an annual cost per mile of hard surfacing of $1550. Hence, the justification for spending $25,000 for higher types of hard surfacing a mile of road, with a traffic of 1500 cars per day or more.

2. On the same basis of calculation the gas tax earned by a road carrying 1000 cars per day is $1095.00 per year. Interest on intermediate type surfacing costing $7000 per mile is $350 per year. Adding $300 per year for maintenance leaves a profit of $395 per year earned by this type of road.

3. Again using the same basic figures the gas tax earned by a road carrying 500 cars per day is $747.50 per year. Interest on intermediate type surfacing costing $4000 per mile is $200 per year. Adding $300 per year for maintenance leaves a profit of $197.50 per year earned by this type.

4. The history of the use of intermediate types of surfacing in surrounding states shows us that with the expenditure of far less than the maintenance cost of $300 per mile per year, as used in the above calculation, these intermediate types give a perfect riding surface extending over periods greatly in excess of ten years.

Digitized by Google

TABLE

Cars Per Day	Gasoline Consumed Per Mile Per Day	Gasoline Tax Earned Per Year @ 3c Gal.	Interest @ 5% on Cost of Surfacing	Maintenance Cost Per Mile Per Year	Result of Subtracting Interest & Maintenance Cost from Tax Earned
1500	150 Gal. =	$1642.50	Portland Cement Concrete at $25,000 per Mile $1250.00	$300.00	Profit Per Year $92.50
1000	100 Gal. =	$1095.00	P. C. C. @ $25,000 per Mile $1250.00	$300.00	Loss Per Year $455.00
1000	100 Gal. =	$1095.00	Intermediate Type @ $7000 Per Mile $350.00	$300.00	Profit Per Year $445.00
500	50 Gal. =	$ 547.50	Intermediate Type @ $7000 Per Mile $350.00	$300.00	Loss Per Year $102.50
500	50 Gal. =	$ 547.50	Intermediate Type @ $4000 Per Mile $200	$300.00	Profit Per Year $47.50
300	30 Gal. =	$ 328.50	Intermediate Type @ $4000 Per Mile $200	$300.00	Loss Per Year $171.50
300	30 Gal. =	$ 328.50	Gravel @ $1500 Per Mile $75.00	$300.00	Loss Per Year $46.50
400	40 Gal. =	$ 438.00	Gravel @ $1500 Per Mile $75.00	$300.00	Profit Per Year $63.00

5. The adoption of this program, of building 600 miles per year, will stabilize an industry,—road building,— which in the past has been hazardous and chaotic because of the fact that one year there was a large amount of work, huge investments in machinery were required, and the next year, or years, there was practically no work for the class of investment and labor interested and qualified for that type of employment.

6. The adoption of this program furthermore by using types of cement other than Portland cement will employ materials on which there has been, and is now the keenest of competition among the manufacturers and will eliminate the evils attendant with the practice of the highway commission of taking bids on one type of surfacing only and on a material the manufacturers of which in the past, according to the records of the highway commission submitted to this committee by its chief engineer, Fred R. White, have combined to fix a uniform price monopolistic in every detail.

GUSTAVE ALESCH, *Chairman*
CHRISTIAN GRELL
S. B. DURANT
W. A. YAGER
LA MAR FOSTER
ADA GARNER

Digitized by Google

EXHIBIT B

Statement by E. C. Tripp, Former Commission Employe:

I, Ernest C. Tripp, of Story County, Ames, Ia., having been an employe of the Iowa Highway Commission from 1920 until 1924 in charge of the store rooms filled with war surplus materials, depose and say in answer to questions by W. H. Zelinsky, state investigator:

1. In my estimation Ben Ginsberg, Des Moines, Ia., used car dealer who did business with the Iowa State Highway Commission by buying quantities of war surplus materials did not steal anything from the highway commission nor did he receive anything from the state for which he made things right with any of the men in charge of the material for the state. Many of the loads of junk sold Mr. Ginsberg for junk prices and which I checked out contained new parts in the original factory grease and with factory markings but they were obsolete parts. For instance Mr. Ginsberg received a quantity of Dodge parts which were taking up room in the state storehouses and for which the state had no autos or trucks to fit. He also received new Pierce Arrow truck parts and the state was already junking every Pierce Arrow truck it owned.

2. Regarding the incident I overheard when Ben Ginsberg purchased a quantity of canvass from Mr. Clyde I did not receive anything from either Clyde or Ginsberg for not disclosing the value of the canvass. I was talking with Mr. Clyde when Ginsberg approached and asked Clyde how much he would take for the canvass in the storeroom. Clyde replied that he did not know. Ginsberg offered him $150 and I started to tell Clyde the invoice value. The canvass, which was in tents, invoiced new at about $3,000. However it had been used and was somewhat damaged. Ginsberg motioned me to be quiet and Clyde acted as if he didn't want me to say anything. Mr. Ginsberg bought the canvass for $150. I never received anything from Ginsberg for not saying anything to Clyde.

3. I know that while I was employed in the highway commission war surplus materials were still arriving from the government. Sometimes two or three carloads a day would arrive for the Iowa commission and sometimes 10 and 12 carloads would arrive. It was necessary to unload the materials from the trains as rapidly as possible. Storerooms in the commission sheds were filled with the materials and great quantities were kept outside under tarpaulins. An enormous amount of usable materials were sent to all the counties in the state and in many cases county engineers were called to come and get the stuff to make room.

4. A man by the name of Aaronson at one time purchased three carloads of war surplus canvass and agreed to send a very large quantity of parts for trucks. At least a five page list was given me with the items which Aaronson was supposed to send in payment for the canvass. The parts were to be worth several thousand dollars. I kept the list for about six weeks waiting for the parts to come in but they never arrived. One day I reported for work and looked for those lists but they had been taken out of my drawer. I asked what had happened to the lists and was politely told by chief clerk F. E. Been to mind my own business. I know that those parts were never received by the State of Iowa. Not long after that three men in the employ of the Commission were driving three new Willys Knight automobiles which they had obtained somewheres out

Digitized by Google

of the state. The three men who had the Willys Knights were Messrs. Enke, Mann, and Clyde. I know that Mr. Enke was not in a financial position to purchase that expensive an auto.

5. Mr. Art Smith, also a former commission employe, came to my home in Ames one day and started to talk with me about the highway commission. Smith told me that he was trying to get a job from the highway commission and also that he was going to "get" Messrs. Clyde and Kinderman, because he could not get a job he wanted.

6. Smith also told me one day that he was going to have Kinderman give him (Smith) some tires and that he (Smith) was going to use the tires to "get" Kinderman. A short time later while in conversation with Kinderman he told me he had given Smith four old tires. Later Smith told me Kinderman had given him the tires and that they were marked "Iowa State Highway Commission" and that he (Smith) was going to use the tires to get Kinderman.

I make this statement of my own free will and accord without promise of reward or threat of consequence, truthfully as I can remember. (My wife was a witness to the conversation with Mr. Smith.)

(Signed) E. C. TRIPP.

EXHIBIT C

Statement by H. C. Hennick, Former Commission Employe:

I, Harve C. Hennick, of Story county, Ames, Ia., being a former employe of the Iowa State Highway Commission from about 1923 until 1928, employed there as a yardman, depose and say in answer to questions by W. H. Zelinsky, state investigator:

1. Many times while I was employed there I saw a one-eyed man by the name of Ben Ginsberg haul and ship away carload lots of war surplus material. Many times I helped load consignments for Mr. Ginsberg. I loaded for him a great amount of carpenter materials, shovels, picks, tents, cots, and machinery parts and auto parts. To my observation many of the truck parts sold Mr. Ginsberg had never been used. I do not know what consideration Mr. Ginsberg gave the State of Iowa for this merchandise. Several times I know Ginsberg brought new cars and trucks which he left in the commission sheds for state use.

2. About 1925 Mr. Clyde told my boss, Mr. E. F. Blair, to have building materials hauled to his property in Ames, Ia. Mr. Blair gave me orders to take a state truck and get some state owned cement from the state shed and take the cement to Mr. Clyde's property. Blair also told me to go two miles south of Ames and a mile east to a gravel pit where the State of Iowa had been purchasing gravel, get three loads of gravel and take them to Clyde's property. Blair also told myself, Rube Sheldoll, Newt Morse and two other state employes to take a state owned cement mixer from the commission sheds and take them to Clyde's property. Blair accompanied us to Clyde's property where he gave us orders to lay a concrete floor for a garage. The work of laying the concrete floor and a driveway took myself and the four other men more than half a day. The cement that was left Blair told me to take to the Schoeneman Lumber company in Ames, Ia., and credit it to the highway commission. I did that. That week I received my full pay check from the State of Iowa.

Digitized by Google

I also remember well while I was employed in the highway commission shed that Mr. Clyde, shop superintendent for the Iowa Highway Commission in Ames, Ia., built an automobile trailer for himself using state help and materials. The trailer was built in the highway commission shed and Mr. Clyde assisted in the work. The blacksmithing and welding work on the trailer was done in the commission shops. I do not know if Mr. Clyde paid to have the work done and for the material. I have two or three different times helped load a piano and household articles from Mr. Fred White's home in Ames, Ia., on state trucks which materials were trucked by state employes of the highway commission to Mr. White's summer cottage at Clear Lake. I also know that in the fall when Mr. White returns his residence to Ames state truckers are sent to return the household articles to Mr. White's home in Ames.

3. While I was employed by the highway commission I was working under the supervision of Mr. E. F. Blair. He owned a model T Ford as his personal auto. He wished to change the high pressure tires on his Ford for baloon tires and received permission from either Mr. Clyde or Mr. Kinderman to take a state owned baloon tired Ford to his home. I know that Mr. Blair exchanged the running gears, wheels, and tires from his auto with that of the state auto which was about a year old at that time. Blair then returned the state owned car equipped with the running gear, wheels and tires from his old car to the commission shed. His auto I saw with the new running gear, wheels and tires from the state owned Ford. Mr. Blair made it very plain to me that the new running gear, wheels and baloon tires did not cost him a cent.

I helped load at least two truckloads of canvas for Mr. Ginsberg. Much of the canvas was a linen canvass commonly known as airplane canvass. The greatest part of the canvas although used seemed to be in very good shape. Much of the load was still in the original wrapping and had never been opened.

I could probably testify to a number of minor incidents which occurred while I was working for the highway commission which did not seem quite right to me.

(Signed) H. C. HENNICK.

EXHIBIT D

Statement of W. Campbell, Former Commission Employe:

I, William Campbell of Story county, Ames, Ia., being a former employe of the Iowa State Highway commission in 1924 and 1925 and at present a mechanic in my own shop in Ames, Ia., depose and say in answer to questions by W. H. Zelinsky, state investigator:

During my term of employment in the highway commission sheds in Ames, Ia., as a machinist, I many times saw war surplus material loaded and taken away from the commission sheds as junk, a one-eyed man by the name of Ben Ginsberg of Des Moines, seemed to be getting almost all of this material. The contents of these loads I saw taken as junk included, Ford Model T and Dodge parts, some used but in very good shape and others new, old radiators and old wheels and scrap steel. I had no means of knowing if and how much was being paid for this stuff.

On one occasion I wanted to purchase an axle housing and a banjo housing for a 1919 model Dodge auto. I asked Charles Kinderman, shop

Digitized by Google

foreman for the highway commission, what he would charge me for these two items. He said I could pick out two good parts for $5.00 each. I told him I thought I would take them and intended to until I found that Kinderman was selling them as junk by the ton to Ginsberg. After a lapse of time Kinderman came to me and said that if I wanted the parts I had better get them because they were being loaded out and I told him that he wanted too much money from me. He told me to get them and I did and saw him again and he made me the price of $1.00 each. I also bought two used wheels at $1.00 each. I handed Mr. Kinderman the $4.00 after working hours one day and Kinderman placed the money in his pocket and drove out of the yard. I never heard of the incident again.

On an occasion while I was working in the shops and a short time after Messrs. Clyde, Enke, and Mann had obtained and were driving new Willys Knight automobiles I was standing in the shop directly behind Mr. Kinderman who was talking with two men who were strangers to me. These men were "kidding" Mr. Kinderman about not having one of the new Willys Knights and as I remember he replied "Don't you worry, I could have had one of those cars all right, but I didn't want one. If people saw me driving one of those new cars they would say I stole it off of the highway commission and I don't want that. I'll just drive my old Oldsmobile and play safe. But don't you worry, I'm getting my share." To my observation I believe Mr. Kinderman had been drinking and his voice was louder than usual.

On one occasion while I was working in the highway commission shops I noticed that Mr. Clyde was constructing a trailer for an automobile for himself. He worked on it himself and had highway commission employes in his department help him. I believe the material used belonged to the state and I know that the blacksmithing and welding necessary for the construction was done at state expense. I do not know that Mr. Clyde did not reimburse the state for the work. I could testify at length as to Kinderman's unfairness and partiality to various men in the shops where he is foreman and incidents as to his incompetency.

(Signed) W. D. CAMPBELL.

EXHIBIT M

Statement of A. O. Smith, Former Highway Commission Employe:

I, Arthur O. Smith, residing in Story county, Ames, Ia., depose and say in answer to questions by W. H. Zelinsky, state investigator, of my own free will and accord without threat of consequences or promise of reward:

I was employed by the Iowa State Highway commission as Machinist mechanic and assistant foreman in the shops for about eight years prior to 1927 when I quit my job there and received a letter of recommendation from Mr. Clyde.

1. About the year 1925 or 1926 on an occasion I asked Mr. Kinderman about taking some war surplus material to my home. At that time he replied that he didn't care what I took and that all I had to do was make a memo slip and if anyone asked me about the stuff I had taken to say I had borrowed it. He also told me "I don't care if the fellows take war surplus with them just so they don't take other stuff around here."

2. About two years ago I was in conversation with Ernest Tripp, also

Digitized by Google

a former highway commission employe. At that time he told me that one day while he was employed as a war surplus checker and loader he and Mr. Clyde were standing in the commission yard and one Ben Ginsberg approached them. Ginsberg asked Clyde what he would take for a supply of war surplus canvass which had recently arrived. Clyde answered that he did not know the value and Ginsberg offered him $150 for the lot. Tripp told me that he had checked the amount of canvass and started to tell Mr. Clyde that there was about $1,000 worth of canvass in the lot but Ginsberg handed him, Tripp, a roll of currency and asked him to be quiet. Tripp did not say more to Mr. Clyde and Ginsberg bought the lot of canvas for $150. Tripp told me that later he counted the money he had been handed and found $150.

3. About one year ago I went to Charles Kinderman, shop foreman for the highway commission, and told Mr. Kinderman that I needed two tires for my Dodge auto. He asked me what size I wanted and I told him 19/6.50. He told me he would look in the storeroom and see what they had and let me know later. Two or three days after that I went down to see him and he said he had a couple good tires for me if I wanted them. I asked him how much and he said $6.00. I said "All right, let's go get them." He said no, he would bring them out to me. The next Saturday afternoon, after working hours he brought the tires to my garage in Ames and I paid him $6.00 cash in installments. Those tires I bought from Kinderman were marked "Iowa State Highway Commission." Mr. Kinderman asked me to cut off the marking but I did not do it. The tires are still available on the Dodge auto. In the summer of 1933 I met J. H. Steuart for the first time and discovered that he too had been a highway commission employe. About three weeks after I met Mr. Steuart he came to my garage in Ames to see me and said that he was having Representative Gustave Alesch and Former Governor W. L. Harding come to see me. Mr. Steuart told me at that time to tell Messrs. Alesch and Harding whaetver I knew of discrepencies in the Iowa State Highway commission. About two months after that Hon. Alesch came to see me at my home in Ames. I told Mr. Alesch that I knew of many things but had no physical evidence except in the case of the tires sold me by Kinderman. Mr. Alesch asked me where Ernest Tripp lived and I took Mr. Alesch to Tripp's home. Former Governor Harding has never been to see me. I make this statement truthfully and to the best of my knowledge as I remember.

(Signed) A. O. SMITH.

EXHIBIT I

The following from the Commission Minutes of Jan. 8, 1930:

There appeared before the Commission Hon. Oscar Anderson, Director of the Budget, Mr. Phipps, Mr. Hansen, representatives of the Bureau of the Budget, who presented a report of the audit of the Commission's accounts for the fiscal year Dec. 1st, 1927, to Nov. 30, 1928. They reported that they had found the Commission's books in satisfactory condition, except that a loose system has been employed in the accounting for small miscellaneous sales at the repair shops, under which system

Digitized by Google

they are unable to account for approximately $500.00 of such sales made at the shops during the past two years. They stated further that since discovering this matter a new system of accounting for such sales has been put into effect, which apparently will correct this difficulty. They made the following recommendations, all pertaining to the records in the repair shops:

1. That a better system can be devised and adopted for keeping accounts of miscellaneous jobs of repair work done on vehicles of equipment other than state-owned vehicles or equipment.
2. That a careful inventory be kept on supplies, parts, etc., carried in the store room.
3. That in the case of sales of any equipment or supplies to employees or others, no credit be allowed on such sales but that such transactions be carried on a cash basis.
4. That there be no trading of equipment or supplies with anyone without making out a proper memorandum showing the items transferred and the estimated valuation thereof.
5. The Commission advised Mr. Anderson that all of these recommendations were satisfactory and would be put into effect.

EXHIBIT II

In the presence of Gustave Alesch, Christian Grell, and W. A. Yager, Mr. Hank Valeen made the following statements: He was employed as a blacksmith in the shops at Ames, Iowa, during the time of the disposal of the war material and that he never had any disputes with the Highway Commission or any of the shop officials and that he quit by his own free will, and that he saw car loads and truck loads of war material hauled away from the storage house at Ames, by one Ben Ginsberg of Des Moines. Some of the material in a used condition, some of it junk, but a large part of it new and in the original packing of the factory. This material consisted of all kinds of war material including trucks, parts of trucks, tools, tents, tenting, etc. He also said that he saw Ben Ginsberg haul away substantially a carload of picks, for which he paid the sum of one cent a piece and the handles were thrown in.

He also saw a number of times, a roll of bills change hands between Ginsberg and Charles Kinderman. This money received by Charles Kinderman from Ben Ginsberg was not at the time counted by Charles Kinderman.

He also stated that, at different times, while working in the shop, on state pay, he helped build trailers for R. A. Clyde, and Mr. Fred R. White, and that no separate time was kept in either case.

Mr. Hank Valeen said that he was willing to make these statements under oath.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on November 23, 1933, approved House File No. 87.

Digitized by Google

AMENDMENTS FILED

Brady of Pottawattamie filed the following amendment:

Amend House File No. 45 as follows:

1. Section one (1) line two (2) by inserting after the word "Iowa" the following: "Counties, cities, towns and/or political subdivisions of this state"

2. By striking all of line three (3) after the word "any" and line four (4) to and including the word "vehicles" and inserting in lieu thereof the following: "automobiles, trucks, or other motor vehicles owned by the State of Iowa, counties, cities, and/or political subdivisions of this State".

3. Line eight (8) by inserting after the word "department" the following: ", county auditor and/or city or town clerk".

4. Line eleven (11) by inserting after the word "department" the following: ", Board of Supervisors, city or town council,".

5. Line twelve (12) by inserting after the word "state" the following: "county, city, town and/or political subdivisions of".

6. Line fifteen (15) by striking the "period" (.) after the word "department" and adding thereto the following: ", county auditor, city or town clerk."

7. Line sixteen (16) by inserting after the word "Iowa" the following: ", A county, city, town and/or political subdivision thereof,".

8. Line seventeen (17) by inserting after the word "state" the following: ", county, city, town or political subdivision".

EXPLANATION OF VOTE

MR. SPEAKER: I voted against the motion of the gentleman from Sioux, providing for adjournment of the House for the balance of the week, for the following reasons:

While the motion by the gentleman from Sioux was pending, which motion called for adjournment for the balance of the week, I offered an amendment setting the time of adjournment until Friday morning, December 1st. Roll call was requested, and the result was 27 Aye; 66 Nay; 15 absent or not voting, so the amendment was defeated.

The Speaker then called for a vote upon the Zylstra from Sioux County, motion. Roll call was demanded, and the result was 71 Aye; 26 Nay; 11 absent or not voting.

This session was called by the Governor for the purpose of passing upon the subjects of tax revision, reorganization of state government, a state liquor law and a revision of our banking laws to enable Iowa banks to come under the federal guarantee deposit act.

We have been in session four weeks, and very little has been accomplished. Our constituents depend upon us to make the best use of our time in putting this program over with the least expenditure of time and money. An Interim Committee has worked all thru a six months period and submitted their report which has been considered by com-

Digitized by Google

mittees as well as at public hearings. Both houses should certainly be prepared to act upon this program of tax revision.

If my amendment to the motion by the gentleman from Sioux had been adopted, we could have used all of the session hours for Friday and Saturday upon this subject of tax revision.

The members of the House, as well as the desk force, the clerks, the doorkeepers, the janitors, all other house employees are receiving pay for every day from the opening of the session until its close. Consequently, for the current week we will be giving three days work for seven days pay. A check up of the pay roll for members and house employees, shows us that the total cost for members and employees alone, is in round figures, $1,510.00 per day. This means that for the current week with three working days and four holidays, the state is paying $6,040.00, where no services are rendered.

As one who believes that members who talk economy and reduction of public expenditures should practice what they preach, I could not support the motion to adjourn for the balance of the week as offered by the gentleman from Sioux. There is plenty of work before members of the House at the present time to keep them busy on every working day, and I shall continue to oppose the taking of unnecessary holidays from this time until the close of the session. P. H. DONLON.

Zylstra of Sioux moved that the House adjourn for the balance of the week.

Donlon of Palo Alto moved to amend the motion by making the time of adjournment to Friday, December 1, at 10 o'clock a. m.

A roll call was demanded and on the question "Shall the amendment by Donlon be adopted?"

The ayes were, 27.

Aldrich	Dole	Hook	Rice
Beswick	Donlon	Hough	Roe
Bonnstetter	Elliott	McKinnon	Schlatter
Bowers	Ellsworth	Malone	Snyder
Bruce	Felter	Maniece	Sours
Crouch	Frizzell	Moore of Benton	Yager
Davis	Gittinger	Ostby	

The nays were, 66.

Alesch	Falvey	Hartman	Mercer
Augustine	Fletcher	Hultman	Metcalf
Avery	Foster	Humeston	Millhone
Beath	Fuelling	Jenkins	Mitchell
Bouska	Gallagher	Jensen	Moore of
Brady	Garner	Johnson	Harrison
Burgess	Gissel	Koch	Mooty
Cunningham	Goode	Laughlin	Osborn
Dean	Grau	Lichty	Paisley
Doran	Grell	McCarthy	Peaco
Dreessen	Hanson of Lyon	McCreery	Peet
Durant	Hanson of	McFarlane	Rawlings
Fabritz	Winnebago	McLean	Ryder

Digitized by Google

Schmitz	Stanzel	Thies	Willis
Schroeder	Stewart	Thiessen	Wolf
Smith	Strachan	Treimer	Zylstra
Speidel	Teter	Wieben	Mr. Speaker

Absent or not voting, 15.

Casey	Lookingbill	Sheridan	Weed
Craven	McDermott	Stansell	Wiese
Fuester	Porter	Stimpson	Zipse
Hopp	Reed	Swift	

Amendment lost.

A roll call was demanded on the motion by Zylstra and on the question "Shall the House adjourn for the balance of the week?"

The ayes were, 71.

Alesch	Gallagher	McCarthy	Schroeder
Augustine	Garner	McCreery	Sheridan
Avery	Gissel	McFarlane	Smith
Beath	Goode	McLean	Snyder
Beswick	Grau	Mercer	Speidel
Bouska	Grell	Metcalf	Stanzel
Brady	Hanson of Lyon	Millhone	Stewart
Burgess	Hanson of	Mitchell	Strachan
Casey	Winnebago	Moore of Benton	Teter
Cunningham	Hartman	Moore of	Thies
Dean	Hultman	Harrison	Thiessen
Doran	Humeston	Mooty	Treimer
Dreessen	Jenkins	Osborn	Wieben
Durant	Jensen	Paisley	Willis
Fabritz	Johnson	Peaco	Wolf
Falvey	Koch	Peet	Zipse
Fletcher	Laughlin	Ryder	Zylstra
Fuelling	Lichty	Schmitz	Mr. Speaker
Fuester			

The nays were, 26.

Aldrich	Donlon	Hook	Rice
Bonnstetter	Elliott	Hough	Roe
Bowers	Ellsworth	McKinnon	Schlatter
Bruce	Felter	Malone	Sours
Crouch	Foster	Maniece	Stimpson
Davis	Frizzell	Ostby	Yager
Dole	Gittinger		

Absent or not voting, 11.

Craven	McDermott	Reed	Weed
Hopp	Porter	Stansell	Wiese
Lookingbill	Rawlings	Swift	

The motion prevailed and the House stood adjourned for the balance of the week.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 4, 1933.

Pursuant to adjournment and in accordance with House rule 41, the House met at 9 o'clock a. m., Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven, Pastor of the A. M. E. Church, Des Moines, Iowa.

Journal of November 29, corrected and approved.

PETITIONS AND MEMORIALS

Favoring either repeal or modification of the Beatty-Bennett Law. Peaco and Thiessen, from the Parent-Teachers Associations of Elvira and Clinton. Referred to Committee on tax revision.

Favoring the adoption of a State Educational Distributive Fund. Peaco of Clinton, from the Elvira P. T. A. Referred to the committee on schools and textbooks.

Favoring the Gross Income Tax Plan. McLean, from the voters of Marshall county. Referred to committee on tax revision.

Favoring the reduction of legal rate of interest. Casey, from the citizens of Mitchell county. Referred to the committee on banks and banking.

Opposing large salaries for proposed liquor commission and commissioners; asking that our salaried people be called upon to carry their share of the tax burden; endorsing net income and retail sales tax and opposing Gross Income Tax. Grau, from the Legislative committee of the Farm Bureau and United Tax Payers of Buena Vista county. Referred to committee on tax revision.

INTRODUCTION OF BILLS

House File No. 171, by Reed of Mahaska, a bill for an act to amend section sixty-nine hundred fifty-three (6953), Code, 1931, so as to provide for the taxation of annuity contracts.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 1.

House File No. 172, by Reed of Mahaska, a bill for an act to amend section thirty-nine hundred twenty-one (3921), Code, 1931, relating to placing a limit on compensations received by Presidents, Superintendents, Professors, Instructors, Directors, Officers and employees of Institutions governed by the State Board of Education.

Read first and second times and referred to committee on compensation of public officers.

House File No. 173, by Reed of Mahaska, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1931, relating to the refund of license fees on motor vehicle fuel, used or otherwise disposed of within the State of Iowa, and exempting the license fees on motor vehicle fuel used in construction or maintenance work and paid for out of public funds.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 174, by Reed of Mahaska, a bill for an act to amend section nine hundred ninety-four (994) Code of 1931, relating to contesting elections for seats in the General Assembly.

Read first and second times and referred to committee on elections.

House File No. 175, by Reed of Mahaska, a bill for an act to repeal sections five hundred twenty-three (523), and ten thousand six hundred thirty-nine (10,639), Code, 1931, and to enact substitutes therefor, all relating to the election of Justices of the Peace and Constables, and their compensation.

Read first and second times and referred to committee on county and township organization.

House File No. 176, by McKinnon of Henry, Mooty of Guthrie, Frizzell of Poweshiek, Bowers of Union and Davis of Appanoose, a bill for an act to provide for the licensing of direct buyers of livestock, regulating the conduct of such buyers, providing for the weighing, grading, and docking of livestock so bought, and for the inspecting of scales used in such weighing, prohibiting

Digitized by Google

discrimination and unfair competition in such purchases, and providing penalties, and repealing Chapter one Hundred Sixty-one-D1 (161-D1), Code, 1931, relating to records of sale of livestock.

Read first and second times and referred to committee on animal industry.

House File No. 177, by Zipse of Chickasaw, a bill for an act to amend section twenty-six hundred sixty-eight, (2668), Code 1931, relating to the eradication of bovine tuberculosis.

Read first and second times and referred to committee on animal industry.

House File No. 178, by Peet of Guthrie, Metcalf of Muscatine and Millhone of Page, a bill for an act to amend section twenty-five hundred eighty-five-b one (2585-b1), twenty-five hundred eighty-five-c eleven (2585-c11), twenty-five hundred eighty-five-c twelve (2585-c12), twenty-five hundred twelve (2512), twenty-five hundred thirteen (2513), twenty-five hundred twenty-two (2522), twenty-two hundred seventeen (2217), and to amend Chapter one hundred twenty-four-B one (124-B1) by adding thereto section twenty-five hundred eighty-five-f one (2585-f1), Code of 1931, relating to the practice of cosmotology, (including manicuring), and providing penalties for the violation of the laws of Iowa and the rules of the department of health relating to cosmotology.

Read first and second times and referred to committee on public health.

House File No. 179, by Johnson of Linn, a bill for an act to amend section twelve thousand eight hundred four (12804), Code 1931, and providing for an assistant chief justice, and defining his rights, duties and powers.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 180, by Moore of Harrison and Malone of Cass, a bill for an act to establish county agriculture boards; to provide for county secretary of agriculture; to promote educational work for improving and advancing agriculture; to cooperate with the extension departments of the agricultural departments of federal and state governments and to repeal chapter one hundred thirty-eight (138), 1931.

Digitized by Google

Read first and second times and referred to committee on county and township organization.

House File No. 181, by Rawlings of Monona, a bill for an act to amend Section seventy-two hundred five (7205), Code, 1931, relating to tax liens upon certain personal property.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 182, by Mitchell of Webster, a bill for an act to amend Section Three Hundred Seventy-Five (375), Code, 1931, relating to the publication of notice in a newspaper of the hearing upon the estimated tax levy for the ensuing year and providing for the publication of said notice by posting in municipalities where there are no newspapers.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 183, by Yager of Dickinson, a bill for an act to amend Section twelve thousand seven hundred thirteen (12713) Code, 1931, relative to the granting of receiverships by the Court.

Read first and second times and referred to committee on emergency legislation.

House File No. 184, by Teter of Marion, a bill for an act to amend chapter three hundred thirty (330), code of 1931, relating to property exempt from taxation; to provide for the exemption of homesteads from taxation to a limited amount; to provide the method of obtaining such exemption, and prescribing the duties of public officers relative thereto.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 185, by Moore of Benton, Cunningham of Polk and Mitchell of Webster, a bill for an act to amend, revise and codify chapter two hundred fifty-one A one (251-A1) Code, 1931, and chapters seventy-five (75) and eighty-six (86) of the Acts of the Forty-fifth (45th) General Assembly relating to the collection of license fees on all motor vehicle fuel used or otherwise disposed of in the state of Iowa; to define motor vehicle fuel; to impose a license fee of three cents per gallon or fraction of a gallon on all

Digitized by Google

motor vehicle fuel sold or used in the state of Iowa; to make provision for payment and collection of said license fee; to provide for the licensing of distributors of motor vehicle fuel, service station operators selling motor vehicle fuel, and conveyances used to transport motor vehicle fuel, in this state; to provide for the revocation of such licenses; to prescribe the records to be kept and reports to be made and duties to be performed by all persons so licensed; to require all carriers or other persons delivering motor vehicle fuel to persons in this state from outside the state to report to the Treasurer of State all such deliveries; to provide for refunding under certain conditions of all motor vehicle fuel license fees paid on such fuel not used in connection with the operation of motor vehicles upon the public highway and to provide for the licensing of applicants for said refunds; to prescribe the purposes and objects for which said motor vehicle fuel license fees shall be used; and to provide penalties for the violation of the provisions of this act.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 186, by Maniece of Emmet, a bill for an act to amend section forty-two hundred thirty-nine a-three (4239-a3), code 1931, relative to compensation of county officers.

Read first and second times and referred to committee on schools and textbooks.

House File No. 187, by Cunningham of Polk, a bill for an act to amend Section twenty-five hundred seventy-two, (2572), Subsection one (1), and Section twenty-five hundred seventy-three (2573), subsection one (1), Code, 1931, relating to the educational requirements for licensing dental hygienists.

Read first and second times and referred to committee on public health.

House Joint Resolution No. 3, by Burgess of Woodbury, a Joint Resolution authorizing an investigation of the Banking Department of the State of Iowa, and its several departments, bureaus, officers and employees.

Read first and second times and referred to committee on banks and banking.

House File No. 188, by Durant of Hancock, a bill for an act to

Digitized by Google

make permanent the transfer of Ten Thousand Dollars ($10,000.00), from the Bovine Tubercular Eradication Fund, in Hancock County, to the Poor Fund of said County, said Fund having been originally made with the approval of the Director of the Budget, November 23rd, 1932.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 189, by Dean of Cerro Gordo, a bill for an act relating to the changing of the boundaries of school districts.

Read first and second times and referred to committee on schools and textbooks.

House File No. 190, by Wiese of Scott, a bill for an act to so amend section sixty-seven hundred ninety-one (6791), Code, 1931, as to clearly require, in cities acting under special charters, the submission to popular election of the question of granting franchises for the operation of certain public utilities.

Read first and second times and referred to committee on cities and towns.

House File No. 191, by Cunningham of Polk, a bill for an act to amend Chapter Five Hundred Twenty-two (522), Code, 1931, by clarifying the method of making payment in the case of purchase by one having an interest in the property and providing for notice of the time and place of sale in partition proceedings and for protesting the amount and terms if sold at private sale.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 192, by Ellsworth of Hardin, a bill for an act to fix and declare the legal liability of contractors on public improvement contracts for actionable negligence of themselves, their subcontractors, their independent contractors, and of the employees of any of them.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 193, by Elliott of Polk, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Des Moines, Iowa, authorizing and providing for the issuance of

Digitized by Google

bonds for public improvement purposes and making provisions for the levy of taxes to pay said bonds.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 194, by Doran of Boone, a bill for an act to amend paragraph four (4) of section one (1), chapter one hundred twenty-five (125), Acts of the 45th General Assembly, relating to the reimbursement of school districts because of tax-free land within such districts.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 195, by Johnson of Linn, a bill for an act to amend section five thousand twenty-nine (5029), Code 1931, relating to law of road on motor vehicles.

Read first and second times and referred to committee on motor vehicles and transportation.

House File No. 196, by Sheridan of Lee, a bill for an act to confer certain powers on cities regardless of the form of government thereof and having a population of eight (8000) thousand or more, and cities organized under Special Charter relating to the maintenance of Police Departments and providing for the levy and collection of a special tax for the use and maintenance of such Departments.

Read first and second times and referred to committee on cities and towns.

House File No. 197, by Ellsworth of Hardin, a bill for an act in reference to private banks and their examination and regulation by the superintendent of banks and to amend Section ninety-one hundred forty-three (9143), Code, 1931, relating to fees for examination.

Read first and second times and referred to committee on banks and banking.

House File No. 198, by Hultman of Montgomery, a bill for an act relating to the Perpetual Care fund of Cemeteries.

Read first and second times and referred to committee on judiciary No. 2.

Digitized by Google

House File No. 199, by Fabritz of Wapello, a bill for an act to authorize and provide for assessments on mercantile business established in a county after January first (1st) and prior to July first (1st) of any year, to declare the effect thereof, and to provide the procedure for the making of such assessments and for the collection of the taxes levied thereon.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 200, by Ryder of Dubuque, a bill for an act to amend sections thirty-five hundred fifty-two (3552), thirty-five hundred sixty-seven (3567), and thirty-five hundred eighty-one (3581), Code, 1931, relating to the commitment of persons found to be insane to state or private hospitals and to provide for the payment of costs, care and support of such insane persons.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 201, by Augustine of Ringgold, Avery of Clay, and Schmitz of Winneshiek, a bill for an act creating a motorized State Highway patrol for Iowa; providing for the appointment and service of State Highway Patrol Commissioners; audit committee; commission secretary; executive officer; captains; lieutenants; sergeants; quartermaster sergeant; sergeant mechanic; patrolmen first class and patrolmen; defining their authority and powers, duties, uniform, equipment and rate of compensation; specifying motor patrol equipment; designating State Highway Patrol headquarters, patrol sub-stations and providing for the acquisition of land and the erection of buildings thereon; providing for the selection of patrol districts, and a highway traffic survey; providing for tests, examinations, schools of instruction, training, rules, regulations and promotion routine for said State Highway Patrol officers, under-officers, and members; providing for employment and dismissal; transferring certain duties, work, power and authority now vested in the Iowa Board of Railroad Commissioners to said State Highway Patrol; transferring certain duties, work, power and authority now vested in the Secretary of State, motor vehicle department, to said State Highway Patrol; transferring certain duties, work, power and authority now vested in the Treasurer of State for Iowa to said State Highway Patrol; providing that the State Highway Patrol shall have power and

Digitized by Google

authority to collect moneys due the State of Iowa; providing that the State Highway Patrol shall have power and authority to license, supervise and regulate automobiles, trucks, truck tractors, trailers, semitrailers, motor cycles and any or all other vehicles and traffic on the highways of the State; providing for the supervision, license and regulation of roadside tourists camps, cabins, or camp grounds contiguous to roads of the Primary and Secondary road systems of Iowa; providing for the acquisition of property, equipment, supplies, materials, furnishings and furniture including equipment for radio communication; providing for the financing, maintenance and sustenance of said State Highway Patrol; providing for initial expenditures from available fund; and repealing such acts and parts of acts which may be in conflict with the purposes of this act.

Read first and second times and referred to the committee on motor vehicles and transportation.

House File No. 202, by Hough of Fayette, a bill for an act to amend sections nineteen hundred ninety (1990) and nineteen hundred ninety-one (1991), Code, 1931, relating to the disposition of condemned liquors for medical or scientific purposes.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 203, by Mitchell of Webster (by request), a bill for an act to meet an emergency, authorizing the County Auditor of Webster County to issue warrants to officers for salaries and expenses of their offices and to authorize such payments beyond the limits of the respective budgets and limiting the scope of Sections Five thousand Two hundred fifty-eight (5258) and Five thousand Two hundred fifty-nine (5259) of the Code of Iowa, 1931, as amended, and Chapter 264-c1 of the Code of Iowa, 1931, as amended, and providing for termination of this act.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 204 by Cunningham of Polk, McFarlane of Black Hawk, Burgess of Woodbury, Hultman of Montgomery, Brady of Pottawattamie, Lichty of Black Hawk, Wolf of Franklin, McDermott of Adair, Aldrich of Wright, Mooty of Grundy, Schmitz of Winnesiek, Grell of Scott, Swift of Dubuque, Hartman of Des

Digitized by Google

Moines, Hough of Fayette, Malone of Cass, Bruce of Pocahontas, Peaco of Clinton, Bouska of Howard, Peet of Guthrie, Gallagher of Iowa, Lookingbill of Story, Frizzell of Poweshiek, Ryder of Dubuque, Elliott of Polk, Stansell of Clarke, Falvey of Monroe, Stanzel of Sac, Fuelling of Clayton, Thiessen of Clinton, Wiese of Scott and Weed of Madison, a bill for an act relating to public revenue and providing for the equalization of taxation; prescribing a system for the taxation of the privilege of doing business within this state and of property used within this state measured by the gross income received therefrom; imposing a tax upon gross income; defining gross income, and other terms used herein; prescribing the method and manner of reporting such gross income, and for the assessing, levying, collecting and disbursing of such tax; abating ad valorem taxes; providing for the administration of said law; fixing fines and penalties for the violation thereof, and to repeal chapters three hundred twenty-nine-C two (329-C2), three hundred thirty-one (331) to three hundred fifty (350), both inclusive, three hundred forty-D one (340-D1), three hundred forty-one-A-one (341-A1), and section seventy-three hundred ninety-eight (7398), Code, 1931, and amendments thereto, as of December 31, 1934, and all acts or parts of acts, in conflict with this act.

Read first and second times and referred to committee on tax revision.

House File No. 205 by Brady of Pottawattamie, a bill for an act to amend Section six thousand one hundred three (6103) Code, 1931 relating to Flood Control.

Read first and second times and referred to committee on cities and towns.

House File No. 206 by Brady of Pottawattamie, a bill for an act to amend section eleven thousand four hundred ninety (11490), Code, 1931, relating to the power of the court to limit counsel as to the time of their argument.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 207 by Brady of Pottawattamie, a bill for an act to authorize cities and towns to make an emergency poor relief appropriation from the total of cities and towns general funds and to provide a method of disbursing same.

Digitized by Google

Read first and second times and referred to committee on cities and towns.

House File No. 208 by Brady of Pottawattamie, a bill for an act to amend Section sixty-one hundred (6100), Code, 1931, relating to Flood Control.

Read first and second times and referred to committee on cities and towns.

House File No. 209 by Lookingbill of Story, a bill for an act to amend Section thirty-nine hundred and twenty-one (3921), Code, 1931, relating to the powers of the Board of Education in regard to inventions of students, instructors and officials.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 210 by Laughlin of Fremont, a bill for an act to authorize and direct the Governor of the State of Iowa to Execute and Deliver to Lloyd Martin and Edith M. Martin, his wife a patent to the following described Real Estate, to-wit: The Northwest one-quarter (NW¼) of the Southeast one-quarter (SE¼) of Section (8) Township sixty-eight (68), Range forty-two (42), West of the fifth P.M., situated in Fremont County, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 211 by Wiese of Scott, a bill for an act to legalize the proceedings of the City Council of the City of Davenport, Iowa, a municipal corporation, by virtue of a special charter, relating to the improvement of certain streets and one alley by paving, without having obtained jurisdiction therefore, as provided by Section Sixty-nine thirteen (6913), Sixty-nine fourteen (6914), and Sixty-nine fifteen (6915), Code, 1927, and any and all other irregularities, and legalizing the special improvement bonds issued to pay for said improvements as provided by Sections Sixty-nine twenty-five (6925), and Sixty-nine twenty-six (6926), Code, 1927.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 212 by Willis of Dallas, a bill for an act to amend section eighty-six hundred seventy-one (8671) of the Code, 1931

Digitized by Google

relating to the amount of life insurance which may be written without medical examination.

Read first and second times and referred to committee on insurance.

House File No. 213 by Ryder of Dubuque, a bill for an act to authorize cities and towns to borrow funds from the United States Reconstruction Finance Corporation for the purpose of constructing self-liquidating projects and public works as herein defined, and to issue "Revenue Bonds" as security therefor, payable solely from revenue to be derived from such projects and public works.

Read first and second times and referred to committee on emergency legislation.

House File No. 214, by Hartman of Des Moines, a bill for an act to repeal Chapter five hundred sixty-four (564) of the 1931 Code of Iowa and enact a substitute therefor to provide for the licensing of retail dealers and other persons for the sale or transfer of pistols; to provide for registering all sales or transfers of pistols; to prohibit the possession or use of pistols by certain classes of persons; to prohibit the carrying of concealed pistols except by lawfully authorized persons; to prohibit the carrying, selling, or giving away of other dangerous weapons; to prescribe penalties for the violations of this act; to make uniform the law pertaining to acquiring, possessing, transferring, and carrying of pistols.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 215 by Aldrich of Wright, a bill for an act to suspend until March 1, 1935, the provisions of section seventy-two hundred seventy-nine (7279), Code, 1931, relating to the expiration of the right of redemption of real estate sold for taxes.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 216 by Mitchell of Webster, a bill for an act to provide for the issuing of a permit to pipe line companies engaged in the business of owning, operating or controlling lines for the transportation or transmission of gas, gasoline, oils, or motor fuels and/or inflammable fluids within or through this state; providing an annual inspection fee therefor; providing for the regulation

Digitized by Google

of the construction, location and inspection of pipe lines; providing for the right of eminent domain and regulating the use of such right; providing that the board of railroad commissioners shall have supervision over pipe lines, and providing for the fixing of property security and responsibility by pipe line companies for the protection of persons sustaining damage by them; fixing jurisdiction in the district court of the county where any controversy arises involving said pipe lines, and providing a method of service of notice of suit against pipe line companies; and providing for injunction and penalty for violation of same; and repealing chapter three hundred eighty-three-D one (383-D1), code, 1931.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 217 by Fabritz of Wapello, Cunningham of Polk and McKinnon of Henry, a bill for an act to repeal section ninety-two hundred fifty-eight-b one (9258-b1), Code, 1931, relating to branch banking and the maintenance of branch offices and to enact a substitute therefor, authorizing banking institutions with their principal place of business in this state to maintan branch offices for receipt of deposits only and also branch offices for banking purposes under certain limitations and restrictions and with the approval of the Superintendent of Banking.

Read first and second times and referred to committee on banks and banking.

House File No. 218, by Cunningham of Polk, a bill for an act to repeal Section seventy two hundred forty-six (7246), Code, 1931, and amendments thereto, and to amend section seventy two hundred forty-eight (7248), Code, 1931, both relating to the manner and notice of sale of real property for delinquent tax.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 219, by Beswick of Van Buren and Grell of Scott, a bill for an act to amend the law as it appears in Section four thousand eight (4008), Code, 1931, relating to the examination of indigent persons who are candidates for admission into the hospital of the State University, and the fixing of the qualifications of such examiner.

Digitized by Google

Read first and second times and referred to committee on public health.

House File No. 220, by Elliot of Polk, a bill for an act to amend the law as it appears in section twenty-five hundred eleven (2511), and section twenty-five hundred sixteen (2516), Code, 1931, relating to itinerants so as to provide for a license and fee for dentists who practice their profession as itinerants.

Read first and second times and referred to committee on public health.

House File No. 221, by Roe of Allamakee, a bill for an act authorizing the state executive council to purchase for this state or in conjunction with an adjoining state interstate bridge or bridges and the franchise or franchises thereof connecting a primary or trunk highway of this state with a primary or trunk highway of an adjoining state and to provide funds therefor.

Read first and second times and referred to committee on interstate bridges.

House File No. 222, by Beswick of Van Buren and Grell of Scott, a bill for an act to repeal the law as it now appears in Chapter one hundred eighteen (118), Code, 1931, and to enact a substitute therefor regulating the practice of Osteopathy and of Osteopathy and Surgery.

Read first and second times and referred to committee on public health.

House File No. 223, by Mercer of Johnson, a bill for an act to create a commission of aeronautics; to prescribe the powers and duties thereof; to provide for investigations and hearings by said commission; to provide for certain law enforcement duties thereof, and for appeal from the orders of said commission.

Read first and second times and referred to committee on aeronautics.

House File No. 224, by Maniece of Emmet, a bill for an act to make permanent the temporary transfer, made November 6, 1931, of money from the secondary road maintenance fund to the general fund of Emmet county.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 1.

House File No. 225, by Ryder of Dubuque, a bill for an act to amend sections five (5), six (6), seven (7), fifteen (15), sixteen (16), seventeen (17), eighteen (18), twenty (20), twenty-one (21), twenty-three (23), twenty-four (24), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36) and thirty-eight (38) of Chapter Thirty-Seven (37) of the Laws of the Forty-Fifth General Assembly; to repeal sections nineteen (19) and twenty-five (25) of Chapter Thirty-Seven (37) of the Laws of the Forty-Fifth General Assembly; to amend sections two (2) and three (3) of Chapter Thirty-Eight (38) of the Laws of the Forty-Fifth General Assembly; to remove limitation on alcoholic content of beer and extend provisions of Chapter Thirty-Seven (37) and Thirty-Eight (38) of the Laws of the Forty Fifth General Assembly to fermented malt beverages; to authorize counties, through boards of supervisors, to issue and revoke Class B and C permits outside limits of cities and towns, revenues therefrom to accrue to County General Fund; to abolish restrictions on sales by Class B permittees for consumption off the premises; to exempt from tax fermented malt beverages shipped out of State or sold by Class A permittee to another Class A permittee; to authorize brewers to allow consumption of fermented malt beverages, without charge, on premises by employees and others, without liability for tax; all relating to the manufacture, distribution and sale of fermented malt beverages.

Read first and second times and referred to committee on police regulation and suppression of crime and intemperance.

House File No. 226, by Alesch of Plymouth, Garner of Butler, Yager of Dickinson, Grell of Scott, Foster of Cedar and Durant of Hancock, a bill for an act providing for a vehicle traffic count on primary roads in the state before such roads are hard surfaced and designating and limiting the type of road to be constructed in accordance with the traffic count, and according to the recommendations of the Federal Bureau of Roads of Washington, D. C.

Read first and second times and referred to committee on roads and highways.

Digitized by Google

House File No. 227, by Hartman of Des Moines, a bill for an act concerning declaratory judgments and decrees and to make uniform the law relating thereto.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 228 by Crouch of Greene, Donlon of Palo Alto, Foster of Cedar, Hanson of Winnebago, Hook of Taylor, McKinnon of Henry, Metcalf of Muscatine, Schlatter of Jackson, Smith of Cherokee and Zylstra of Sioux, a bill for an act to establish and create a hydro electric power commission; to define its duties, powers and obligations; to provide for the appointment and confirmation of the members thereof; to authorize said hydro electric power commission to conserve, control and develop the waters of the state for the use and benefit of the people thereof and to establish, construct and operate electric power plants and distribution systems throughout the state; to authorize said hydro electric power commission to generate, distribute, and sell at wholesale or retail electric energy and current and to anticipate the revenue or revenues of such plant or plants and systems for a period of not to exceed thirty (30) years and to issue anticipatory warrants and to secure the same by first liens on or against the revenue or revenues of such plant, or plants and systems to cover the cost or costs of construction, improvement, extension or operating of such plants and systems and to authorize said hydro electric power commission to do all such other acts and things as may be necessary and requisite to carry out the purposes and intents of this act.

Read first and second times and referred to committee on public utilities.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 80, a bill for an act relating to the requisition of vehicles condemned under chapter ninety-seven (97), Code, 1931, and providing that mileage may not be charged by public officials when using publicly owned cars.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

Digitized by Google

House File No. 44, a bill for an act to legalize the corporate acts and proceedings of Pooley Lumber Co. of Greene, Iowa.

BYRON G. ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 19, a bill for an act to amend sub-section five of section six thousand two hundred eleven of the code of Iowa, 1931, relating to sewer fund permitting the use of the sewer fund for the construction, reconstruction, and repair of sewage disposal plant.

Read first and second times and referred to committee on cities and towns.

Senate File No. 20, a bill for an act to amend section six thousand one hundred twenty five of the code of Iowa, 1931, relating to sewer bonds and indebtedness by including sewer outlets and/or purifying plants.

Read first and second times and referred to committee on cities and towns.

Senate File No. 80, a bill for an act to repeal section two thousand thirteen-c five (2013-c5) Code, 1931, and to enact a substitute therefor relating to the requisition of vehicles condemned under chapter ninety-seven (97) of said Code and providing that mileage may not be charged by public officials when using publicly owned cars.

Read first and second times and referred to committee on judiciary No. 2.

CONSIDERATION OF REPORT OF SPECIAL GASOLINE TAX REFUND COMMITTEE

Moore of Benton asked and obtained unanimous consent for the immediate consideration of the report of the Special Gasoline Tax Refund Committee, as it appears on page 174 to 179, inclusive, of the Journal of November 23.

Alesch of Plymouth presented the following amendment and moved its adoption:

Amend the report of the Special Gasoline Tax Refund Committee by adding thereto the following paragraph:

"5. That the committee be continued and that the necessary funds be allowed out of the gas tax refund to investigate further the discrepancies found in the Gasoline refund division, and to prosecute the violators there-

Digitized by Google

of, and that the members of such committee be allowed pay for actual time spent at the same per diem as received in a legislative session."

Amendment adopted.

Goode of Davis moved to reconsider the vote by which the amendment was adopted. Motion prevailed.

Goode of Davis moved to amend the amendment by striking all after the word "thereof."

Fabritz of Wapello moved to defer action temporarily and that the Speaker appoint a committee to prepare an amendment so members of the committee may be compensated as defined in Section 44, Code, 1931. Motion prevailed. The Speaker appointed as members of such committee, Johnson of Linn, Goode of Davis and Alesch of Plymouth.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 45, a bill for an act requiring liability insurance for certain employees operating state owned motor vehicles, and providing that the fact that the title to such motor vehicle is in the state of Iowa and such officer or employee is in discharge of his duties, shall be no defense to claim for damage based on negligence of such officers or employees in operating such motor vehicles as amended on November 27, on page 221 of the Journal.

Brady of Pottwattamie called up the amendment filed by him and found on page 257 of the Journal of November 29, and moved its adoption.

A roll call was demanded and on the question, "Shall the amendment by Brady be adopted."

The ayes were, 14.

Brady	Laughlin	Sheridan	Swift
Dreessen	Maniece	Speidel	Willis
Foster	Moore of Benton	Stansell	Wolf
Hartman	Osborn		

The nays were, 83.

Aldrich	Bruce	Doran	Fuester
Alesch	Burgess	Durant	Gallagher
Avery	Casey	Elliott	Garner
Beath	Craven	Ellsworth	Gissel
Beswick	Cunningham	Felter	Gittinger
Bonnstetter	Davis	Fletcher	Goode
Bouska	Dole	Frizzell	Grau
Bowers	Donlon	Fuelling	Grell

Digitized by Google

Hanson of Lyon	McCreery	Paisley	Stewart
Hanson of Winnebago	McDermott	Peaco	Stimpson
Hook	McKinnon	Peet	Strachan
Hopp	McLean	Rawlings	Teter
Hough	Malone	Reed	Thies
Hultman	Mercer	Rice	Thiessen
Humeston	Metcalf	Roe	Treimer
Jenkins	Millhone	Ryder	Weed
Jensen	Mitchell	Schlatter	Wieben
Johnson	Moore of Harrison	Schmitz	Wiese
Koch	Mooty	Schroeder	Yager
Lichty	Ostby	Snyder	Zipse
McCarthy		Sours	Zylstra

Absent or not voting, 11.

Augustine	Fabritz	McFarlane	Stanzel
Crouch	Falvey	Porter	Mr. Speaker
Dean	Lookingbill	Smith	

Amendment lost.

Bowers of Union moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Alesch	Elliott	Humeston	Peaco
Augustine	Ellsworth	Jenkins	Rawlings
Avery	Fabritz	Koch	Reed
Beath	Felter	Laughlin	Rice
Bonnstetter	Fletcher	Lichty	Roe
Bouska	Frizzell	Lookingbill	Ryder
Bowers	Fuelling	McDermott	Schlatter
Brady	Fuester	McFarlane	Schmitz
Bruce	Gallagher	Malone	Snyder
Burgess	Garner	Maniece	Stansell
Casey	Gissel	Metcalf	Stanzel
Craven	Gittinger	Millhone	Stewart
Cunningham	Hanson of Winnebago	Moore of Benton	Strachan
Davis	Hartman	Moore of Harrison	Thiessen
Dole	Hook	Mooty	Treimer
Donlon	Hopp	Osborn	Weed
Doran	Hough	Ostby	Wieben
Dreessen	Hultman	Paisley	Wiese
Durant			Mr. Speaker

The nays were, 25.

Aldrich	Grell	McLean	Thies
Beswick	Hanson of Lyon	Peet	Willis
Dean	Jensen	Smith	Wolf
Falvey	Johnson	Sours	Yager
Foster	McCarthy	Swift	Zipse
Goode	McCreery	Teter	Zylstra
Grau			

Digitized by Google

Absent or not voting, 9.

Crouch	Mitchell	Schroeder	Speidel
McKinnon	Porter	Sheridan	Stimpson
Mercer			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Bowers of Union moved that the vote by which House File No. 45 passed the House be reconsidered, and the motion to reconsider be laid on the table.

Motion prevailed.

HOUSE FILES WITHDRAWN

Burgess of Woodbury asked and obtained unanimous consent to withdraw House File No. 2 from further consideration of the House.

Goode of Davis asked and obtained unanimous consent to withdraw House File No. 33 from further consideration of the House.

Yager of Dickinson asked and obtained unanimous consent to withdraw House File No. 10 from further consideration of the House.

SENATE JOINT RESOLUTION NO. 1 MADE SPECIAL ORDER

Garner of Butler asked and obtained unanimous consent to have Senate Joint Resolution No. 1 made a special order for Tuesday, December 5, at 11 o'clock a. m.

CONSIDERATION OF BILLS

House File No. 77, a bill for an Emergency Act to amend the law as it appears in Section eighty-nine hundred twelve (8912), Code, 1931, relating to and regulating the advancement of funds to Mutual Insurance Companies other than life, so as to authorize such insurance companies to establish a guaranty fund, and to provide for the establishment, regulation and administration of such fund, with report of committee recommending amendment and passage was taken up for consideration.

On motion of Millhone of Page the amendments proposed by the committee, found on page 183 of the journal of November 24, were adopted.

Millhone of Page moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 98.

Aldrich	Falvey	Lichty	Schmitz
Alesch	Felter	Lookingbill	Schroeder
Augustine	Fletcher	McCreery	Sheridan
Avery	Frizzell	McDermott	Smith
Beath	Fuelling	McLean	Snyder
Beswick	Fuester	Malone	Sours
Bouska	Gallagher	Mercer	Speidel
Bowers	Garner	Metcalf	Stansell
Brady	Gissel	Millhone	Stanzel
Bruce	Gittinger	Mitchell	Stewart
Burgess	Goode	Moore of Benton	Stimpson
Casey	Grau	Moore of	Strachan
Craven	Grell	Harrison	Swift
Crouch	Hanson of Lyon	Mooty	Teter
Cunningham	Hanson of	Osborn	Thies
Davis	Winnebago	Ostby	Thiessen
Dean	Hartman	Paisley	Treimer
Dole	Hook	Peaco	Weed
Donlon	Hopp	Peet	Wieben
Doran	Hough	Rawlings	Wiese
Dreessen	Hultman	Reed	Willis
Durant	Jenkins	Rice	Wolf
Elliott	Jensen	Roe	Yager
Ellsworth	Johnson	Ryder	Zylstra
Fabritz	Koch	Schlatter	Mr. Speaker

The nays were, 2.

Humeston	Zipse

Absent or not voting, 8.

Bonnstetter	Laughlin	McFarlane	Maniece
Foster	McCarthy	McKinnon	Porter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Millhone of Page moved that the vote by which House File No. 77 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 59, a bill for an act to make permanent the temporary transfer, made October 20, 1933, of money from the secondary road maintenance fund to the poor fund of Cass County, Iowa.

BYRON G. ALLEN, *Secretary.*

Digitized by Google

SENATE MESSAGES CONSIDERED

Senate File No. 59, a bill for an act to make permanent the temporary transfer, made October 20, 1933, of money from the secondary road maintenance fund to the poor fund of Cass County, Iowa.

Read first and second times and placed on calendar.

SENATE FILE NO. 59 SUBSTITUTED FOR HOUSE FILE NO. 90

Malone of Cass asked and obtained unanimous consent to substitute Senate File No. 59 for House File No. 90.

CONSIDERATION OF BILLS

Malone of Cass asked and obtained unanimous consent for the immediate consideration of Senate File No. 59, a bill for an act to make permanent the temporary transfer, made October 20, 1933, of money from the secondary road maintenance fund to the poor fund of Cass County, Iowa.

Malone of Cass moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 66.

Aldrich	Falvey	McFarlane	Snyder
Alesch	Frizzell	Malone	Sours
Avery	Gallagher	Mercer	Stansell
Beswick	Garner	Metcalf	Stanzel
Brady	Gittinger	Millhone	Stewart
Bruce	Goode	Mitchell	Stimpson
Burgess	Grell	Moore of Benton	Strachan
Casey	Hartman	Moore of Harrison	Swift
Craven	Hook	Mooty	Thiessen
Crouch	Hough	Peaco	Treimer
Davis	Humeston	Rawlings	Weed
Donlon	Jensen	Reed	Wiese
Dreessen	Koch	Ryder	Willis
Durant	Lichty	Schroeder	Wolf
Elliott	Lookingbill	Sheridan	Yager
Ellsworth	McCarthy	Smith	Mr. Speaker
Fabritz	McDermott		

The nays were, 33.

Augustine	Dole	Gissel	Hopp
Beath	Doran	Grau	Hultman
Bouska	Felter	Hanson of Lyon	Jenkins
Bowers	Fuelling	Hanson of Winnebago	Johnson
Dean	Fuester		McCreery

Digitized by Google

McLean	Peet	Schmitz	Wieben
Maniece	Rice	Speidel	Zipse
Osborn	Roe	Thies	Zylstra
Ostby	Schlatter		

Absent or not voting, 9.

Bonnstetter	Foster	McKinnon	Porter
Cunningham	Laughlin	Paisley	Teter
Fletcher			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on November 27, 1933, approved House File Nos. 122 and 39.

On the motion of McCreery of Linn the House recessed until 2:30 o'clock p. m.

The House reconvened, Speaker Miller in the chair.

The House Committee on Insurance presented the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 8

Providing for appointment of an Investigating Committee whose duty it shall be fully to investigate the Insurance Department of the State of Iowa and providing that said Committee shall report its findings and recommendations thereon to the General Assembly and to pay the expense of said Committee.

Whereas, During the past year charges have been openly made and widely printed in the press that gross irregularities and incompetent, reckless, improvident and dishonest management exists on the part of the officers and directors of certain life insurance companies; and

Whereas, It has been openly charged in the press and otherwise that large sums of money have been wrongfully paid to certain officers and directors of at least one fraternal life insurance company; and

Whereas, In particular, charges have been openly made that in the merger of December, 1931, of the Modern Brotherhood of America, a fraternal life insurance company, whose headquarters are at Mason City, Iowa, with the Independent Order of Foresters, a fraternal insurance company of Toronto, Canada, there was a secret agreement whereby a fund approximating $300,000.00 or more in cash was distributed to certain individuals, including officers and directors of the Modern Brotherhood of America, several of whom reside in the State of Iowa; and

Whereas, With respect to said merger, it is further charged that said secret agreement provided, in addiiton to the payment of said $300,000.00

Digitized by Google

or more, for a further wrongful and unlawful payment to the same individuals, officers and directors of more than $750,000.00, to be spread over a period of approximately three years; and

Whereas, It is charged that the President of the respective companies involved in said merger made and filed affidavits that there was no commission or payments to be paid in said transaction other than future salaries as set forth in the merger agreement on file in the office of the Superintendent of Insurance of the State of Iowa; and

Whereas, It is charged that the individuals, officers and directors of said Modern Brotherhood of America, still in full possession of the $300,000.00 fund, are still collecting large salaries, for which no substantial service is being rendered; and

Whereas, The chief executive officer of the Independent Order of Foresters and his associates who it is charged were parties to and who perpetrated said alleged fraud on the policyholders of both companies, are still in charge of said company and directing its affairs and thereby controlling the welfare of thousands of Iowa policyholders; and

Whereas, By reason of said merger, the assets of the Modern Brotherhood of America, which are largely in the State of Iowa, are in the possession and control of the group of men involved in the charge of fraud on the policyholders and the Insurance Department of the State of Iowa; and

Whereas, It is a supreme duty of the General Assembly of this state to insure to the hundreds of thousands of life insurance policyholders of the state, whose interests therein runs into hundreds of millions of dollars, that their life savings are being safely and honestly protected and administered; and

Whereas, It is evident that the policyholders of the Modern Brotherhood of America and of the Independent Order of Foresters, many thousands of whom reside in the State of Iowa, may suffer a loss on account of said merger approximating $1,000,000.00, all of which was unauthorized; and

Whereas, It is in the public interest that there be a full and complete investigation of all the facts in connection with said above-mentioned merger and in connection with the conduct of the Insurance Department of the State of Iowa, which investigation is intended to disclose the method by which said merger was consummated, and in particular will trace the distribution of any unlawful payments and the manner thereof, if any such were made, and any unlawful or improper acts performed by the Insurance Department of the State of Iowa or any person connected therewith, to the end that the General Assembly may be in position to ascertain the defects in the existing laws with respect to mergers and to enable the Legislature to enact the remedial legislation, and to do all things that will be in the interest of the policyholders involved in the merger referred to, or in the interests of the policyholders of any insurance company operating in the State of Iowa and under the jurisdiction of the Insurance Department of the State of Iowa. Therefore,

Be It Resolved by the House of Representatives, the Senate concurring:

(1) That a joint committee of the members of this special session of the General Assembly, consisting of three members of the House and

Digitized by Google

three members of the Senate, be appointed by the Speaker of the House and the President of the Senate, respectively, which six members so named shall constitute an investigation committee for the purpose of carrying out the purpose and terms of this resolution; that such committee proceed immediately to investigate the Insurance Department of the State of Iowa and any other sources that they may find necessary, with particular regard to a disclosure and development of all facts in connection with or in any manner related to the merger of the Modern Brotherhood of America with the Independent Order of Foresters of Toronto, Canada, and any and all other complaints reflecting upon the said Department and any of the officials thereof, and any further and other independent investigation as said committee shall deem in the public interest; that such committee shall, if possible, discover any weaknesses or omissions in the existing statutes of the State of Iowa with regard to the conduct of insurance companies and in particular the merger of such companies so that the Legislature may be better informed and prepared to enact remedial legislation relating to such mergers and other insurance matters; that such committee make written report of its findings and recommendations thereon to the Governor and to this special session of the General Assembly, if possible.

(2) That said joint committee be and hereby is authorized to call upon the Attorney General for such assistance as he is authorized and may be able to give, and said committee is hereby authorized to employ such attorneys, accountants and investigators as it may deem necessary, to the end that there may be a full, complete, thorough and intelligent investigation of all matters above referred to in this resolution, and to secure all facts in connection with all of the matters above referred to, and of all persons connected therewith or connected with the Insurance Department of the State of Iowa, and their acts and conduct in connection with and relating to the matters above referred to, or in connection with the conduct of the Insurance Department of the State of Iowa.

(3) That the Superintendent of Insurance of the State of Iowa and all other officers and employees in said Department shall, upon request of the committee, furnish for its use any and all books, papers, records, and memoranda in said office in the possession of anyone therein, and make full explanation thereof, and shall furnish any and all information which they may have in their possession in relation thereto.

(4) Said committee is hereby directed and authorized to make a full, fair, complete and impartial investigation and examination of said Department of Insurance and its officers and employees, and to aid in so doing, said Committee is hereby authorized and empowered to summon and subpoena witnesses from any place within or without the State of Iowa and to compel the attendance of witnesses within the State of Iowa to any place within the State of Iowa where said committee may hold hearings; that it may if necessary designate its agent to make service of such process; that it may hold meetings to take the testimony of witnesses, if necessary, outside the State of Iowa. Said committee shall have and is hereby given full power to summon and examine witnesses, administer oaths, compel the production of books and papers and evidence, and to punish for contempt as provided by law. All testimony taken shall

Digitized by Google

be under oath, and for that purpose the chairman of said committee or any member thereof is hereby invested with the power to administer oaths to all witnesses who may be called before it; that any person refusing to answer to a subpoena or refusing to answer questions of the committee may be punished for contempt in the manner provided by the laws of Iowa.

(5) That said committee is directed to expedite its work with the least possible delay, and promptly thereafter to submit a written report to the Governor and to the General Assembly before its adjournment, if possible, and in time to permit action thereon if it is deemed wise and in the public interest.

(6) There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, such sum or sums as may be necessary to pay the expenses of the committee or incurred by it in the performance of its duties as provided in this joint resolution, and for preparing the report or reports required as herein provided.

Johnson of Linn moved that the rules be suspended and House Concurrent Resolution No. 8 be considered at this time. Motion prevailed.

Johnson of Linn moved the adoption of House Concurrent Resolution No. 8.

Roll Call was demanded and on the question, "Shall House Concurrent Resolution No. 8 be adopted?"

The ayes were, 82.

Aldrich	Fletcher	McDermott	Schmitz
Alesch	Foster	McKinnon	Schroeder
Augustine	Frizzell	McLean	Sheridan
Beath	Fuelling	Malone	Smith
Beswick	Fuester	Maniece	Snyder
Bonnstetter	Gallagher	Mercer	Speidel
Bouska	Gissel	Mitchell	Stanzel
Brady	Grau	Moore of Benton	Stewart
Bruce	Grell	Moore of Harrison	Stimpson
Burgess	Hanson of Lyon	Mooty	Swift
Casey	Hanson of Winnebago	Osborn	Teter
Crouch	Hartman	Ostby	Treimer
Cunningham	Hopp	Peaco	Weed
Davis	Hough	Peet	Wieben
Donlon	Jensen	Rawlings	Wiese
Dreessen	Johnson	Reed	Willis
Durant	Koch	Rice	Wolf
Elliott	Laughlin	Roe	Yager
Fabritz	Lookingbill	Ryder	Zipse
Falvey	McCarthy	Schlatter	Zylstra
Felter			Mr. Speaker

The nays were, 13.

Avery	Ellsworth	Goode	McCreery
Bowers	Garner	Hook	Sours
Dean	Gittinger	Humeston	Thiessen
Doran			

Digitized by Google

Absent or not voting, 13.

Craven	Lichty	Millhone	Stansell
Dole	McFarlane	Paisley	Strachan
Hultman	Metcalf	Porter	Thies
Jenkins			

So the resolution was adopted.

PROOFS OF PUBLICATION

I hereby certify there has been filed with me, as Chief Clerk of the House of Repreesntatives, a proof of publication from the Advocate-Tribune, Audubon, Iowa, relating to House File No. 114, a bill for an act to make permanent a temporary transfer of funds from the Secondary Road Construction Fund to the County Fund of Audubon County.

VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Perry Daily Chief, Perry, Iowa, relating to House File No. 141, a bill for an act to make permanent the transfer of funds in Washington Consolidated Independent School District, Dallas County, Iowa.

VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Wright County Monitor, Clarion, Iowa, relating to House File No. 125, a bill for an act to make permanent a temporary transfer of funds, made June 5, 1933, by authority of the director of the budget, of fifty thousand and no/100 dollars ($50,000.00) from the road maintenance fund of Wright county, Iowa, to the poor fund of said county.

VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Garner Leader, Garner, Iowa, relating to House File No. 188, a bill for an act to make permanent the transfer of ten thousand dollars ($10,000.00) from the Bovine Tubercular Eradication fund, in Hancock county, to the Poor fund of said county, said fund having been originally made with the approval of the director of the budget, November 23, 1932.

VIRGIL LEKIN, *Chief Clerk of the House.*

AMENDMENTS FILED

Strachan of Humboldt offered the following amendment:

Amend House File No. 84 as follows:

1. Amend the title by striking the period at the end of line four (4) and add the following: ", and November 19, 1932."

2. Amend section one (1) line six (6) by inserting after the comma (,) the words and figures "and November 19, 1932,".

Digitized by Google

3. Also amend by striking all of section two (2), the publication clause.

Dole of Jefferson, filed the following amendment:

Amend House File No. 82 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section sixty-one hundred forty-three (6143), code, 1931, is repealed, and the following enacted in lieu thereof:

'6143. Cities and towns shall have power to require every individual or private corporation operating heating plants, waterworks, gasworks, electric light and power plants and/or telephone plants, subject to reasonable rules and regulations, to furnish any person applying therefor, along the line of its pipes, mains, wires, or other conduits, with gas, heat, water, light, power or telephone service, and to supply said city or town with water for fire protection, and with gas, heat, water, light, or power for other necessary public purposes, and/or with telephone service, and to regulate and fix the rents or rates for water, gas, heat, electric light, power and/or telephone service; to regulate and fix the charges for water meters, gas meters, electric light and/or power meters, or other device or means necessary for determining the consumption of water, gas, heat, electric light, or power, and these powers shall not be abridged by ordinance, resolution, or contract.'"

On the motion of Bonnstetter of Kossuth the House adjourned until 10 o'clock a. m. Tuesday, December 5, 1933.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 5, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. William Mack, Pastor of the Union Park Presbyterian Church, Des Moines, Iowa.

Journal of December 4, corrected and approved.

PETITIONS AND MEMORIALS

Favoring an increase in restaurant license fees. Dean, from the restaurant owners of Cerro Gordo county; Lookingbill, from the restaurant owners of Story county; Moore, from the restaurant owners of Harrison county and Stansell, from the restaurant owners of Clarke county. Referred to the committee on dairy and food.

Opposing marathons, walkathons, skatathons and other similar endurance contests. Frizzell, from the voters of Poweshiek county; Lichty, from the Parent-Teachers association of Waterloo, Black Hawk county. Referred to the committee on judiciary No. 1.

Opposing any additional tax on insurance companies. Brady of Pottawattamie, from the Council Bluffs Association of Insurance Agents. Referred to the committee on insurance.

Opposing legalizing hard liquors. Hopp, from citizens of Mills county. Referred to the committee on liquor control.

Favoring the Gross Income Tax bill. Wiese of Scott, from the Gyro Club of Davenport, Iowa. Referred to the committee on tax reduction.

Opposing the direct sale of hogs to packers. Wiese of Scott, from the West View Grange No. 2034. Referred to the committee on tax revision.

Opposing further financial appropriations to the Iowa Farm

Digitized by Google

Bureau. Moore of Harrison, from the citizens of Iowa. Referred to the committee on appropriations.

Favoring equal service by telephone companies. Fuester of Ida, from voters of Iowa. Referred to the committee on telephone, telegraph and express.

Opposing deficiency judgments. Moore of Harrison, from citizens of Iowa. Referred to the committee on judiciary No. 1.

REPORTS OF COMMITTEES

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 116, a bill for an act to make permanent the temporary transfer, made December 28, 1932 of money from the secondary road trunk construction fund to the general fund of Harrison County, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation. JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 16, a bill for an act to amend section forty-nine hundred ninety-five (4995) Code, 1931, as to give traffic on duly designated boulevard or arterial highways and the right of way over traffic on intersecting streets and highways, provided "Stop, Boulevard" signs are maintained on said intersecting streets and highways, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 22, a bill for an act to amend paragraph eight (8) of section eighty-eight hundred twenty-nine (8829), code, 1931, relating to the investment of the funds of fraternal beneficiary societies, orders or association, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Digitized by Google

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 71, a bill for an act to amend Section forty-seven (47), code, 1931, prescribing the form in which bills shall be printed which amend sections of the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Section one (1), lines four (4) and seven (7) after the word "section" insert the words "or paragraph". JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 125, a bill for an act making permanent a transfer of funds from the Road Maintenance Fund of Wright County, Iowa, to the Poor Fund of said county, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. BRADY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 137, a bill for an act to repeal Chapter one hundred eighty (180) acts of the Forty-fifth General Assembly relating to the appointment of referees in probate matters, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Augustine of Ringgold, from the committee on motor vehicles and transportation, submitted the following report:

MR. SPEAKER: Your committee on motor vehicles and transportation to whom was referred Senate File No. 94, a bill for an act to amend Section Forty-nine Sixty-D Thirty-two (4960-d32) Code of Iowa, 1931, relating to reporting of convictions and recommendation of suspension of Operator's or Chauffeur's licenses, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. D. AUGUSTINE, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation

Digitized by Google

to whom was referred House File No. 37, a bill for an act to amend Section forty-nine hundred twenty (4920), Code, 1931, relating to license fees on motor vehicle trailers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. D. AUGUSTINE, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation to whom was referred Senate File No. 93, a bill for an act relating to storage affidavits on motor vehicles for the year 1933 and registration fees and penalties, amending Section Forty-nine hundred four (4904), beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. F. D. AUGUSTINE, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 106, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings relating to the incorporation of the Heiberg Brewing Company, incorporated of Waverly, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend Section Three by striking the words "Des Moines," and insert "Waterloo Evening Courier," further amend line Three, Section Three by striking the word "Des Moines," and inserting, "Waterloo."

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 127, a bill for an act to legalize certain tax deeds issued without compliance with the requirements of section seven thousand two hundred eighty-three (7283) of the Code, 1931, and corresponding sections of earlier codes, relating to collection of costs of serving notice, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Digitized by Google

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 141, a bill for an act to make permanent the transfer of funds in Washington Consolidated Independent School District, Dallas County, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Laughlin of Fremont, from the committee on roads and highways, submitted the following report:

MR. SPEAKER: Your committee on roads and highways to whom was referred Senate File No. 102, a bill for an act to legalize all programs and projects for the construction of secondary roads in all counties of the State of Iowa, where the officers whose duty it is to initiate or adopt the same, did so, in the year 1933, in conformity to the provisions of chapter two hundred forty (240) of the 1931 Code of Iowa, except that they acted at a time or times later or after the time or times prescribed specifically in sections forty-six hundred forty-four-c twenty-five (4644-c25) and forty-six hundred forty-four-c thirty-three (4644-c33) of said chapter two hundred forty (240) of the 1931 Code of Iowa, and to authorize the adoption of a secondary road program or project prior to Dec. 31, 1933, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. P. LAUGHLIN, *Chairman.*

Report adopted.

CONSIDERATION OF BILLS

Laughlin of Fremont asked and obtained unanimous consent to consider at this time Senate File No. 102, a bill for an act to legalize all programs and projects for the construction of secondary roads in all counties of the state of Iowa, where the officers whose duty it is to initiate or adopt the same, did so, in the year 1933, with report of committee recommending passage.

Laughlin of Fremont moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Aldrich	Beath	Bouska	Burgess
Augustine	Beswick	Bowers	Casey
Avery	Bonnstetter	Bruce	Craven

Digitized by Google

Crouch	Grau	McLean	Sheridan
Cunningham	Grell	Malone	Smith
Davis	Hanson of Lyon	Maniece	Snyder
Dean	Hanson of	Mercer	Sours
Dole	Winnebago	Metcalf	Stansell
Donlon	Hartman	Millhone	Stanzel
Doran	Hook	Mitchell	Stimpson
Dreessen	Hopp	Moore of Benton	Strachan
Durant	Hough	Moore of	Swift
Ellsworth	Hultman	Harrison	Teter
Fabritz	Humeston	Mooty	Thies
Falvey	Jenkins	Osborn	Thiessen
Felter	Jensen	Paisley	Treimer
Fletcher	Koch	Peaco	Weed
Frizzell	Laughlin	Rawlings	Wieben
Fuelling	Lichty	Reed	Wiese
Fuester	Lookingbill	Roe	Willis
Gallagher	McCarthy	Ryder	Yager
Garner	McCreery	Schlatter	Zipse
Gissel	McDermott	Schmitz	Zylstra
Gittinger	McFarlane	Schroeder	Mr. Speaker

The nays were, none.

Absent or not voting, 14.

Alesch	Goode	Peet	Speidel
Brady	Johnson	Porter	Stewart
Elliott	McKinnon	Rice	Wolf
Foster	Ostby		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

INTRODUCTION OF BILLS

The following bills, House Files No. 229 to 263, inclusive, were filed at the desk December 4, and read and referred as follows:

House File No. 229 by Peaco of Clinton, a bill for an act to prohibit the expending of public funds for the employment of married women with certain exceptions thereto and providing for a penalty for violations thereof.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 230 by Swift of Dubuque, a bill for an act to amend Sub-section Two (2) of Section sixty-nine hundred and forty-four (6944) of Chapter three hundred and thirty (330), Code, 1931, relating to exemptions from taxation of property owned by municipalities.

Read first and second times and referred to committee on cities and towns.

Digitized by Google

House File No. 231 by Ellsworth of Hardin, a bill for an Emergency Act to legalize all depositors agreements heretofore entered into by any county, town, city, township or school district, by its governing body or any designated officer or agent for that purpose, or by the State of Iowa, through its Executive Council, or any officer or agent for that purpose covering deposits of public moneys in any state bank, savings bank, trust company, private bank or national bank in Iowa, or any bank or trust company assuming all or any part of the deposit liability of a depository bank or trust company, and providing for participation in the State Sinking Fund for public deposits.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 232 by Beswick of Van Buren, Grau of Buena Vista, Rice of Keokuk, McKinnon of Henry, and Lookingbill of Story, a bill for an Emergency Act relating to the execution and delivery of treasurers' deeds conveying real estate sold at tax sale; to prohibit the delivery of such deeds until December 2, 1935, and to extend the period of redemption.

Read first and second times and referred to committee on emergency legislation.

House File No. 233 by Beswick of Van Buren, a bill for an act to require the Iowa state highway commission to furnish gravel for certain rural post roads, to make the county engineer responsible for gravel so furnished; to prohibit the improper use of such gravel, and to provide a punishment for a violation of such prohibition.

Read first and second times and referred to committee on roads and highways.

House File No. 234 by Reed of Mahaska (by request), a bill for an act relating to workmen's Compensation, and to provide insurance for the payments to injured workmen.

Read first and second times and referred to committee on labor.

House File No. 235 by Osborn of Decatur, a bill for an act to invest the Auditor of State with power to authorize county treasurers in certain instances to discontinue the carrying of certain items of account on the books of his office, and to apportion certain losses in public revenues among taxing districts.

Digitized by Google

Read first and second times and referred to committee on departmental affairs.

House File No. 236 by Swift of Dubuque, a bill for an act to provide for increasing annual fees to be paid to the Auditor of State by building and loan associations; to provide for appointment by the Auditor of State of a chief examiner of building and loan associations; to fix the maximum salary of such chief examiner; to make appropriation for the same and to repeal sections ninety-three hundred twenty-three (9323) to ninety-three hundred twenty-seven (9327) both inclusive, ninety-three hundred thirty-two (9332), ninety-three hundred thirty-five (9335), ninety-three hundred thirty-seven (9337), ninety-three hundred thirty-eight (9338), ninety-three hundred forty-five (9345), ninety-three hundred fifty-nine (9359) and ninety-three hundred eighty-one (9381), Code, 1931, together with amendments thereto, and to amend section ninety-three hundred and eighty (9380), Code, 1931.

Read first and second times and referred to committee on building and loan.

House File No. 237 by Swift of Dubuque, a bill for an act to authorize conversion of building and loan associations and savings and loan associations into federal savings and loan associations organized under the Act of Congress known as "Home Owners' Loan Act of 1933"; to provide for complete or partial transfer of assets to such federal savings and loan association and to provide the procedure for such conversion and transfer.

Read first and second times and referred to committee on building and loan.

House File No. 238 by Brady of Pottawattamie, a bill for an act providing for the suspension of penalties of taxes on real property due in the year of 1933 and unpaid, providing said taxes are paid prior to April 1st, 1934; and providing for a partial remittance of taxes upon real property due in 1934 and paid for the full year prior to April 1st, 1934.

Read first and second times and referred to committee on emergency legislation.

House File No. 239 by Brady of Pottawattamie, a bill for an act relating to the general liability of cities and towns, including

Digitized by Google

cities and towns under management form, commission form and special charter, for personal injuries resulting from defective streets, alleys, sidewalks, public parks, and other public places, within such cities and towns, and providing for notice of defects in writing before occurrence of accidents, and providing for notice of accidents and description of injuries sustained, and providing for medical examination by city physician or town physician after presentment of claim for personal injuries sustained by reason of said accident.

Read first and second times and referred to committee on cities and towns.

House File No. 240 by Grell of Scott, a bill for an act to amend sections forty-eight hundred seventy (4870), and forty-nine hundred sixty-d nineteen (4960-d19), code 1931, to provide that the County Treasurer shall withhold registration of any motor vehicle and issuance of driver's or chauffeur's license until the applicant or any member of his or her immediate family shall have paid his or her delinquent personal taxes.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 241 by Brady of Pottawattamie, a bill for an act to repeal sections five thousand seventy-nine-c four (5079-c4), five thousand seventy-nine-c five (5079-c5), five thousand seventy-nine-c six (5079-c6), five thousand seventy-nine-c seven (5079-c7), code, 1931, and to provide for the showing of financial responsibility by owners and operators of motor vehicles on the highways of this state, except non-residents staying within the state for a period not to exceed thirty (30) days.

Read first and second times and referred to committee on motor vehicles and transportation.

House File No. 242 by Elliott of Polk, a bill for an act to authorize cities having a population of 100,000 inhabitants or over, including cities acting under the commission plan of government, to own, construct, erect, establish, acquire, lease, purchase, maintain and operate a street railway system within their corporate limits and extensions thereto with all the necessary appurtenances, and to proceed by condemnation or purchase to acquire such street railway systems; to bond the same for the purpose of paying

Digitized by Google

therefor; to levy a tax to retire said bonds; to incur indebtedness therefor; to anticipate such special tax, and to call an election for the purpose of voting on the proposition of acquiring such street railway system; and to appoint a Board of Trustees to manage such street railway system.

Read first and second times and referred to committee on cities and towns.

House File No. 243 by Jensen of Audubon, a bill for an act to permit counties to issue drainage refunding bonds and to provide for the postponement of the payment of drainage assessments and installments thereof.

Read first and second times and referred to committee on drainage.

House File No. 244 by Rice of Keokuk and Mercer of Johnson, a bill for an act to amend Section forty-nine hundred sixty-d thirty-three (4960-d33), Code 1931, and to repeal sections forty-nine hundred sixty-d forty (4960-d40), and fifty hundred twenty-seven-d one (5027-d1), Code 1931, relating to the revocation and suspension of operators and chauffeurs licenses for driving and operating motor vehicles under conviction of illegal transportation or sale of intoxicating liquors, and also providing for periods of time in which new licenses shall not be issued for first, second, and third convictions of driving motor vehicles while under the influence of intoxicating liquor or narcotic drugs or illegal transportation or sale of intoxicating liquor in the State of Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 245 by Gittinger of Lucas, a bill for an act to repeal section twenty-nine hundred thirty (2930), Code, 1931, relating to farm aid associations.

Read first and second times and referred to committee on tax reduction.

House File No. 246 by Dreessen of Crawford and Stanzel of Sac, a bill for an act defining naturopathy, providing for and regulating the practice of naturopathy in the State of Iowa; creating an Iowa State Board of Naturopathic Examiners, fixing their terms of office; providing for the appointment of members of said board;

Digitized by Google

defining the powers and duties of said board; to establish rules and regulations governing said board; providing for the examination and licensing of naturopaths in the State of Iowa; providing for the charging of fees for the same; regulating the use of professional terms; penalties for practicing naturopathy without a license; and repealing all laws and parts of laws in conflict herewith.

Read first and second times and referred to committee on public health.

House File No. 247 by Crouch of Greene, a bill for an act to provide for the expense of the bonds of the county auditors, clerks, recorders, attorneys, sheriffs and superintendent of schools.

Read first and second times and referred to committee on county and township organization.

House File No. 248 by Crouch of Greene, a bill for an act to amend section fifty-seven (57), Chapter eighty-nine (89), Acts of the Forty-fifth (45) General Assembly relating to salaries and compensation of state, county and city officers, and fixing these salaries from and after December 31, 1934.

Read first and second times and referred to committee on compensation of public officers.

House File No. 249 by Crouch of Greene, a bill for an act to amend section seventy-four hundred twenty-d one (7420-d1), Code of Iowa, 1931, relating to deposits of public funds.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 250 by Foster of Cedar, a bill for an act to tax that portion of judgments issued under section twelve thousand three hundred seventy-six (12376) of the code, 1931, which is in excess of the amount for which the mortgaged property was sold.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 251 by Malone of Cass, a bill for an act to amend section sixty-nine hundred sixty-three (6963) Code, 1931, relating to the assessment of moneys and credits and to the place of said assessment.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 1.

House File No. 252 by Malone of Cass, a bill for an act to amend Section sixty-nine hundred forty-four (6944), Code, 1931, by striking therefrom sub-section five (5); to amend Section forty-seven hundred fifty-three-a thirteen (4753-a13), Code, 1931; relating to exemption from taxation of bonds and certificates issued by municipalities, school districts, drainage and levy districts, and counties within the State of Iowa.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 253 by Treimer of O'Brien and Schmitz of Winneshiek, a bill for an act to repeal Chapter Two Hundred Fifty-two A-two (252-A2), Code, 1931, relating to the taxation of motor vehicle carriers and to substitute therefor an act to assess upon and receive from motor carriers specified within the act a road route mile tax; and providing authority for the board of railroad commissioners to collect the tax, adjudge delinquents, declare penalty in force, account for funds collected, make necessary expenditures, remit funds, allocate share to counties, and, also to further provide for expenditures of such road route mile taxes by and within respective counties.

Read first and second times and referred to committee on motor vehicles and transportation.

House File No. 254 by Dean of Cerro Gordo and Yager of Dickinson, a bill for an act to amend chapter thirty-seven (37), Acts of the forty-fifth General Assembly, by amending sections seven (7), eleven (11), twelve (12), fourteen (14) and fifteen (15) and by repealing section twenty-five (25), all relating to the issuance of permits for the sale of beer and other malt liquors.

Read first and second times and referred to committee on police regulation and suppression of crime and intemperance.

House File No. 255 by Foster of Cedar, a bill for an act to amend section four thousand twelve (4012) Code, 1931, pertaining to the treatment of indigent persons.

Read first and second times and referred to committee on public health.

Digitized by Google

House File No. 256 by Hartman of Des Moines, a bill for an act to amend Section fifty-six hundred eighty-three (5683), Code, 1931, relating to annual appropriations by cities and towns to pay dues to the League of Iowa Municipalities.

Read first and second times and referred to committee on cities and towns.

House File No. 257 by Ellsworth of Hardin, a bill for an act to amend Sections seventy-four hundred twenty-a9 (7420-a9), seventy-four hundred twenty-b1 (7420-b1) and seventy-four hundred twenty-a18 (7420-a18), Code, 1931, relating to proof, certification, amount and manner of filing claims against the State Sinking Fund where a bank or trust company has reorganized and issued trust certificates; and also payment, interest, presentation of objections regarding such claims and distribution by trustees; and providing rules for construction.

Read first and second times and referred to committee on banks and banking.

House File No. 258 by Mitchell of Webster (by request), a bill for an act to amend section forty-nine hundred twenty-one-c-one (4921-c1), Code, 1931, relating to the license of trucks and trailers for overloading and providing for the computation of said overload license fee.

Read first and second times and referred to committee on motor vehicles and transportation.

House File No. 259 by Alesch of Plymouth, a bill for an act to amend section twenty-nine hundred thirty (2930), Code, 1931, relating to farm aid associations.

Read first and second times and referred to committee on tax reduction.

House File No. 260 by Gallagher of Iowa, a bill for an act to amend Sections seven (7), fifteen (15), twenty-four (24), twenty-five (25), twenty-seven (27), and twenty-nine (29) of chapter thirty-seven (37) of the Laws of the Forty-fifth General Assembly and to further amend the same by adding thereto sections seventeen-a (17-a), seventeen-b (17-b) and seventeen-c (17-c), and to amend section three (3) of chapter thirty-eight (38) of the Laws

Digitized by Google

of the Forty-fifth General Assembly, relating to the sale of non-intoxicating liquors.

Read first and second times and referred to committee on police regulation and suppression of crime and intemperance.

House File No. 261 by Wiese of Scott, a bill for an act to amend Chapter thirty-seven (37) Section twenty-four (24), Acts of the Forty-fifth General Assembly, relating to the sale of non-intoxicating liquor.

Read first and second times and referred to committee on police regulation and suppression of crime and intemperance.

House File No. 262 by Foster of Cedar, a bill for an act to amend Section two thousand nine hundred twenty-six (2926) and two thousand nine hundred thirty (2930), Code, 1931, relating to Farm Aid Associations.

Read first and second times and referred to committee on tax reduction.

House File No. 263 by Peet of Guthrie, Foster of Cedar, Durant of Hancock, Casey of Mitchell, Strachan of Humboldt, Hanson of Lyon, Gallagher of Iowa and Laughlin of Fremont, a bill for an act to amend Chapter One Hundred Twenty-three (123), Acts of the Forty-fifth General Assembly, relating to taxation, and to provide for limitation of taxes levied in the years Nineteen Hundred Thirty-three (1933) and Nineteen Hundred Thirty-four (1934) by schools districts, based upon number of pupils in average daily attendance, and to exempt from the limitation imposed by said chapter millage levies made for payment of principal, interest, and/or sinking fund of bonds issued by school districts, millage levies made for teachers' pension or annuity retirement fund, and millage levies authorized by the electors of any school district or subdistrict in accordance with the provisions of Chapter Two Hundred Twelve (212) of the code, 1931, and authorizing any school district which, during the school year preceding the time of making the levy for its general fund in either Nineteen Hundred Thirty-three (1933) or Nineteen Hundred Thirty-four (1934), did not maintain a public school open for instruction for at least three (3) months, to certify levies for its general fund subject to the approval of the State Comptroller.

Digitized by Google

Read first and second times and referred to committee on tax reduction.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled: House File No. 44.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 44.

BILL SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 5th day of December, 1933, sent to the Governor for his approval: House File No. 44. WM. KOCH, *Chairman.*

Report adopted.

Fuester of Ida, McKinnon of Henry, Stimpson of Jones, Treimer of O'Brien and Zylstra of Sioux presented the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 9

Whereas, It is the apparent intention of the meat packers who control the market for livestock to make the producers of livestock pay the processing taxes recently levied thereon by the federal government, and

Whereas, This practice tends to nullify the benefits the producers of livestock will receive from such processing tax, and

Whereas, This practice by the packers is inimical to public welfare and in defiance of the intentions of Congress and the federal government, now, therefore,

Be It Resolved, That the Senate and House of the 45th General Assembly in special session assembled memorialize the President of the United States and the Secretary of Agriculture, to exercise the authority vested in them under the Agricultural Adjustment Act to place the said packers

Digitized by Google

under federal license and supervision and to take such other means as they may deem necessary to cause the said packers to comply with the spirit and the purpose of the said Agricultural Adjustment Act.

Laid over under Rule No. 34.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked :

House File No. 86, a bill for an act to legalize and validate an issue of $210,000.00 school building bonds of the independent school district of Clinton, in the County of Clinton, State of Iowa.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 111, a bill for an act relating to warrants drawn on public treasuries and not paid for want of funds.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 129, a bill for an act relating to portable flare equipment for certain motor vehicles and the penalty for violation of laws relating thereto.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 97, a bill for an act relative to the condemnation of intoxicating liquors. BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 111

Amend section two (2) of House File 111 by striking from lines six (6), seven (7), and eight (8) the words "issued under a resolution or contract providing that it shall not draw interest, or shall draw interest at a lower rate" and inserting in lieu thereof the following:

"the treasurer arranges for the sale of said warrant at par at a lower rate of interest".

CONSIDERATION OF BILLS

House File No. 68, a bill for an act to fix a minimum limitation upon the size of school districts; to repeal section forty-one hundred thirty-two (4132), code 1931, and to enact a substitute therefor; and to repeal sections forty-one hundred thirty-one-c one (4131-c1), forty-one hundred thirty-five (4135), and forty-one hundred fifty-two (4152), code 1931, relating to the alteration of the boundary lines of school districts, with report of committee recommending passage, was taken up for consideration.

Digitized by Google

Stanzel of Sac moved the previous question. Motion prevailed.

Moore of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 96.

Aldrich	Fabritz	Koch	Ryder
Alesch	Falvey	McCarthy	Schmitz
Augustine	Felter	McCreery	Schroeder
Avery	Fletcher	McDermott	Sheridan
Beath	Frizzell	McKinnon	Smith
Beswick	Fuelling	McLean	Snyder
Bonnstetter	Fuester	Malone	Speidel
Bouska	Gallagher	Maniece	Stanzel
Bowers	Garner	Mercer	Stewart
Brady	Gissel	Metcalf	Stimpson
Bruce	Gittinger	Millhone	Strachan
Burgess	Goode	Moore of Benton	Swift
Casey	Grau	Moore of Harrison	Teter
Craven	Grell	Mooty	Thies
Crouch	Hanson of Lyon	Osborn	Thiessen
Cunningham	Hanson of Winnebago	Ostby	Treimer
Davis	Hartman	Paisley	Weed
Dean	Hook	Peaco	Wieben
Dole	Hopp	Peet	Wiese
Donlon	Hough	Rawlings	Willis
Doran	Humeston	Reed	Wolf
Dreessen	Jenkins	Rice	Yager
Durant	Jensen	Roe	Zipse
Elliott	Johnson		Mr. Speaker
Ellsworth			

The nays were, none.

Absent or not voting, 12.

Foster	Lichty	Mitchell	Sours
Hultman	Lookingbill	Porter	Stansell
Laughlin	McFarlane	Schlatter	Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

The time for the Special Order made December 4 having arrived Senate Joint Resolution No. 1, a joint resolution ratifying a proposed amendment to the constitution of the United States of America, relative to the labor of persons under eighteen (18) years of age.

Whereas, both houses of the sixty-eighth congress of the United States of America, by a constitutional majority of two-thirds thereof, made the following proposition to amend the constitution of the United States of America, to-wit:

Digitized by Google

Now, therefore,

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

Section 1. That the said proposed amendment to the constitution of the United States of America as set forth herein be and the same is hereby ratified and consented to by the state of Iowa and by the General Assembly thereof.

Section 2. Be it further resolved and enacted, that copies of this enactment and resolution, certified by the secretary of state, be forwarded by the governor of this state to the Secretary of State of the United States at Washington, D. C., and to the presiding officer of each house of the Congress of the United States, was taken up for consideration.

Reed of Mahaska moved the previous question. Motion prevailed.

Garner of Butler moved that the joint resolution be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution be adopted?"

The ayes were, 61.

Alesch	Falvey	Mercer	Schlatter
Augustine	Foster	Metcalf	Schmitz
Bonnstetter	Fuester	Millhone	Schroeder
Bouska	Garner	Mitchell	Snyder
Bowers	Gittinger	Moore of Benton	Sours
Bruce	Goode	Moore of	Speidel
Burgess	Hartman	Harrison	Stewart
Casey	Hook	Osborn	Stimpson
Cunningham	Hough	Ostby	Swift
Davis	Hultman	Peaco	Teter
Dean	Jensen	Rawlings	Thiessen
Doran	Lookingbill	Reed	Weed
Dreessen	McKinnon	Rice	Wiese
Elliott	McLean	Roe	Yager
Ellsworth	Malone	Ryder	Zylstra
Fabritz	Maniece		

Digitized by Google

The nays were, 42.

Aldrich	Frizzell	Laughlin	Smith
Avery	Fuelling	Lichty	Stanzel
Beath	Gallagher	McCarthy	Strachan
Beswick	Gissel	McCreery	Thies
Brady	Grau	McDermott	Treimer
Craven	Grell	McFarlane	Wieben
Crouch	Hopp	Mooty	Willis
Dole	Humeston	Paisley	Wolf
Donlon	Jenkins	Peet	Zipse
Durant	Johnson	Sheridan	Mr. Speaker
Fletcher	Koch		

Absent or not voting, 5.

Felter	Hanson of	Porter	Stansell
Hanson of Lyon	Winnebago		

So the joint resolution having received a constitutional majority was declared to have passed the House and the title agreed to.

Jensen of Audubon moved that the vote by which Senate Joint Resolution No. 1 passed the House be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF SPECIAL COMMITTEE TO AMEND REPORT OF SPECIAL GASOLINE TAX REFUND COMMITTEE

MR. SPEAKER: Your committee to whom was referred the report of the Special Gasoline Tax Refund Committee, which was temporarily deferred, beg leave to report that they have had the same under consideration and recommend that the report be amended as follows:

By adding to paragraph three (3) of the recommendations the following:

"That the committee be continued and the necessary expenses of said committee, including a per diem compensation not exceeding ten dollars ($10.00) per day for each member thereof for time actually spent in the performance of his duties when the legislature is not in session, be paid from any funds available and not otherwise appropriated and that it have the power to direct the bringing of any suits, either civil or criminal, to recover from or punish any person found guilty of violating the law or misappropriating any funds belonging to the State of Iowa, and the state treasurer and the attorney general are hereby requested to aid said committee in all ways and to do all things necessary to bring and prosecute said suits, if deemed proper and advisable by said committee that any such suits should be brought."

Your committee moves that the resolution as amended be substituted for all previous motions and amendments thereto, and that the said report as amended and hereinbefore set forth be adopted.

Respectfully submitted,
E. A. JOHNSON.
DEWEY E. GOODE.
GUSTAVE ALESCH.

Report adopted.

Digitized by Google

REPORT OF COMMITTEE ON EXTRA HELP

MR. SPEAKER: Your committee on extra help begs leave to submit the following additional report and moves its adoption:

Assistant Doorkeeper in the Senate—Ray Walsh.

D. W. KIMBERLY.	WM. KOCH.
VINCENT F. HARRINGTON.	ED RAWLINGS.
W. R. RITCHIE.	J. P. GALLAGHER.
On the Part of the Senate.	*On the Part of the House.*

Report adopted.

ADDITIONAL COPIES ORDERED PRINTED

Cunningham of Polk asked and obtained unanimous consent to have 600 additional copies of House File No. 204 printed.

AMENDMENTS FILED

McCreery of Linn filed the following amendments:

Amend House File No. 160 by adding thereto the following:

Sec. 3. If any motor vehicle be licensed in the state of Iowa before this act becomes law any amount in excess of the fees named in this act shall be refunded.

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Walker News, a newspaper published at Walker, Iowa, and the Coggon Monitor, a newspaper published at Coggon, Iowa.

Also:

Amend House File No. 149 by inserting the following as section 2 and renumbering section 2 as section 3.

Sec. 2. Amend section 4931 as repealed by the acts of the 45th General Assembly by striking the word "January" in line 5 thereof and substituting the word "February".

Also, amend section 4933, code, 1931 as amended by the acts of the 45th General Assembly by striking the word "January" in last line and substituting the word "February".

On the motion of Schlatter of Jackson the House adjourned until 9 o'clock a. m. Wednesday.

Digitized by Google

JOURNAL OF. THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 6, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. H. D. Robinson, pastor of the Bethel Community church, Des Moines, Iowa.

Journal of December 5, corrected and approved.

PETITIONS AND MEMORIALS

Favoring an increase in restaurant license fees. Alesch, from the restaurant owners of Plymouth county; Davis, from the restaurant owners of Appanoose county; Durant, from the restaurant owners of Hancock county; McLean, from the restaurant owners of Marshall county. Referred to the committee on dairy and food.

Opposing tax on fraternal societies. Avery of Clay, from the Spencer lodge Degree of Honor; Moore of Harrison, from the Aid Association of Lutherans. Referred to the committee on insurance.

Favoring the gross income tax plan. Grell of Scott, from The Gyro Club of Davenport, Iowa; Stansell, from the citizens of Clarke county. Referred to the committee on tax revision.

Favoring the limitations of the tax levy to 10 mills or 1%. Moore, from the citizens of Harrison county; Schlatter, from the citizens of Jackson county. Referred to the committee on tax revision.

Opposing the Beatty-Bennett law. Lichty of Black Hawk, from the Emerson P. T. A. Referred to the committee on tax revision.

Favoring the levies to be made by cities and towns for fire fund and fire department maintenance. Metcalf of Muscatine, from the fire department of Muscatine, Iowa. Referred to the committee on cities and towns.

Opposing deficiency judgment. Moore, from the citizens of Harrison county. Referred to the committee on judiciary No. 1.

Digitized by Google

Opposing further financial appropriations to the Iowa Farm Bureau. Moore, from the citizens of Harrison county. Referred to the committee on appropriations.

Opposing the direct sale of hogs to packers. Grell of Scott, from the West View Grange No. 2034. Referred to the committee on agriculture.

Favoring an increase in hunting and fishing license. Reed, from the citizens of Mahaska county. Referred to the committee on fish and game.

REPORTS OF COMMITTEES

Craven of Jasper, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry to whom was referred House File No. 50, a bill for an act to amend section fifty-four hundred forty-six (5446), Code, 1931, relating to double taxation on dogs, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. E. CRAVEN, *Chairman.*

Passed on file.

Gallagher of Iowa, from the committee on schools and text books, submitted the following report:

MR. SPEAKER: Your committee on schools and text books to whom was referred House File No. 72, a bill for an act to amend the law as it appears in sections forty-two hundred sixty-eight (4268), forty-two hundred seventy-three (4273), forty-three hundred twelve (4312), Code, 1931, relating to school age, be amended as follows, and when so amended the bill do pass:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. Section forty-two hundred seventy (4270), Code, 1931, is amended by striking from lines three (3), four (4), and five (5) of section forty-two hundred seventy (4270) the words:

'when in its judgment such children are not sufficiently mature to be benefited by attendance'

and insert in lieu thereof the following:

'except in districts where a kindergarten is maintained' ".

Sec. 2. Strike out the title and insert in lieu thereof the following:

"An Act to amend section forty-two hundred seventy (4270), Code 1931, relating to a board's power to exclude from school".

J. P. GALLAGHER, *Chairman.*

Report adopted.

Digitized by Google

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 81, a bill for an Act to amend section 5130, Code, 1931, to authorize the board of supervisors to regulate and fix rents, rates or charges for telephones and telephonic service within the county, exclusive of cities and towns, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. S. HOOK, *Chairman.*

Passed on file.

Mitchell of Webster, from the committee on emergency legislation, submitted the following report:

MR. SPEAKER: Your committee on emergency legislation to whom was referred House File No. 83, a bill for an act to extend the time in which answer may be made by defendant in real estate foreclosure actions; to provide for the prevention of undue waste of property under foreclosure, and to provide for the application of income from real estate in foreclosure actions; to suspend the operation and effectiveness of all laws in conflict herewith; and to provide for the termination of the period during which this act shall be in effect, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Gallagher of Iowa, from the committee on schools and text books, submitted the following report:

MR. SPEAKER: Your committee on schools and text books to whom was referred House File No. 97, a bill to amend sections forty-four hundred eighty-five (4485), forty-five hundred three (4503), and forty-five hundred five (4505), Code, 1931, and to repeal section forty-four hundred eighty-six (4486), Code, 1931, all relating to the protection of the permanent school fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. P. GALLAGHER, *Chairman.*

Report adopted.

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 113, a bill for an Act to amend section thirty-three (33), Chapter eighty-nine (89), of the Acts of the Forty-fifth General Assembly, relating to salary reductions of Deputy

Digitized by Google

County Officers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. S. HOOK, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 123, a bill for an Act to amend section 7171, Code, 1931, relating to the repeal of the poll tax levied on each male resident over twenty-one years of age, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. S. HOOK, *Chairman.*

Passed on file.

Ellsworth of Hardin, from the committee on banks and banking, submitted the following report:

MR. SPEAKER: Your committee on banks and banking to whom was referred House File No. 134, a bill for an Act to amend chapter 156, Section 1, Acts of the Forty-fifth General Assembly, relating to the right of the superintendent of banking to take possession of banking institutions without insolvency proceedings, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. ELLSWORTH, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 264 by committee on labor, a bill for an act to amend section fifteen forty-six-a one (1546-a1), Code, 1931, by striking out certain provisions relating to the limitation of fee for the furnishing or procurement of employment by an employment agency and enacting a substitute therefore.

Read first and second times and placed on calendar.

House File No. 265, by committee on labor, a bill for an act to repeal section fifteen fifty-one-c four (1551-c4), Code, 1931, relating to license fees for the operation of an employment agency, and to enact a substitute therefore.

Read first and second times and placed on calendar.

House File No. 266, by committee on insurance, a bill for an act

Digitized by Google

to amend section eighty-six hundred sixty-three (8663) Code, 1931, relating to the disposition of securities deposited with the insurance commissioner by insurance companies.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 97, a bill for an act to amend section nineteen hundred ninety (1990), Code, 1931, relative to the condemnation of intoxicating liquors.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 129, a bill for an act to amend Chapter Eighty-three (83), Acts of the Forty-fifth General Assembly, relating to portable flare equipment for certain motor vehicles and the penalty for violation of laws relating thereto.

Read first and second times and referred to committee on motor vehicles and transportation.

CONSIDERATION OF BILLS

Lookingbill of Story asked and obtained unanimous consent for the immediate consideration of House File No. 78, a bill for an act to repeal section twelve thousand three hundred and seventy-seven (12377), Code, 1931, relating to General Executions for balance, with report of committee recommending passage.

Sours of Floyd moved to amend House File No. 78 by adding thereto the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the .... a newspaper publisher at ..... and in the ..... a newspaper published at .....

Malone of Cass moved the previous question on the main bill and amendment. Motion prevailed.

Amendment adopted.

Lookingbill of Story moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 94.

Aldrich	Falvey	Lookingbill	Schmitz
Augustine	Felter	McCarthy	Schroeder
Avery	Fletcher	McDermott	Sheridan
Beath	Foster	McFarlane	Smith
Beswick	Frizzell	McKinnon	Snyder
Bonnstetter	Fuester	McLean	Sours
Bouska	Gallagher	Malone	Speidel
Bowers	Garner	Maniece	Stewart
Brady	Gissel	Mercer	Stimpson
Bruce	Gittinger	Metcalf	Strachan
Burgess	Goode	Mitchell	Swift
Casey	Grau	Moore of Benton	Teter
Craven	Hanson of Lyon	Moore of Harrison	Thies
Cunningham	Hanson of Winnebago	Mooty	Thiessen
Davis	Hook	Osborn	Treimer
Dean	Hough	Ostby	Weed
Dole	Hultman	Peaco	Wieben
Donlon	Humeston	Rawlings	Wiese
Doran	Jenkins	Reed	Willis
Dreessen	Jensen	Rice	Wolf
Durant	Koch	Roe	Yager
Elliott	Laughlin	Ryder	Zipse
Ellsworth	Lichty	Schlatter	Zylstra
Fabritz			Mr. Speaker

The nays were, 4.

Crouch	Grell	Hartman	Johnson

Absent or not voting, 10.

Alesch	McCreery	Peet	Stansell
Fuelling	Millhone	Porter	Stanzel
Hopp	Paisley		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Lookingbill of Story moved that the vote by which House File No. 78 passed the House, be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled: House File No. 86.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

Digitized by Google

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 86.

MOTION TO REDRAFT HOUSE FILE NO. 11

Mitchell of Webster asked and obtained unanimous consent that the chief clerk be authorized to redraft a new bill to replace House File No. 11, which had been lost.

CONSIDERATION OF THE REPORT OF SPECIAL GASOLINE TAX REFUND COMMITTEE

The House resumed consideration of the report of the special gasoline tax refund committee, as it appears on pages 174 to 179, inclusive, of the journal of November 23.

Johnson of Linn moved the adoption of the committee amendment found on page 306, of the journal of December 5.

Jensen of Audubon moved to amend the committee amendment by striking from lines 2, 3, 4 and 5, after the word "committee" of the committee amendment the following: "including a per diem compensation not exceeding ten dollars ($10.00) per day for each member thereof for time actually spent in the performance of his duties, when the legislature is not in session."

A roll call was demanded and on the question "Shall the Jensen amendment to the committee amendment be adopted?"

The ayes were, 61.

Aldrich	Felter	Jensen	Reed
Avery	Foster	Laughlin	Rice
Beath	Frizzell	Lichty	Roe
Beswick	Fuelling	McCreery	Schmitz
Bonnstetter	Gissel	McDermott	Smith
Bowers	Grau	McFarlane	Sours
Bruce	Grell	McKinnon	Speidel
Crouch	Hanson of Lyon	McLean	Stanzel
Davis	Hanson of Winnebago	Metcalf	Strachan
Dean	Hartman	Millhone	Teter
Dole	Hook	Mooty	Thies
Donlon	Hough	Osborn	Thiessen
Doran	Hultman	Ostby	Treimer
Elliott	Humeston	Peaco	Wiese
Ellsworth	Jenkins	Peet	Yager
Falvey			

Digitized by Google

The nays were, 34.

Alesch	Fuester	Malone	Swift
Augustine	Gallagher	Moore of	Weed
Bouska	Garner	Harrison	Wieben
Brady	Gittinger	Paisley	Willis
Burgess	Goode	Ryder	Wolf
Casey	Hopp	Sheridan	Zipse
Dreessen	Johnson	Snyder	Zylstra
Fabritz	Lookingbill	Stewart	Mr. Speaker
Fletcher	McCarthy	Stimpson	

Absent or not voting, 13.

Craven	Maniece	Moore of Benton	Schlatter
Cunningham	Mercer	Porter	Schroeder
Durant	Mitchell	Rawlings	Stansell
Koch			

Amendment adopted.

Johnson of Linn offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment to the motion for the adoption of the report of the special gasoline tax refund committee by striking the period at the end thereof, substituting a comma therefor and by adding the following: "in order that the legislature may be advised as to what, if any necessary remedial legislation is necessary, and to enact the same in order to correct the conditions complained of."

A roll call was demanded and on the question, "Shall the Johnson amendment to the committee amendment be adopted?"

The ayes were, 82.

Aldrich	Fabritz	Johnson	Ryder
Augustine	Falvey	Laughlin	Schmitz
Avery	Felter	Lichty	Smith
Beath	Fletcher	Lookingbill	Snyder
Beswick	Foster	McCarthy	Sours
Bonnstetter	Frizzell	McCreery	Speidel
Bouska	Fuelling	McDermott	Stewart
Bowers	Fuester	McFarlane	Stimpson
Bruce	Gallagher	McKinnon	Strachan
Burgess	Garner	McLean	Swift
Casey	Gittinger	Maniece	Teter
Crouch	Goode	Mercer	Thies
Davis	Grau	Metcalf	Treimer
Dean	Hanson of Lyon	Millhone	Weed
Dole	Hanson of	Moore of	Wieben
Donlon	Winnebago	Harrison	Wiese
Doran	Hartman	Mooty	Willis
Dreessen	Hopp	Osborn	Wolf
Durant	Hough	Peet	Yager
Elliott	Jenkins	Reed	Zylstra
Ellsworth	Jensen	Roe	Mr. Speaker

The nays were, 8.

Craven	Humeston	Schroeder	Thiessen
Hook	Ostby	Stanzel	Zipse

Digitized by Google

Absent or not voting, 18.

Alesch	Hultman	Paisley	Rice
Brady	Koch	Peaco	Schlatter
Cunningham	Malone	Porter	Sheridan
Gissel	Mitchell	Rawlings	Stansell
Grell	Moore of Benton		

Amendment adopted.

The report of the special gasoline tax refund committee as amended was adopted.

HOUSE FILE NO. 218 WITHDRAWN

Cunningham of Polk asked and obtained unanimous consent to withdraw House File No. 218 from further consideration of the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 69, a bill for an act relating to charges to be paid by the owners of grain, changing the fees of the sealer and fees accruing to the secretary of agriculture, all under the unbonded agricultural warehouse act.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 105, a bill for an act to remove the present limitations on the use of primary road funds for the payment of principal and interest of primary road bonds.

BYRON G. ALLEN, *Secretary.*

SENATE MESSAGE CONSIDERED

Senate File No. 69, a bill for an act to amend chapter four hundred twenty-seven (427), code, 1931, relating to the charges to be paid by the owner of grain at the time of the sealing of his warehouse, changing the fees of the sealer and fees accruing to the secretary of agriculture, all under the unbonded agricultural warehouse act.

Read first and second times and placed on calendar by unanimous consent.

Rawlings of Monona moved that the rule prohibiting the second and third reading of a bill on the same day be suspended and the

Digitized by Google

bill read a third time now and placed on its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 98.

Aldrich	Fabritz	Lookingbill	Schmitz
Alesch	Falvey	McCarthy	Schroeder
Augustine	Felter	McCreery	Smith
Avery	Fletcher	McDermott	Snyder
Beath	Frizzell	McFarlane	Sours
Beswick	Fuelling	McKinnon	Speidel
Bonnstetter	Gallagher	McLean	Stanzel
Bouska	Garner	Maniece	Stewart
Bowers	Gissel	Mercer	Stimpson
Brady	Gittinger	Metcalf	Strachan
Bruce	Goode	Millhone	Swift
Burgess	Grau	Mitchell	Teter
Casey	Grell	Moore of Benton	Thies
Craven	Hanson of Lyon	Mooty	Thiessen
Crouch	Hanson of Winnebago	Osborn	Treimer
Cunningham	Hartman	Ostby	Weed
Davis	Hook	Paisley	Wieben
Dean	Hopp	Peaco	Wiese
Dole	Hough	Peet	Willis
Donlon	Humeston	Rawlings	Wolf
Doran	Jenkins	Reed	Yager
Dreessen	Jensen	Rice	Zipse
Durant	Johnson	Roe	Zylstra
Elliott	Lichty	Ryder	Mr. Speaker
Ellsworth		Schlatter	

The nays were, 2.

Foster	Fuester

Absent or not voting, 8.

Hultman	Malone	Porter	Stansell
Koch	Moore of Harrison	Sheridan	
Laughlin			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Rawlings of Monona asked and obtained unanimous consent to have Senate File No. 69 messaged to the Senate immediately.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION No. 9

Zylstra of Sioux called up House Concurrent Resolution No. 9, found on page 302 of the journal of December 5, and moved its adoption.

A roll call was demanded and on the question, "Shall House Concurrent Resolution No. 9 be adopted?"

Digitized by Google

The ayes were, 96.

Aldrich	Fletcher	McCarthy	Schmitz
Alesch	Foster	McCreery	Schroeder
Augustine	Frizzell	McDermott	Smith
Beath	Fuelling	McFarlane	Snyder
Beswick	Fuester	McKinnon	Sours
Bonnstetter	Gallagher	McLean	Speidel
Bouska	Garner	Mercer	Stanzel
Bowers	Gissel	Metcalf	Stewart
Brady	Gittinger	Millhone	Stimpson
Bruce	Goode	Mitchell	Strachan
Burgess	Grau	Moore of Benton	Swift
Casey	Grell	Moore of	Teter
Craven	Hanson of Lyon	Harrison	Thies
Cunningham	Hook	Mooty	Thiessen
Davis	Hopp	Osborn	Treimer
Dean	Hough	Ostby	Weed
Dole	Hultman	Paisley	Wieben
Donlon	Humeston	Peaco	Wiese
Doran	Jenkins	Peet	Willis
Dreessen	Jensen	Reed	Wolf
Durant	Johnson	Rice	Yager
Elliott	Laughlin	Roe	Zipse
Ellsworth	Lichty	Ryder	Zylstra
Falvey	Lookingbill	Schlatter	Mr. Speaker
Felter			

The nays were, none.

Absent or not voting, 12.

Avery	Hanson of	Malone	Rawlings
Crouch	Winnebago	Maniece	Sheridan
Fabritz	Hartman	Porter	Stansell
	Koch		

Resolution adopted.

CONSIDERATION OF BILLS

House File No. 82, a bill for an act to authorize cities and towns to regulate and fix rents, rates or charges for telephones and telephonic service, with report of committee recommending passage, was taken up for consideration.

Dole of Jefferson called up the amendment found on page 287 of the journal of December 4, and moved its adoption.

Zylstra of Sioux moved that the action be deferred. Motion lost.

A roll call was demanded on the Dole amendment and on the question, "Shall the amendment be adopted?"

The ayes were, 59.

Aldrich	Beswick	Davis	Donlon
Alesch	Bonnstetter	Dean	Durant
Beath	Burgess	Dole	Ellsworth

Digitized by Google

Fabritz	Hough	Osborn	Stewart
Falvey	Jensen	Peaco	Stimpson
Felter	Koch	Peet	Thies
Frizzell	Lichty	Rawlings	Thiessen
Fuelling	Lookingbill	Reed	Treimer
Fuester	McCarthy	Rice	Weed
Garner	McDermott	Roe	Willis
Gittinger	McKinnon	Schmitz	Wolf
Goode	McLean	Smith	Yager
Grau	Maniece	Snyder	Zipse
Grell	Millhone	Sours	Mr. Speaker
Hanson of Winnebago	Mooty	Stanzel	

The nays were, 22.

Bouska	Doran	Johnson	Ryder
Bowers	Elliott	Metcalf	Strachan
Bruce	Foster	Mitchell	Swift
Casey	Hanson of Lyon	Moore of Harrison	Wiese
Crouch	Hopp	Ostby	Zylstra
Cunningham	Jenkins		

Absent or not voting, 27.

Augustine	Gissel	McFarlane	Schroeder
Avery	Hartman	Malone	Sheridan
Brady	Hook	Mercer	Speidel
Craven	Hultman	Moore of Benton	Stansell
Dreessen	Humeston	Paisley	Teter
Fletcher	Laughlin	Porter	Wieben
Gallagher	McCreery	Schlatter	

Amendment adopted.

Goode of Davis moves to amend House File No. 82 by adding the following section:

"Sec. 2. Nothing in this act shall affect mutual telephone companies."

Amendment adopted.

PROOF OF PUBLICATION

I hereby certify there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Des Moines Register, Des Moines, Iowa, relating to House File No. 193, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Des Moines, Iowa, authorizing and providing for the issuance of bonds for public improvement purposes and making provisions for the levy of taxes to pay said bonds.

VIRGIL LEKIN, *Chief Clerk.*

EXPLANATION OF VOTE

MR. SPEAKER: I voted against House File No. 78 for the following reason:

Many loan companies have been very lenient with their customers, even to the extent of paying taxes and permitting the debt to pyramid,

Digitized by Google

awaiting the dawn of better days. Passage of this bill will stop this practice and cause many foreclosures which otherwise might be avoided.

S. B. CROUCH.

AMENDMENTS FILED

Grau of Buena Vista filed the following amendment:

Amend House File No. 148 by striking sections one (1), two (2), three (3), four (4) and six (6) and renumbering the remaining sections.

Goode of Davis filed the following amendment:

1. Amend House File No. 148, Section 1, by striking from line five (5) thereof the word "eighteen (18)" and inserting in lieu thereof the word "sixteen (16)".
2. Further amend said bill by striking Section 4.
3. Further amend said bill by striking Section 5.

McKinnon of Henry filed the following amendment:

Amend House File No. 83 as follows:

Amend section two (2) as follows:

1. Lines one (1) and two (2), strike the following: ", and in actions which may hereafter be commenced, "; also
2. Lines four (4) and five (5), strike the words "the defendants shall not be held and required to answer therein" and insert in lieu thereof "no further proceedings shall be had, and in like actions hereafter commenced the defendants shall not be held and required to answer,"
3. Amend section four (4), line five (5), by striking the word "the" and inserting in lieu thereof "whether any and if so, what"; also strike from line six (6) the words "and the amount which."
4. Amend section six (6), line four (4), by striking the "period" and inserting in lieu thereof ", but no past or pending proceedings under any act heretofore passed for the relief of mortgage debtors shall be affected hereby in any manner or particular adverse to any of the interests or advantages of any such debtors."

On the motion of Lookingbill of Story the House adjourned until 9 o'clock a. m. Thursday, December 7, 1933.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 7, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. J. Walton Kempe, Pastor of the Grand View Lutheran Church, Des Moines, Iowa.

Journal of December 6, corrected and approved.

PETITIONS AND MEMORIALS

Favoring an increase in restaurant license fees. Brady, from the restaurant owners of Pottawattamie county; Ryder, from the restaurant owners of Dubuque county; Sours from the restaurant owners of Floyd county. Referred to committee on dairy and food.

Favoring a special tax on chain stores. Humeston, from the business men of Wayne county. Referred to the committee on tax revision.

Opposing the establishment of liquor stores operated by the state. McCarthy of Woodbury, from the Iowa Tobacco and Candy Wholesalers Association. Referred to the committee on liquor control.

Favoring postponement of action on liquor bill. Augustine, from the citizens of Ringgold county. Referred to the committee on liquor control.

Favoring regulation of packing plants. Aldrich of Wright, from the Goldfield Community Club. Referred to the committee on agriculture.

Favoring the limitations of tax levy to 10 mills or 1%. Treimer, from the voters of O'Brien county. Referred to the committee on tax revision.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Snyder of Hamilton for the day, on request of Jenkins of Louisa.

Digitized by Google

REPORTS OF COMMITTEES

Stewart of Calhoun, from the committee on police regulation and suppression of crime and intemperance, sumbitted the following report:

MR. SPEAKER: Your committee on police regulation and suppression of crime and intemperance to whom was referred House File No. 27, a bill for an act to amend Chapter thirty-seven (37) section twenty-seven (27) acts of the 45th General Assembly, relating to permit fees for beer sale in hotels, inns, and taverns, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ANDREW STEWART, *Chairman.*

Report adopted.

Rawlings of Monona from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred House File No. 35, a bill for an act to create a lien for certain services rendered in the favor of licensed veterinarians, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Strike all of Section One (1) and substitute therefore the following:

Section One (1). Every veterinarian, licensed and registered in accordance with Chapter One Hundred and Thirty Two (132) Code of Iowa, 1931, shall have a lien for any biological product used and for any service rendered in the administration of any such biological product used by him in the prevention or control of any contagious livestock disease, providing claim for their said lien be filed as hereinafter provided.

Strike all of Section Three (3) and substitute therefore the following:

Section Three (3). Any veterinarian entitled to a lien under this act shall make an account in writing, duly verified, stating the kind and number of livestock upon which such services were rendered, the amount and kind of biological product used and the price agreed upon for such services and biological products and the name of the person or persons for whom such services were rendered and file the same in the office of the Clerk of the District Court in the County in which the person or persons owning such livestock resides, within sixty (60) days after the day on which said services were rendered.

ED. RAWLINGS, *Chairman.*

Report adopted.

Mercer of Johnson, from the committee on public utilities, submitted the following report:

MR. SPEAKER: Your committee on public utilities to whom was referred House File No. 42, a bill for an act to amend section sixty-one hundred forty-three (6143), Code, 1931, relating to public utilities and to the

Digitized by Google

powers of cities and towns, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation. LEROY S. MERCER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on public utilities to whom was referred House File No. 43, a bill for an act to amend section sixty-one hundred twenty-seven (6127), sixty-one hundred thirty-four-d six (6134-d6), sixty-one hundred thirty-five (6135), sixty-one hundred forty-two (6142), Code, 1931, relating to public utilities and to the power of cities and towns, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

LEROY S. MERCER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on public utilities to whom was referred House File No. 62, a bill for an act to amend Chapter three hundred eighty-three (383) of the Code of Iowa, 1931, to provide for the establishment and regulation of service rates of electric light and power companies; to provide for continuous service; to provide for testing meters; to prescribe the duties and liabilities of public light and power companies; and to provide for the regulation of all public light and power companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation. LEROY S. MERCER, *Chairman.*

Report adopted.

Rawlings of Monona, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred House File No. 70, a bill for an act authorizing the Governor of the State of Iowa to declare an embargo on the shipment out of this state of any agricultural product produced within the state, when the market price thereof is less than cost of production, or reaches a point when the returns from such agricultural products are confiscatory, and declaring that agricultural products taken from the soil constitute a drain on the natural resources of this state, and that the disposition thereof at confiscatory prices becomes a matter of public concern warranting an executive order to prevent the same; and repealing all acts or parts of acts in conflict herewith, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. RAWLINGS, *Chairman.*

Passed on file.

Digitized by Google

Schmitz of Winneshiek, from the committee on fiish and game, submitted the following report:

MR. SPEAKER: Your committee on fish and game to whom was referred House File No. 80, a bill for an act relating to fur bearing animals and to permit the killing of fox at any time in any manner and repealing all provisions of law imposing restrictions and limitations upon the right to kill or trap the same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

After the word fox in line two of section one insert the words "and rabbit"; also after the word fox in line four of section one insert the words "and rabbit."

After the word fox in the title insert the words "and rabbit."

T. F. SCHMITZ, *Chairman.*

Report adopted.

Roe of Allamakee, from the committee on compensation of public officers, submitted the following report:

MR. SPEAKER: Your committee on compensation of public officers to whom was referred House File No. 94, a bill for an act to repeal section 51 of Chapter 188 of the Laws of the 45th General Assembly, relating to the compensation of employees in the Motor Vehicle Fuel Tax Division of the Office of the Treasurer of State, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking Section 1 and inserting in lieu thereof the following: "That section fifty-one (51) of Chapter one hundred eighty-eight (188) of the laws of the Forty-fifth General Assembly be and the same is hereby amended by substituting in lieu thereof the following:

'On and after December 15, 1933, and until June 30, 1935, the compensation of employees in the motor vehicle fuel tax division of the office of treasurer of state shall not exceed the following amounts annually:

For salaries:

Superintendent	$1,980.00
Chief Clerk and Secretary	1,700.00
Auditors (each)	1,733.00
Refund Investigators	1,530.00
Refund Auditor	1,350.00
Assistant Auditor	1,080.00
Warrant Clerk	1,188.00

Provided that no part of said compensation or expenses of such employees, or postage, equipment, supplies, and printing shall be paid from the general fund of the state but shall be paid from that portion of motor vehicle fuel taxes allocated to the motor vehicle fuel tax division of the office of the treasurer of state.' "

OVE T. ROE, *Chairman.*

Report adopted.

Digitized by Google

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 105, a bill for an act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefore and the disposition thereof, and the powers and duties of the Treasurer of the State of Iowa in connection therewith, and prescribing penalties for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

BLAKE WILLIS, *Chairman.*

Passed on file.

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 109, a bill for an act to amend section sixteen hundred fifty-four (1654), Code, 1931, relating to fees charged by township clerks for mileage and reporting same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. S. HOOK, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 114, a bill for an act to make permanent a temporary transfer made July 18, 1932, approved by the Director of the Budget of the State of Iowa under date of August 4, 1932, of seven thousand dollars ($7000.00) from the Secondary Road Construction Fund of Audubon County to the County Fund of said county, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Rawlings of Monona, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred House File No. 121, a bill for an act to require the Iowa State Fair Board to issue to Crop Reporters and/or Weather Observers passes to the Iowa State Fair, and to require said Reporters and/or Observers who accept the courtesy to attend the School of Instruction conducted during said Fair, beg leave to report they have had the same under consideration and

Digitized by Google

have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. RAWLINGS, *Chairman.*

Passed on file.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 129, a bill for an act to repeal Section Seven of Chapter One Hundred Twenty-Three, Acts of the Forty-fifth General Assembly, relating to levies to be made by any city or town for fire fund and fire department maintenance, and enacting a substitute therefor, permitting the council of any city or town to levy a millage rate sufficient to raise an amount up to, but not to exceed amounts raised by the 1930 levy for said funds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on Judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 140, a bill for an act relating to place of payment of public bonds and interest thereon, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 142, a bill for an act to amend section Fifty-eight hundred thirteen-d two (5813-d2) Code, 1931, and providing for a method of abolishing a Permanent Park Board in cities over 125,000, established under Chapter 293-d1, providing for the question of the abolishment of the Permanent Park Board to be submitted to the voters at the next City election in March following the adoption of this amendment; providing that if a majority of the votes upon said proposition be in favor thereof, said Permanent Park Board shall be abolished and the provisions of Chapter 293-d1 shall not apply to said City thereafter; providing for the automatic return of all property under the jurisdiction of said Permanent Park Board to the City Council of said City for disposition as by law provided, and providing that officers and members of said Permanent Park Board shall stand discharged, beg leave to report they have had the

Digitized by Google

same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 145, a bill for an act to regulate personal and mental endurance contests in public competition, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. BRADY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 146, a bill for an act giving the operator of a hospital in this State a lien upon all causes of action for damages accruing to a patient therein, or to the legal representative of such patient, for the reasonable charges for hospital care necessitated by the injuries giving rise to such causes of action, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 147, a bill for an act to amend section seventy-two hundred fifty-three (7253), Code, 1931, relating to bid and purchaser at delinquent tax sales and permitting counties to be purchasers at same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

Laughlin of Fremont, from the committe on roads and highways, submitted the following report:

MR. SPEAKER: Your committee on roads and highways to whom was referred House File No. 154, a bill for an act to amend chapter two hundred forty-one (241) of the Code of Iowa, 1931, and acts amendatory thereto, relating to the financing of secondary roads and to the amount of assessments that may be levied against property for the surfacing of the county secondary road system and to provide for the refund of assess-

Digitized by Google

ments heretofore made and paid and for the cancellation of unpaid assessments; also to provide for the payment of outstanding and unpaid certificates of assessments, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

E. P. LAUGHLIN, *Chairman.*

Passed on file.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 156, a bill for an act to amend Chapter 123 of the Acts of the 45th General Assembly, relating to levies to be made by cities having a population of one hundred thousand, or more, for the lighting of streets and public places, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 158, a bill for an act to prohibit "marathon dances" "walkathons", "skatathons", or any endurance contest in the State of Iowa, and providing penalties for any person, firm or corporation participating in, aiding or promoting such contests, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 163, a bill for an act authorizing cities and towns maintaining police or fire departments to provide for indemnifying their police or fire department employees against liability or loss because of any claim for bodily injuries, death or property damage made against such employees and resulting from their operation of motor vehicles while in the performance of their duties and authorizing said cities and towns to defend such employees in actions brought against them on account of any such claims or to compromise any such claims made against such employees and in case of judgment pay the same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Digitized by Google

Mitchell of Webster, from the committee on Judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 166, a bill for an act creating a presumption in any action or proceeding to recover taxes upon property not listed or assessed for taxation during the lifetime of any decedent, that any property, any evidence of ownership of property, and any evidence of a promise to pay, owned by a decedent at the date of his death; had been acquired by such decedent more than five years before the date of his death; etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 167, a bill for an act to amend Sections 5875 and 6209, Code, 1931, relating to cities which control their own tax levies for bridge purposes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 180, a bill for an act to establish county agriculture boards; to provide for county secretary of agriculture; to repeal chapter 138 Code 1931, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. S. HOOK, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on Judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 182, a bill for an act to amend Section Three Hundred Seventy-five (375) Code, 1931, relating to the publication of notice in a newspaper of the hearing upon the estimated tax levy for the ensuing year and providing for the publication of said notice by posting in municipalities where there are no newspapers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Digitized by Google

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 185, a bill for an act to amend, revise and codify chapter two hundred fifty-one A one (251-A1) Code, 1931, and chapters seventy-five (75) and eighty-six (86) of Acts of the Forty-fifth (45th) General Assembly relating to the collection of license fees on all motor vehicle fuel used or otherwise disposed of in the state of Iowa, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend Section 2 by adding thereto the following:

j. The term "fuel oil dealer" shall mean a person engaged in selling fuel oil at retail for use for purposes other than operating internal combustion engines of the type used in motor vehicles, tractors, or other mechanical devices propelled by their own power.

k. The term "fuel oil distributor" shall mean any person who receives fuel oil from outside the state or who produces or manufactures fuel oil within the state to be used or re-sold within the state only for purposes other than the operation of internal combustion engines of the type used to propel motor vehicles, tractors, and other mechanical devices which are propelled by their own power.

1. The term "tax free" when used in connection with the sale of fuel oil shall mean a sale or purchase without the payment of the motor vehicle fuel license fees imposed by the provisions of this act.

m. The term "certificate of purchase" shall mean a certificate in such form as the Treasurer shall prescribe or approve, issued by a fuel oil dealer to a distributor or fuel oil distributor, covering the purchase by said fuel oil dealer showing the kind and quantity of fuel oil purchased, from whom purchased, and such other information as the Treasurer shall prescribe and in such certificate the maker shall state and agree that he will not use or sell for use any of the products covered by such certificate either alone or in combination with other petroleum products as fuel for motor vehicles.

n. The term "certificate of exemption" shall mean a certificate in such form as the Treasurer may prescribe or approve, covering the sale by a fuel oil dealer to the user of fuel oil and shall be signed by the user and shall show the kind and quantity of fuel oil purchased, from whom purchased, and the purpose for which it is to be used and in such certificate the maker thereof shall state and agree that he will not use or sell or permit to be used any of the fuel oil covered by said certificate, either alone or in combination with other petroleum products or substances as fuel for motor vehicles.

2. Amend Section 3 by adding after the word "its" where it occurs in the seventh line of said section, the following, "instrumentalities or".

3. Strike out all of Section 4 and substitute in lieu thereof the following:

"Sec. 4. Passing on the Tax.

Said tax shall be paid to the State of Iowa by the distributor, or other

Digitized by Google

person who first receives said motor vehicle fuel in this State or who manufactures, compounds, or blends motor vehicle fuel in this State, at the times and in the manner hereinafter provided, and such distributor or other person having paid said tax or being liable for the payment thereof, shall collect the amount thereof from any person to whom said motor vehicle fuel is sold in this State as a part of the selling price thereof. Every distributor and other person selling motor vehicle fuel in this state, at retail, shall keep posted in a conspicuous place most accessible to the public, at their place or places of business, a placard showing in words and figures, of the same height and size but not less than one inch in height or size, the price per gallon of each grade of motor vehicle fuel offered for sale, the amount of state license fee per gallon thereon, the Federal Excise Tax per gallon thereon, and the total thereof. All price placards shall be subject to the approval of the Treasurer. Any person failing to post or keep posted the placard required by this section or posting price placards not approved by the Treasurer as provided in this section, shall be guilty of a misdemeanor and shall be punished by a fine of one hundred dollars or imprisonment in the county jail for a period of thirty days. Each day the required placard remains unposted or an unauthorized placard remains posted shall be considered a separate offense."

4. Amend Section 10 by striking out the sixth numbered paragraph thereof and substituting in lieu thereof as the sixth numbered paragraph, the following:

"6. If said distributor holds a permit to sell, or use fuel oil as provided by this act without the collection or payment of a tax thereon, such report shall also show, the amount of fuel oil received during the preceding calendar month and the amount disposed of and the purpose for which it was used or sold for use, and such other information in connection therewith as the Treasurer may require. Said report shall also be accompanied by the certificates of exemption covering the fuel oil sold for use in pursuance of said permit, and certificates of purchase covering fuel oil sold to fuel oil distributors for resale, and the gallonage thus sold or used shall not be included in the gallonage on which the license fees are payable."

5. Amend Section 15 by striking all of said section and substituting in lieu thereof the following:

"Sec. 15. Permits to Sell Fuel Oil Tax Free.

Every person desiring to engage in business as a fuel oil dealer shall apply to the Treasurer for a fuel oil dealer's permit, which permit shall be in a form prescribed by the Treasurer and shall entitle the holder thereof to purchase fuel oil tax free from a distributor or a fuel oil distributor in this State by issuing to the seller a certificate of purchase therefor. But no such permit shall be issued until the applicant therefor files with the Treasurer a verified application on forms prepared and furnished by the Treasurer, stating the purpose for which the permit is desired, the use the holder desires to make of it and the nature of the business in which the applicant is engaged. In said application the applicant must also agree not to use said fuel oils either alone or in combina-

Digitized by Google

tion with other substances as fuel for motor vehicles or sell any of said products for such use or to sell said products for resale and to report to the Treaurer of State promptly any sales which may have been made where the amounts involved or the circumstances are such as to arouse suspicion that said products have been purchased for use as fuel for motor vehicles either alone or in combination with other substances. Said application must have endorsed thereon the affidavit of a freeholder of the State as to the good moral character of the applicant, if an individual or a group of individuals, and the officers of the corporation, if a corporation. The Treasurer, if convinced by the showing made in the application or from any investigation he desires to make that the applicant is of good moral character and is actually engaged, or about to engage, in business as a fuel oil dealer, shall issue a permit as herein provided. The holder of a fuel oil permit may purchase fuel oil tax free only from distributors or fuel oil distributors within this State and shall sell only for the purpose or use otherwise than as fuel for motor vehicles, and shall sell only to such persons as furnish to him a certificate of exemption covering said sale.

Every holder of such fuel oil permit shall keep all certificates of exemption for a period of three years, and shall keep a record of all purchases and receipts of fuel oil and of all sales and deliveries thereof, which record is to be kept in the manner and form prescribed by the Treasurer or approved by the Treasurer or his representative and said certificates of exemption and record are to be at all reasonable times open to the inspection of the Treasurer or his representatives. Should any dealer be unable to produce certificates of exemption covering all fuel oil sold or used by him, the difference shall be presumed to have been sold or used as motor vehicle fuel.

A fee of $1.00 shall be collected from all persons to whom the fuel oil permit is issued under the provisions of this section."

6. Amend Section 16 by striking all of said section and substituting in lieu thereof the following:

"Sec. 16. Fuel Oil Distributors.

Every person desiring to engage in business as a fuel oil distributor, except those who already hold a distributor's license, shall apply to the Treasurer for a fuel oil distributor's license on forms to be prescribed and furnished by the Treasurer. The Treasurer shall, if satisfied that the applicant desires to honestly and in good faith engage in distributing fuel oil, issue to such applicant a fuel oil distributor's license in a form prescribed by the Treasurer. A fuel oil distributor shall purchase only from outside the State and sell only to fuel oil dealers holding fuel oil permits, and then only upon receipt of a certificate of purchase covering said sale.

Each fuel oil distributor shall keep his fuel oil purchase certificates for a period of three years, and shall keep a record on such form as the Treasurer shall prescribe or approve of all purchases and sales of fuel oil, and said purchase certificates and record shall at all reasonable times be open to the inspection of the Tresurer or his representatives. Should any distributor be unable to produce certificates of purchase covering all

Digitized by Google

fuel oil sold or used by him, the difference shall be presumed to have been sold or used as motor vehicle fuel.

A fee of $1.00 shall be collected by the Treasurer for each fuel oil distributor's license."

7. Amend Section 17 by striking out all of said section and substituting in lieu thereof the following:

"Sec. 17. Should a fuel oil dealer or a fuel oil distributor be a user of fuel oil, he may make out exemption certificates, or certificates of purchase as the case may be, and file them with other such certificates, when said fuel oil is withdrawn from stock."

8. Amend Section 18 by striking out all of said section and substituting in lieu thereof the following:

"Sec. 18. Revocation of Fuel Oil Permits.

Any fuel oil permit or fuel oil distributor's license issued under the provisions of this act may be revoked by the Treasurer upon five days notice to the holder to show cause why it should not be revoked, when the Treasurer is convinced from any information available to him that the holder thereof, has violated the undertaking in his application or has issued or knowingly received any false exemption certificates or certificates of purchase and is knowingly either directly or indirectly, a party to the use of the fuel oil received by him as fuel for motor vehicles, or has violated any of the provisions of this act."

9. Amend Section 32 by inserting therein after the sixth numbered paragraph additional numbered paragraphs as follows:

"7. For any fuel oil dealer or permit holder to sell fuel oil for any purpose except for use for purposes other than as fuel for motor vehicles or to sell said fuel without obtaining a certificate of exemption from the purchaser covering said sale.

8. For any fuel oil distributor to receive in this State from outside the State any motor vehicle fuel, except those fuels which classify as fuel oil under the provisions of this act or to sell fuel oils except to the holders of fuel oil dealer's permits where a certificate of purchase is obtained from the purchaser, but nothing herein contained shall be construed to prevent a person being both a fuel oil distributor and a fuel oil dealer.

9. For any person to engage in business as a fuel oil dealer or a fuel oil distributor without the permit or license provided for in this act."

10. Amend by striking all of Section 37 and re-numbering all of the succeeding sections, Section 37, 38, 39, 40 and 41.

11. Amend Section 43 by striking all of said section and substituting in lieu thereof the following:

"This Act being deemed of immediate importance shall be in effect after its passage and publication in the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa, and the Cedar Valley Daily Times, a newspaper published at Vinton, Iowa."

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

Digitized by Google

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 196, a bill for an act to confer certain powers on cities regardless of the form of government thereof and having a population of eight Thousand (8000) or more, and cities organized under special Charter, relating to the maintenance of Police Departments and providing for the levy and collection of a special tax for the use and maintenance of such Departments, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend House File No. 196 as follows:

Section 1, strike the period (.) in line five and substitute therefor a comma (,) and add the following:

"Which special tax shall constitute an item of the consolidated tax levy authorized by Section six thousand two hundred and seventeen (6217) Code of Iowa 1931."

Also by adding thereto the following section:

Sec. 2. Nothing in this act contained shall be held to extend the powers of such cities to make annual levies for the funds specified in such consolidated levy in excess of eight and one-fourth (8¼) mills on the dollar of the taxable value of the property therein.

Correct the title as follows:

"Strike the period (.) at the end of the title and insert in lieu thereof a comma (,) and add the following: "and providing that the fund provided by such special tax constitute an item in the consolidated tax levy authorized by Section six thousand two hundred seventeen (6217) Code of Iowa, 1931, and providing that the total levy of all funds levied for such consolidated funds be limited to eight and one-fourth (8¼) mills on the taxable value of the property in such cities.

BLAKE WILLIS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 205, a bill for an act to amend section six thousand one hundred three (6103) Code, 1931, relating to Flood Control, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. BLAKE WILLIS, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns to whom was referred Senate File No. 19, a bill for an act to amend sub section five of section six thousand two hundred eleven of the Code of Iowa, 1931, relating to sewer fund permitting the use fo the sewer fund for the construction, reconstruction, and repair of sewage disposal plant, beg leave to

Digitized by Google

report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. BLAKE WILLIS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns to whom was referred Senate File No. 20, a bill for an act to amend section six thousand one hundred twenty five of the code of Iowa, 1931 relating to sewer bonds and indebtedness by including sewer outlets and/or purifying plants, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. BLAKE WILLIS, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 80, a bill for an act to repeal section two thousand thirteen-c five (2013-c5), Code, 1931, and to enact a substitute therefor relating to the requisition of vehicles condemned under chapter ninety-seven (97) of said Code and providing that mileage may not be charged by public officials when using publicly owned cars, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by correcting the spelling of the word "publicly" in line five (5) of said title. JOHN H. MITCHELL, *Chairman.*

Report adopted.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 7

Foster of Cedar called up House Concurrent Resolution No. 7, found on pages 233, 234 and 235, in the Journal of November 28, for consideration and moved its adoption.

Fabritz of Wapello moved the previous question. Motion prevailed.

A roll call was demanded and on the question, "Shall House Concurrent Resolution No. 7 be adopted?"

The ayes were, 81.

Aldrich	Bowers	Dean	Falvey
Alesch	Bruce	Dole	Felter
Augustine	Casey	Donlon	Fletcher
Beath	Craven	Doran	Foster
Beswick	Crouch	Dreessen	Frizzell
Bonnstetter	Cunningham	Durant	Fuester
Bouska	Davis	Elliott	Gallagher

Digitized by Google

Garner	Jensen	Paisley	Stewart
Gissel	Laughlin	Peaco	Stimpson
Gittinger	Lookingbill	Rawlings	Strachan
Grau	McCarthy	Rice	Swift
Grell	McKinnon	Roe	Teter
Hanson of Lyon	McLean	Ryder	Thies
Hanson of Winnebago	Malone	Schlatter	Thiessen
Hook	Maniece	Schmitz	Treimer
Hopp	Mercer	Schroeder	Weed
Hough	Metcalf	Sours	Wiese
Hultman	Millhone	Speidel	Wolf
Humeston	Mitchell	Stansell	Yager
Jenkins	Osborn	Stanzel	Zipse
	Ostby		

The nays were, 16.

Burgess	Johnson	Moore of Harrison	Sheridan
Ellsworth	Lichty	Mooty	Smith
Fabritz	McCreery	Peet	Willis
Goode	McFarlane		Mr. Speaker
Hartman			

Absent or not voting, 11.

Avery	Koch	Porter	Wieben
Brady	McDermott	Reed	Zylstra
Fuelling	Moore of Benton	Snyder	

Resolution adopted.

HOUSE FILE NO. 51 PLACED ON THE CALENDAR

Humeston of Wayne asked that House File No. 51 be withdrawn from the committee on telephone, telegraph and express, and placed on the calendar, in so far as it had been in the hands of the committee more than ten days. Speaker Miller, under rule 58 ordered the bill placed on the calendar.

HOUSE FILE NO. 51 REREFERRED

Sours of Floyd moved that House File No. 51 be referred to the committee on telephone, telegraph and express. Motion prevailed and House File No. 51 was so rereferred.

INTRODUCTION OF BILLS

House File No. 267 by committee on schools and text books, a bill for an act to repeal section forty-two hundred thirty-one (4231), Code 1931, relating to the closing of schools because of lack of attendance, and to enact a substitute therefor.

Read first and second times and placed on calendar.

House File No. 268 by committee on police regulation and sup-

Digitized by Google

pression of crime, a bill for an act to amend Chapter Six Hundred sixteen-D-One (616 D1) Code, 1931, relating to the Police Radio Broadcasting System and to provide an appropriation therefor.

Read first and second times and referred to committee on appropriations.

House File No. 269 by committee on agriculture, a bill for an act to amend the law as it appears in sections thirty-two hundred forty-four-b one (3244-b1), thirty-two hundred forty-four-b three (3244-b3) and thirty-two hundred forty-four-b six (3244-b6), Code, 1931, relating to certain standards as to weight of bread, providing penalties for violation, and authorizing the secretary of agriculture to make rules and regulations for the enforcement of the law pertaining to bread, and amending Chapter one hundred sixty-one (161), relating to the time, place and manner of weighing bread.

Read first and second times and placed on calendar.

House File No. 270 by committee on agriculture, a bill for an act to recognize the Iowa Swine Producers' Association and to aid in providing information in regard to the production and marketing of swine and to provide an appropriation therefor.

Read first and second times and referred to committee on appropriations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 74, a bill for an act relating to the expenditure by cities in aiding in the purchase of land for state parks.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 71, a bill for an act to enable the United States to acquire state lands for National Forests.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 54, a bill for an act relating to non-intoxicating liquors, beer, and other malt liquors.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 41, a bill for an act relating to the selection and platting of a homestead.

Digitized by Google

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 24, a bill for an act to require telephone companies to furnish equal service and facilities to each other without discrimination.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 77, a bill for an act relating to and regulating the advancement of funds to Mutual Insurance Companies other than life.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 21, a bill for an act relating to the computation of tax rates.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE NO. 21

Amend House File No. 21 by striking out section (1) and inserting in lieu thereof as section one (1) the following:

"Section 1. Section seventy-one hundred sixty-four (7164) Code of 1931, is amended by striking lines nine (9) to nineteen (19), inclusive, therefrom."

Amend the title to read as follows: "An Act to amend section seventy-one hundred sixty-four (7164), Code, 1931, by repealing lines nine (9) to nineteen (19), inclusive, of said section, relating to the computation of tax rates."

SENATE MESSAGES CONSIDERED

Senate File No. 105, a bill for an act to amend section forty-seven hundred fifty-five-b thirty-two (4755-b32) of the Code 1931, to remove the present limitations on the use of Primary road funds for the payment of principal and interest of primary road bonds and bonds issued to refund primary road bonds, to provide a comprehensive plan for the financing of primary road bonds and bonds issued to refund primary road bonds, and to make more certain that primary road bonds and bonds issued to refund primary road bonds and the interest on such bonds will be paid out of the primary road fund.

Read first and second times and referred to committee on roads and highways.

Senate File No. 41, a bill for an act to amend section ten thousand one hundred thirty-eight (10138), Code of Iowa, 1931, relating to the selection and platting of a homestead.

Read first and second times and referred to committee on judiciary No. 1.

Digitized by Google

Senate File No. 54, a bill for an act to amend Chapter Thirty Seven (37) of the Laws of the Forty Fifth General Assembly, relating to non-intoxicating liquors, beer, and other malt liquors.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 71, a bill for an act to enable the United States to acquire state lands for National Forests.

Read first and second times and referred to committee on conservation of resources.

Senate File No. 74, a bill for an act to amend sections eighteen hundred twenty-two, a-one (1822-a1) eighteen hundred twenty-two, a-one, eighteen hundred twenty-two, a-three (1822-a3), of the Code, 1931, relating to the expenditure by cities or towns in aiding in the purchase of land for state parks.

Read first and second times and referred to committee on conservation of resources.

Senate File No. 24, a bill for an act to require telephone companies to furnish equal service and facilities to each other without discrimination.

Read first and second times and referred to committee on telephone, telegraph and express.

CONSIDERATION OF SENATE AMENDMENTS

On request of Millhone of Page unanimous consent having been given, House File No. 77, a bill for An Emergency Act to amend the law as it appears in Section eighty-nine hundred twelve (8912), Code, 1931, relating to and regulating the advancement of funds to Mutual Insurance Companies other than life, so as to authorize such insurance companies to establish a guaranty fund, and to provide for the establishment, regulation and administration of such fund, with Senate amendment, was taken up and the amendments read and considered.

SENATE AMENDMENT

Amend House File No. 77 by striking the word "each" in line eight (8) of Section One (1).

Digitized by Google

Mr. Millhone moved that the House concur in the Senate amendments. On the question, "Shall the House concur?"

The ayes were, 81.

Alesch	Falvey	Laughlin	Schroeder
Augustine	Felter	Lichty	Smith
Avery	Fletcher	Lookingbill	Sours
Beath	Foster	McCreery	Speidel
Beswick	Frizzell	McDermott	Stansell
Bonstetter	Fuelling	Malone	Stanzel
Bouska	Fuester	Maniece	Stewart
Brady	Garner	Mercer	Stimpson
Bruce	Gissel	Metcalf	Strachan
Burgess	Gittinger	Millhone	Swift
Casey	Grau	Mitchell	Teter
Craven	Hanson of Lyon	Mooty	Thies
Davis	Hartman	Paisley	Thiessen
Dean	Hook	Peet	Weed
Dole	Hopp	Rawlings	Wieben
Donlon	Hough	Rice	Willis
Doran	Humeston	Roe	Wolf
Dreessen	Jenkins	Ryder	Zipse
Durant	Jensen	Schlatter	Zylstra
Ellsworth	Koch	Schmitz	Mr. Speaker
Fabritz			

The nays were, none.

Absent or not voting, 27.

Aldrich	Hanson of Winnebago	McLean	Porter
Bowers	Hultman	Moore of Benton	Reed
Crouch	Johnson	Moore of Harrison	Sheridan
Cunningham	McCarthy	Osborn	Snyder
Elliott	McFarlane	Ostby	Treimer
Gallagher	McKinnon	Peaco	Wiese
Goode			Yager
Grell			

So the House concurred in Senate amendment to House File No. 77.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 82, a bill for an act to authorize cities and town to regulate and fix rents, rates or charges for telephones and telephonic service.

Dole of Jefferson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 49.

Beath	Burgess	Dole	Ellsworth
Beswick	Craven	Dreessen	Falvey
Bonnstetter	Dean	Elliott	Fletcher

Digitized by Google

Frizzell	Koch	Millhone	Schmitz
Fuester	Laughlin	Mooty	Smith
Garner	Lichty	Ostby	Sours
Gittinger	McCarthy	Peaco	Stanzel
Goode	McDermott	Peet	Stimpson
Grau	McFarlane	Rawlings	Thies
Hook	McLean	Rice	Thiessen
Hough	Maniece	Roe	Weed
Humeston	Metcalf	Schlatter	Willis
Jensen			

The nays were, 49.

Aldrich	Durant	Johnson	Stansell
Alesch	Fabritz	Lookingbill	Stewart
Augustine	Felter	McCreery	Strachan
Avery	Foster	McKinnon	Swift
Bouska	Fuelling	Malone	Treimer
Bowers	Gallagher	Mercer	Wieben
Brady	Gissel	Mitchell	Wiese
Bruce	Grell	Moore of Benton	Wolf
Casey	Hanson of Lyon	Osborn	Yager
Crouch	Hartman	Paisley	Zipse
Davis	Hopp	Ryder	Zylstra
Donlon	Jenkins	Schroeder	Mr. Speaker
Doran			

Absent or not voting, 10.

Cunningham	Hultman	Porter	Snyder
Hanson of Winnebago	Moore of Harrison	Reed	Speidel
		Sheridan	Teter

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Crouch of Greene moved that the vote by which House File No. 82 failed to pass the House be reconsidered and the motion to reconsider be laid on the table. Motion lost.

House File No. 148, a bill for an act to amend Sections Forty-nine hundred sixty-d five (4960-d5), Forty-nine hundred sixty-d ten (4960-d10), Forty-nine hundred sixty-d twenty-nine (4960-d29), and Forty-nine hundred sixty-d forty-five (4960-d45), Code, 1931; and to repeal Sections Forty-nine hundred sixty-d eleven (4960-d11) and Five thousand twenty-five (5025) Code, 1931, relating to operators' and chauffeurs' license law, was taken up for consideration.

Augustine of Ringgold moved to defer action and that the bill retain its place on the calendar. Motion prevailed.

Senate File No. 51, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), Code, 1931, as amended by

Digitized by Google

chapter seventy-six (76), Acts Forty-fifth (45th) General Assembly, relating to the collection of motor vehicle license fees; also to repeal section seven (7) of chapter seventy-six (76), Acts of the Forty-fifth (45th) General Assembly, relating to said fees, with report of committee recommending passage was taken up for consideration.

Augustine of Ringgold moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Fletcher	Lookingbill	Ryder
Alesch	Foster	McCarthy	Schlatter
Augustine	Frizzell	McCreery	Schmitz
Bonnstetter	Fuelling	McDermott	Smith
Bouska	Fuester	McFarlane	Sours
Bowers	Gallagher	McKinnon	Speidel
Brady	Garner	McLean	Stansell
Bruce	Gissel	Malone	Stanzel
Burgess	Gittinger	Maniece	Stewart
Casey	Grau	Mercer	Stimpson
Crouch	Hartman	Metcalf	Strachan
Davis	Hook	Millhone	Swift
Dean	Hopp	Mitchell	Thiessen
Dole	Hough	Mooty	Weed
Donlon	Humeston	Osborn	Wieben
Doran	Jenkins	Paisley	Wiese
Durant	Jensen	Peaco	Yager
Elliott	Johnson	Peet	Zipse
Ellsworth	Koch	Reed	Zylstra
Fabritz	Laughlin	Rice	Mr. Speaker
Felter	Lichty	Roe	

The nays were, 9.

Beath	Falvey	Schroeder	Willis
Beswick	Moore of Benton	Treimer	Wolf
Dreessen			

Absent or not voting, 16.

Avery	Hanson of Lyon	Moore of	Rawlings
Craven	Hanson of	Harrison	Sheridan
Cunningham	Winnebago	Ostby	Snyder
Goode	Hultman	Porter	Teter
Grell			Thies

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Augustine of Ringgold moved that the vote by which Senate File No. 51 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 149, a bill for an act to amend Section Forty-nine hundred four (4904), Code, 1931, relating to storage affidavits on motor vehicles for the year 1933 and registration fees and penalties, was taken up for consideration.

Digitized by Google

Augustine of Ringgold asked and obtained unanimous consent to substitute Senate File No. 93, a bill for an act relating to storage affidavits on motor vehicles for the year 1933 and registration fees and penalties, Section Forty-nine hundred four-A (4904-A), for House File No. 149.

Augustine of Ringgold moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 97.

Aldrich	Falvey	Lichty	Schlatter
Alesch	Felter	Lookingbill	Schmitz
Augustine	Fletcher	McCreery	Schroeder
Avery	Foster	McDermott	Sheridan
Beath	Frizzell	McFarlane	Smith
Beswick	Fuelling	McKinnon	Sours
Bonnstetter	Fuester	McLean	Speidel
Bouska	Gallagher	Malone	Stansell
Bowers	Garner	Maniece	Stanzel
Brady	Gissel	Mercer	Stewart
Bruce	Gittinger	Metcalf	Stimpson
Burgess	Goode	Mitchell	Strachan
Casey	Grau	Moore of Benton	Swift
Craven	Hanson of Lyon	Mooty	Thies
Crouch	Hartman	Osborn	Thiessen
Cunningham	Hook	Ostby	Treimer
Davis	Hopp	Paisley	Weed
Dean	Hough	Peaco	Wieben
Dole	Humeston	Peet	Wiese
Donlon	Jenkins	Rawlings	Wills
Doran	Jensen	Reed	Wolf
Dreessen	Johnson	Rice	Yager
Durant	Koch	Roe	Zipse
Elliott	Laughlin	Ryder	Mr. Speaker
Ellsworth			

The nays were, none.

Absent or not voting, 11.

Fabritz	Hultman	Moore of Harrison	Snyder
Grell	McCarthy	Porter	Teter
Hanson of Winnebago	Millhone		Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 150, a bill for an act to amend Section Forty-nine sixty-d thirty-two (4960-d32), Code 1931, relating to reporting of convictions and recommendation of suspension of operator's or chauffeur's license, was taken up for consideration.

Augustine of Ringgold asked and obtained unanimous consent to substitute Senate File No. 94, a bill for an act to amend Section Forty-nine Sixty-D Thirty two (4960-d32) Code of Iowa, 1931, relating to reporting of convictions and recommendations of sus-

Digitized by Google

pension of Operator's and Chauffeur's licenses, for House File No. 150.

Augustine of Ringgold moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Fabritz	Lichty	Schlatter
Alesch	Falvey	Lookingbill	Schmitz
Augustine	Felter	McCarthy	Schroeder
Avery	Fletcher	McCreery	Smith
Beath	Foster	McDermott	Sours
Beswick	Frizzell	McFarlane	Speidel
Bonnstetter	Fuelling	McKinnon	Stansell
Bouska	Fuester	McLean	Stanzel
Bowers	Gallagher	Malone	Stewart
Bruce	Garner	Mercer	Stimpson
Burgess	Gissel	Metcalf	Strachan
Casey	Gittinger	Millhone	Swift
Craven	Goode	Mitchell	Thies
Crouch	Grau	Mooty	Thiessen
Cunningham	Hanson of Lyon	Osborn	Treimer
Davis	Hartman	Ostby	Weed
Dean	Hook	Paisley	Wieben
Dole	Hopp	Peaco	Wiese
Donlon	Hough	Peet	Willis
Doran	Humeston	Rawlings	Yager
Dreessen	Jenkins	Reed	Zipse
Durant	Jensen	Rice	Zylstra
Elliott	Johnson	Roe	Mr. Speaker
Ellsworth	Koch	Ryder	

The nays were, 1.

Sheridan

Absent or not voting, 12.

Brady	Hultman	Moore of Benton	Porter
Grell	Laughlin	Moore of Harrison	Snyder
Hanson of Winnebago	Maniece		Teter
			Wolf

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE NO. 46 REREFERRED

Avery of Clay asked and obtained unanimous consent to have House File No. 46 rereferred to the committee on judiciary No. 2.

COMMITTEE OF THE WHOLE MEETING ARRANGED

Rice of Keokuk moved that the House resolve itself into a committee of the whole Friday morning for the purpose of discussing tax revision. Motion prevailed.

Digitized by Google

RESIGNATION OF COMMITTEE CLERK

TO THE SPEAKER OF THE HOUSE: I hereby tender my resignation as a committee clerk of the House, to take effect December 8, 1933.

MERCEDES CONROY.

AMENDMENTS FILED

Bruce of Pocahontas filed the following amendment:

Amend House File No. 37, by adding thereto the following:

"Line fourteen (14), strike the figures "$15.00" and insert in lieu thereof "$7.50".

Hanson of Lyon filed the following amendment:

Amend House File No. 134 by inserting prior to the enacting clause the following:

"*Whereas*, A public emergency existed resulting in the enactment of Chapter 156, Laws of the Forty-fifth General Assembly, also known as Senate File No. 111, Acts of the Forty-fifth General Assembly, and

Whereas, The emergency is declared to still exist to the extent of seriously affecting the welfare of the people of Iowa because of the abnormal economic and financial situation, and

Whereas, Many state banks, savings banks, private banks and trust companies are now operating under supervision of and under the restrictions of the Superintendent of Banking under the provisions of Chapter 156, Laws of the Forty-fifth General Assembly, and because of the continued abnormal situation have as yet been unable to reorganize or liquidate their assets sufficiently to be released from the control of the Superintendent of Banking, now *Therefore*

Felter of Warren filed the following amendment:

Amend House File No. 158 by striking Section one (1), and inserting in lieu thereof the following:

"It shall be unlawful for any person or persons, firm or corporation to advertise, operate, maintain, promote or aid in the advertising, operating, maintaining or promoting any mental or physical endurance contest in the nature of a "marathon", "walkathon", "skatathon", or any other such endurance contest of a like or similar character or nature, whether under that or other names. Nothing in this act shall apply to the continuance of the ordinary amateur or professional athletic events or contests, or high school, college, and inter-collegiate athletic sports."

Beswick of Van Buren filed the following amendment:

Amend House File No. 160 by adding thereto the following:

"Sec. 3. Any motor vehicle fifteen (15) years old, or older, whose owner desires to use said motor vehicle exclusively for exhibition or educational purposes at State, or County Fairs, or other places where said motor vehicle may be exhibited for entertainment or educational purposes, shall be given a license permitting the driving of said motor vehicle upon the public roads to and from said fair or other place of entertainment or education, for a license fee of one dollar ($1.00) per annum."

On motion of McKinnon of Henry the House adjourned until 9 o'clock a. m. Friday, December 8.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 8, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Edwin L. Spiller, pastor Simpson M. E. Church, Des Moines, Iowa.

Journal of December 7, corrected and approved.

REPORTS OF COMMITTEES

Malone of Cass, from the committee on tax reduction, submitted the following report:

MR. SPEAKER: Your committee on tax reduction to whom was referred House File No. 96, a bill for an act to amend section sixty-nine hundred fifty-six (6956), Code, 1931, relating to the responsibility for listing moneys and credits for tax purposes; and to amend chapter three hundred thrity (330), Code, 1931, by adding a section relating to a five mill reduction in the tax levy on real estate and/or personal property, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. E. MALONE, *Chairman.*

Report adopted.

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 124, a bill for an act to amend chapter 91, Acts of the 45th General Assembly, and sub-section 12 of the section 5220, Code 1931, as amended, relating to the salaries of county auditors in certain counties; etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. S. HOOK, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 128, a bill for an act to amend section eleven

Digitized by Google

hundred fifty-nine (1159), Code, 1931, relating to appointments and promotions of honorably discharged soldiers, sailors, marines and nurses of the Army and Navy of the United States and providing they shall be entitled to preference over other applicants in certain cases, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. BRADY, *Chairman.*

Passed on file.

Gallagher of Iowa, from the committee on schools and text books, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 138, a bill to amend chapter 213, 287 and Sec. 5258, Code 1931, to require City, County and school officials to confine annual expenditures to cash income, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. P. GALLAGHER, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 152, a bill to repeal sections 4332 and 4335 Code, 1931, relating to state aid for standard rural schools, payment and expenditure of same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. P. GALLAGHER, *Chairman.*

Passed on file.

Durant of Hancock, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health to whom was referred House File No. 159, a bill for an act requiring the completion of sewage or waste treatment plants for all cities and towns and all industrial plants on or before January, 1, 1937, and providing for the approval of such sewage or waste treatment plants by the State Department of Health and that the operation and maintenance of such plants shall be in accordance with the regulations of the State Department of Health and providing for a penalty for failure to comply with this Act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

"Amend section one (1) by striking the word "of" in line three (3) and inserting in lieu thereof the word "within".

S. B. DURANT, *Chairman.*

Digitized by Google

Report adopted.

Malone of Case, from the committee on tax reduction, submitted the following report:

MR. SPEAKER: Your committee on tax reduction to whom was referred House File No. 165, a bill for an act to amend section fifty-three hundred thirty-seven (5337), Code, 1931, as amended by Chapter one hundred twenty-one (121), section twenty-eight (28), Acts of the Forty-fifth General Assembly, relating to the levying of a poor tax for the support of the poor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. E. MALONE, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 168, a bill for an act to amend section ten thousand two hundred sixty-four (10264), Code 1931, relating to landlord's lien, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. BRADY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 193, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Des Moines, Iowa, authorizing and providing for the issuance of bonds for public improvement purposes and making provisions for the levy of taxes to pay said bonds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Ellsworth of Hardin, from the committee on banks and banking, submitted the following report:

MR. SPEAKER: Your committee on banks and banking to whom was referred House File No. 197, a bill for an act in reference to private banks and their examination and regulation by the superintendent of banks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. E. O. ELLSWORTH, *Chairman.*

Report adopted.

Digitized by Google

Also:

MR. SPEAKER: Your committee on banks and banking to whom was referred House File No. 217, a bill for an act to repeal section ninety-two hundred fifty-eight-b1 (9258-b1), Code, 1931, relating to branch banking, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

E. O. ELLSWORTH, *Chairman.*

Passed on file.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 224, a bill for an act to make permanent the temporary transfer, made November 6, 1931, of money from the secondary road Maintenance fund to the general fund of Emmet County, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN F. BRADY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 240, a bill for an act to amend sections forty-eight hundred seventy (4870), and forty-nine hundred sixty-d nineteen (4960-d19), code 1931, to provide that the County Treasurer shall withhold registration of any motor vehicle and issuance of driver's or chauffeur's license until the applicant or any member of his or her immediate family shall have paid his or her delinquent personal taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN F. BRADY, *Chairman.*

Passed on file.

Ellsworth of Hardin, from the committee on banks and banking, submitted the following report:

MR. SPEAKER: Your committee on banks and banking to whom was referred House Joint Resolution No. 3, a resolution authorizing an investigation of the Banking Department of the State of Iowa, and its several departments, bureaus, officers and employees, beg leave to report they have had the same under consideration and have instructed me to report the sam back to the House with the recommendation that the same be indefinitely postponed. E. O. ELLSWORTH, *Chairman.*

Passed on file.

Digitized by Google

CONSIDERATION OF SENATE AMENDMENTS

On request of Speidel of Washington unanimous consent having been given, House File No. 21, a bill for an act to amend section seventy-one hundred sixty-four (7164), Code, 1931, by repealing lines nine (9) to nineteen (19), inclusive, of said section, relating to the computation of tax rates, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS

Amend House File No. 21 by striking out section (1) and inserting in lieu thereof as section one (1) the following:

"Section 1. Section seventy-one hundred sixty-four (7164) Code of 1931, is amended by striking lines nine (9) to nineteen (19), inclusive, therefrom."

Amend the title to read as follows: "An Act to amend section seventy-one hundred sixty-four (7164), Code, 1931, by repealing lines nine (9) to nineteen (19), inclusive, of said section, relating to the computation of tax rates."

Mr. Speidel moved that the House refuse to concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were, 4.

Avery	Dean	Hartman	Sours

The nays were, 85.

Aldrich	Fabritz	Lichty	Roe
Alesch	Felter	Lookingbill	Ryder
Augustine	Fletcher	McCarthy	Schlatter
Beath	Foster	McCreery	Schmitz
Beswick	Frizzell	McDermott	Schroeder
Bonnstetter	Fuelling	McFarlane	Smith
Bouska	Fuester	McLean	Snyder
Bowers	Gallagher	Malone	Speidel
Bruce	Garner	Maniece	Stewart
Burgess	Gissel	Mercer	Stimpson
Casey	Gittinger	Metcalf	Swift
Craven	Goode	Moore of Benton	Teter
Crouch	Grau	Moore of Harrison	Thiessen
Cunningham	Grell	Mooty	Treimer
Davis	Hanson of Lyon	Osborn	Weed
Dole	Hook	Paisley	Wieben
Donlon	Hopp	Peaco	Wiese
Doran	Hough	Rawlings	Wolf
Dreessen	Hultman	Reed	Zipse
Durant	Humeston	Rice	Zylstra
Elliott	Jensen		Mr. Speaker
Ellsworth	Laughlin		

Digitized by Google

Absent or not voting, 19.

Brady	Johnson	Ostby	Stanzel
Falvey	Koch	Peet	Strachan
Hanson of Winnebago	McKinnon	Porter	Thies
Jenkins	Millhone	Sheridan	Willis
	Mitchell	Stansell	Yager

So the House refused to concur in the Senate amendments to House File No. 21.

ADDITIONAL COPIES ORDERED PRINTED

Felter of Warren asked and obtained unanimous consent for the printing of 300 additional copies of House File No. 131.

McKinnon of Henry asked and obtained unanimous consent for the printing of 500 additional copies of House File No. 176.

Beswick of Van Buren asked and obtained unanimous consent for the printing of 300 additional copies of House File No. 222.

HOUSE FILE NO. 65 REREFERRED

Hanson of Lyon moved that House File No. 65 be rereferred to the committee on judiciary No. 2. Motion prevailed.

HOUSE FILES INDEFINITELY POSTPONED

The report of the committee recommending indefinite postponement of House File No. 12 was taken up, and on the question of adopting the report, the motion prevailed and House File No. 12 was indefinitely postponed.

The report of the committee recommending indefinite postponement of House File No. 30 was taken up, and on the question of adopting the report, the motion prevailed and House File No. 30 was indefinitely postponed.

The report of the committee recommending indefinite postponement of House File No. 32 was taken up, and on the question of adopting the report, the motion prevailed and House File No. 32 was indefinitely postponed.

The report of the committee recommending indefinite postponement of House File No. 52 was taken up, and on the question of adopting the report, the motion prevailed and House File No. 52 was indefinitely postponed.

Digitized by Google

The report of the committee recommending indefinite postponement of House File No. 60 was taken up. On the question of adopting the report a roll call was demanded and on the question "Shall the report of the committee recommending indefinite postponement of House File No. 60 be adopted?"

The ayes were, 54.

Avery	Frizzell	McLean	Schmitz
Bouska	Fuelling	Malone	Smith
Brady	Gallagher	Millhone	Sours
Bruce	Gittinger	Mitchell	Stansell
Burgess	Goode	Moore of Benton	Swift
Casey	Grau	Moore of Harrison	Teter
Crouch	Grell	Mooty	Treimer
Cunningham	Hopp	Peaco	Weed
Dole	Hultman	Peet	Wieben
Doran	Johnson	Reed	Wiese
Elliott	Laughlin	Ryder	Wolf
Ellsworth	Lichty	Schlatter	Yager
Fabritz	McCreery		Zylstra
Falvey	McFarlane		Mr. Speaker

The nays were, 41.

Aldrich	Felter	Humeston	Roe
Alesch	Foster	Jenkins	Schroeder
Augustine	Fuester	Jensen	Snyder
Beath	Garner	Lookingbill	Speidel
Beswick	Gissel	McDermott	Stanzel
Bonnstetter	Hanson of Lyon	McKinnon	Stewart
Bowers	Hanson of Winnebago	Metcalf	Stimpson
Craven	Hartman	Ostby	Thies
Davis	Hook	Paisley	Thiessen
Donlon	Hough	Rice	Zipse
Durant			

Absent or not voting, 13.

Dean	McCarthy	Osborn	Sheridan
Dreessen	Maniece	Porter	Strachan
Fletcher	Mercer	Rawlings	Willis
Koch			

Committee report adopted and House File No. 60 was indefinitely postponed.

COMMITTEE OF THE WHOLE

In accordance with the motion to discuss tax revision as found on page 344, in the journal of December 7, and which motion prevailed, the House resolved itself into a committee of the whole and the Speaker called Rice of Keokuk to the chair.

Craven of Jasper moved that the committee rise. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 59, 102 and 69 and Senate Joint Resolution No. 1.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 59, 102, and 69. Senate Joint Resolution No. 1.

CONSIDERATION OF BILLS

Elliott of Polk asked and obtained unanimous consent for the immediate consideration of House File No. 193, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Des Moines, Iowa, authorizing and providing for the issuance of bonds for public improvement purpose and making provisions for the levy of taxes to pay said bonds, with report of committee recommending passage.

Elliott of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Durant	Hanson of Winnebago	Malone
Alesch	Elliott	Hartman	Maniece
Avery	Ellsworth	Hook	Mercer
Beath	Fabritz	Hopp	Metcalf
Beswick	Falvey	Hough	Millhone
Bonnstetter	Felter	Hultman	Mitchell
Bouska	Fletcher	Humeston	Moore of Benton
Bowers	Foster	Jenkins	Moore of Harrison
Bruce	Frizzell	Jensen	Mooty
Burgess	Fuelling	Johnson	Osborn
Casey	Gallagher	Koch	Ostby
Cunningham	Garner	Lichty	Paisley
Davis	Gissel	Lookingbill	Peaco
Dean	Gittinger	McCreery	Peet
Dole	Goode	McFarlane	Rawlings
Donlon	Grau	McKinnon	Reed
Doran	Grell	McLean	Rice
Dreessen	Hanson of Lyon		

23

Digitized by Google

Roe	Stanzel	Thies	Willis
Schlatter	Stewart	Thiessen	Wolf
Schmitz	Stimpson	Treimer	Yager
Smith	Strachan	Weed	Zipse
Snyder	Swift	Wieben	Zylstra
Sours	Teter	Wiese	Mr. Speaker
Stansell			

The nays were, none.

Absent or not voting, 13.

Augustine	Fuester	McDermott	Schroeder
Brady	Laughlin	Porter	Sheridan
Cráven	McCarthy	Ryder	Speidel
Crouch			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Elliott of Polk moved that the vote by which House File No. 193 passed the House be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

Elliott of Polk asked and obtained unanimous consent to have the bill messaged to the Senate immediately.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 9, memorializing the President and the Secretary of Agriculture in regard to the Agricultural Adjustment Act.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 17, a bill for an act relating to the lien of poll taxes and of taxes on personal property. BYRON G. ALLEN, *Secretary*.

SENATE AMENDMENTS TO HOUSE FILE NO. 17

Amend House File No. 17 by striking all of section 1, after line 3 and inserting the following:

"7203. Lien of Personal Taxes. All poll taxes and taxes due from any person upon personal property now or hereafter entered on the delinquent personal tax list of any county as provided by law shall, from the date said taxes were so entered, be a lien upon any real estate now owned or hereafter acquired in said county by said person, and said lien shall continue until ten (10) years after the December 31st following the date of levy. At the expiration of said period said lien shall cease."

Digitized by Google

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. SPEAKER: Your House committee on committee clerks beg leave to report that there has been a vacancy created by the resignation of Mercedes Conroy and we hereby name Helen Gauger to fill said vacancy.

LEROY S. MERCER, *Chairman.*
OVE T. ROE.
F. D. AUGUSTINE, *Committee.*

Report adopted.

On motion of Rice of Keokuk the House recessed until 1:30 p. m. today.

The house reconvened, Speaker Miller in the chair.

COMMITTEE OF THE WHOLE

Rice of Keokuk moved that the House resolve itself into a committee of the whole to resume discussion of tax revision. Motion prevailed and the Speaker called Rice of Keokuk to the chair.

Strachan of Humboldt moved that the committee rise. Motion prevailed.

House reconvened, Speaker Miller in the chair.

HOUSE FILE WITHDRAWN

Peet of Guthrie asked and obtained unanimous consent to withdraw House File No. 145 from the further consideration of the House.

CONSIDERATION OF BILLS

McKinnon of Henry asked and obtained unanimous consent for the immediate consideration of House File No. 83, a bill for an act to extend the time in which answer may be made by defendant in real estate foreclosure actions; to provide for the prevention of undue waste of property under foreclosure, and to provide for the application of income from real estate in foreclosure actions; to suspend the operation and effectiveness of all laws in conflict herewith; and to provide for the termination of the period during which this act shall be in effect, with report of committee recommending passage.

McKinnon of Henry called up the amendments filed by him and found on page 320, of the journal of December 6.

Digitized by Google

Mitchell of Webster moved the adoption of the amendments. Motion prevailed and the amendments were adopted.

McKinnon of Henry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Ellsworth	Humeston	Rice
Alesch	Felter	Jensen	Roe
Augustine	Fletcher	Koch	Schlatter
Avery	Foster	Lookingbill	Schmitz
Beath	Frizzell	McCreery	Schroeder
Beswick	Fuelling	McDermott	Smith
Bonnstetter	Fuester	McKinnon	Snyder
Bouska	Gallagher	McLean	Sours
Bowers	Garner	Malone	Speidel
Bruce	Gissel	Maniece	Stanzel
Burgess	Gittinger	Mercer	Stewart
Casey	Goode	Metcalf	Strachan
Craven	Grau	Mitchell	Swift
Crouch	Grell	Moore of Benton	Teter
Cunningham	Hanson of Lyon	Moore of Harrison	Thiessen
Davis	Hanson of Winnebago	Mooty	Treimer
Dean	Hartman	Osborn	Wieben
Dole	Hook	Peaco	Wiese
Donlon	Hopp	Peet	Wolf
Doran	Hough	Rawlings	Yager
Dreessen	Hultman	Reed	Zipse
Durant			Mr. Speaker
Elliott			

The nays were, none.

Absent or not voting, 21.

Brady	Lichty	Paisley	Stimpson
Fabritz	McCarthy	Porter	Thies
Falvey	McFarlane	Ryder	Weed
Jenkins	Millhone	Sheridan	Willis
Johnson	Ostby	Stansell	Zylstra
Laughlin			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

McKinnon of Henry moved that the vote by which House File No. 83 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

BILL SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

Digitized by Google

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 8th day of December, 1933, sent to the governor for his approval: House File No. 86.

WM. KOCH, *Chairman.*

Report adopted.

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Guttenberg Press, Guttenberg, Iowa, relating to Senate File No. 122, a bill for an act legalizing the actions of the Town Council of Guttenberg, Iowa, appropriating and using certain moneys from the electric light fund of said town for the relief of unemployment in said town.

VIRGIL LEKIN, *Chief Clerk of the House.*

AMENDMENTS FILED

Rawlings of Monona filed the following amendments:

Amend House File 269 by adding thereto: "Sec. 5. This act is deemed of immediate importance and shall take effect from and after its publication in two newspapers in this state as provided by law."

Amend House File 270 by adding thereto: "Sec. 7. This act is deemed of immediate importance and shall take effect from and after its publication in two newspapers of this state as provided by law."

Mercer of Johnson moved that the House adjourn until 10 o'clock a. m. tomorrow.

McKinnon of Henry moved as a substitute that the House adjourn until 9 o'clock a. m. tomorrow. Motion lost.

The motion by Mercer of Johnson prevailed and the House stood adjourned until 10 o'clock a. m. tomorrow.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 9, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Percy M. Thomas, pastor Friends Free Methodist Church, Des Moines, Iowa.

Journal of December 8, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Gissel of Buchanan for the day, on request of Bonnstetter of Kossuth; Stansell of Clarke for the day, on request of Fuelling of Clayton; Craven of Jasper for the day, on request of Koch of Bremer; Malone of Cass for the day, on request of Fabritz of Wapello.

PETITIONS AND MEMORIALS

Favoring an increase in restaurant license fees. Craven, from the restaurant owners of Jasper county; Ellsworth, from the restaurant owners of Hardin county; Johnson, from the restaurant owners of Linn county; McDermott, from the restaurant owners of Adair county; Metcalf, from the restaurant owners of Muscatine county; Swift, from the restaurant owners of Dubuque county; Willis, from the restaurant owners of Dallas county. Referred to the committee on dairy and food.

Favoring the gross income tax plan. Lichty, from the citizens of Black Hawk county; McLean, from the citizens of Marshall county. Referred to the committee on tax revision.

Favoring the elimination of the sale of prison made goods in Iowa. Lichty, from the citizens of Black Hawk county; McFarlane, from the citizens of Black Hawk county. Referred to the committee on board of control.

Favoring amendment of the Beatty-Bennett law. Peaco, from the Camanche P. T. A. of Clinton county; Thiessen, from the

Digitized by Google

Camanche P. T. A. of Clinton county. Referred to the committee on tax revision.

Opposing endurance contests. McCarthy of Woodbury, from the Des Moines Council of P. T. A. Referred to the committee on judiciary No. 1.

Favoring a special tax on chain stores. McKinnon, from the business men of Henry county. Referred to the committee on tax revision.

Opposing the prohibition of the employment of married women. Brady of Pottawattamie, from the Business and Professional Women's Club of Marshalltown. Referred to the committee on judiciary No. 1.

Opposing the direct buying of livestock in Iowa. Maniece, from the citizens of Emmet county. Referred to the committee on agriculture.

Opposing the allocation of money, as in House File No. 1. McCreery and Johnson, from the tax payers of Linn county. Referred to the committe on tax revision.

REPORTS OF COMMITTEES

Craven of Jasper, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry to whom was referred House File No. 176, a bill for an act to provide for the licensing of direct buyers of livestock, regulating the conduct of such buyers, providing for the weighing, grading and docking of livestock so bought, and for the inspecting of scales used in such weighing, prohibiting discrimination and unfair competition in such purchases, and providing penalties, and repealing Chapter One Hundred Sixty-One D 1 (161-D1), Code, 1931, relating to records of sale of livestock, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. E. CRAVEN, *Chairman.*

Report adopted.

Treimer of O'Brien, from the committee on insurance, submitted the following report:

MR. SPEAKER: Your committee on insurance to whom was referred House File No. 212, a bill for an act to amend section eighty-six hundred seventy-one (8671), of the code of 1931, relating to amount of life insurance which may be written without medical examination, beg leave to

Digitized by Google

report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. WM. TREIMER, *Chairman.*

Passed on file.

INTRODUCTION OF BILLS

House File No. 271 by committee on labor, a bill for an act to accept the provisions of the Act of Congress of the United States of America approved June 6, 1933, entitled, "An Act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system, and for other purposes", and making an appropriation therefor.

Read first and second times and referred to committee on appropriations.

House File No. 272 by committee on emergency legislation, a bill for an act to provide that in real estate mortgages where the crops, rents, issues and profits from said real estate are pledged or mortgaged as additional security to the real estate and where said real estate mortgage has been indexed and filed as a chattel mortgage that the lien of said chattel mortgage shall not attach to the crops, rents, issues and profits until foreclosure of the real estate mortgage has been commenced.

Read first and second times and placed on calendar.

CONSIDERATION OF SENATE AMENDMENTS

On request of Sheridan of Lee unanimous consent having been given, House File No. 111, a bill for an act to amend, revise, and codify sections one hundred thirty-six (136), forty-three hundred eighteen (4318), fifty-one hundred sixty (5160), fifty-one hundred sixty-one (5161), fifty-six hundred forty-five (5645), seventy-four hundred ninety-six (7496), seventy-four hundred ninety-seven (7497), and seventy-four hundred ninety-eight (7498), Code, 1931, and all that part of section one hundred thirty-five (135) of said code which follows the word "presentation" in line three (3) relating to warrants drawn on public treasuries and not paid for want of funds, with Senate amendments, was taken up and the amendments read and considered.

Digitized by Google

SENATE AMENDMENTS TO HOUSE FILE 111

Amend section two (2) of House File 111 by striking from lines six (6), seven (7), and eight (8) the words "issued under a resolution or contract providing that it shall not draw interest, or shall draw interest at a lower rate" and inserting in lieu thereof the following:

"the treasurer arranges for the sale of said warrant at par at a lower rate of interest".

Mr. Sheridan moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were, 84.

Aldrich	Fabritz	Lookingbill	Schmitz
Alesch	Falvey	McCreery	Schroeder
Augustine	Felter	McDermott	Sheridan
Avery	Fletcher	McLean	Smith
Beath	Foster	Maniece	Snyder
Beswick	Fuelling	Mercer	Speidel
Bonnstetter	Fuester	Metcalf	Stimpson
Bouska	Gallagher	Millhone	Strachan
Brady	Gittinger	Moore of Benton	Swift
Bruce	Goode	Moore of Harrison	Teter
Burgess	Grau	Mooty	Thies
Casey	Grell	Osborn	Thiessen
Crouch	Hanson of Lyon	Paisley	Treimer
Davis	Hanson of Winnebago	Peaco	Weed
Dean	Hartman	Peet	Wieben
Dole	Hook	Rawlings	Wiese
Donlon	Hopp	Reed	Willis
Doran	Hough	Roe	Wolf
Dreessen	Humeston	Ryder	Zipse
Durant	Jensen	Schlatter	Zylstra
Elliott	Koch		Mr. Speaker
Ellsworth			

The nays were, none.

Absent or not voting, 24.

Bowers	Hultman	McFarlane	Rice
Craven	Jenkins	McKinnon	Sours
Cunningham	Johnson	Malone	Stansell
Frizzell	Laughlin	Mitchell	Stanzel
Garner	Lichty	Ostby	Stewart
Gissel	McCarthy	Porter	Yager

So the House concurred in the Senate amendments to House File No. 111.

HOUSE FILE NO. 224 REREFERRED

Maniece of Emmet moved that House File No. 224 be rereferred to the committee on judiciary No. 1. Motion prevailed.

Digitized by Google

HOUSE FILE NO. 215 WITHDRAWN

Aldrich of Wright asked and obtained unanimous consent to withdraw House File No. 215 from further consideration of the House.

CONSIDERATION OF BILLS

House File No. 148, a bill for an act to amend Sections Forty-nine hundred sixty-d five (4960-d5), Forty-nine hundred sixty-d ten (4960-d10), Forty-nine hundred sixty-d twenty-nine (4960-d29), and Forty-nine hundred sixty-d forty-five (4960-d45), Code, 1931; and to repeal Sections Forty-nine hundred sixty-d eleven (4960-d11) and Five thousand twenty-five (5025) Code, 1931, relating to operators' and chauffeurs' license law, was taken up for consideration.

Augustine of Ringgold asked and obtained unanimous consent to defer action on House File No. 148 and to call up House File No. 160 at this time.

House File No. 160, a bill for an act to amend Section Forty-nine Hundred Nine (4909), Code, 1931, and to repeal Section Forty-nine Hundred Ten (4910), Code, 1931, as amended by Chapter Seventy-seven (77), Section One (1), Acts of the Forty-fifth (45th) General Assembly, and enacting a substitute therefor, relating to motor vehicle license fees, was taken up for consideration.

Beswick of Van Buren called up the amendment filed by him and found on page 345, of the journal of December 7, and moved its adoption. Amendment adopted.

McCreery of Linn called up the amendments filed by him and found on page 307, of the journal of Decemer 5, and moved their adoption.

McCreery of Linn moved to amend the amendment filed by him, and found in the journal of December 5, as follows:

"Renumber sections three (3) and four (4), as sections four (4) and five (5)".

Also amend line two (2) of the amendment by inserting after the word "Iowa", the following: "for 1934".

Amendments to the amendment adopted.

Amendment as amended adopted.

Digitized by Google

Strachan of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 96.

Aldrich	Felter	McCreery	Schmitz
Alesch	Fletcher	McDermott	Schroeder
Augustine	Foster	McKinnon	Sheridan
Avery	Fuelling	McLean	Smith
Beath	Fuester	Maniece	Snyder
Beswick	Gallagher	Mercer	Sours
Bonnstetter	Garner	Metcalf	Speidel
Bouska	Gittinger	Millhone	Stanzel
Bowers	Goode	Mitchell	Stewart
Bruce	Grau	Moore of Benton	Stimpson
Burgess	Grell	Moore of Harrison	Strachan
Casey	Hanson of Lyon	Mooty	Swift
Crouch	Hanson of Winnebago	Osborn	Teter
Cunningham	Hartman	Ostby	Thiessen
Davis	Hook	Paisley	Treimer
Dean	Hopp	Peaco	Weed
Dole	Hough	Peet	Wieben
Donlon	Hultman	Rawlings	Wiese
Doran	Humeston	Reed	Willis
Dreessen	Jenkins	Rice	Wolf
Durant	Jensen	Roe	Yager
Elliott	Johnson	Ryder	Zipse
Ellsworth	Koch	Schlatter	Zylstra
Fabritz	Lookingbill		Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 12.

Brady	Gissel	McCarthy	Porter
Craven	Laughlin	McFarlane	Stansell
Frizzell	Lichty	Malone	Thies

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Strachan of Humboldt moved that the vote by which House File No. 160 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Grau of Buena Vista asked and obtained unanimous consent to have the bill messaged to the Senate immediately.

House File No. 8, a bill for an act to legalize action of the Board of Supervisors of Lee County, Iowa, in making expenditures from the Lee County Insane Fund for the purpose of paying the expenses and maintenance of the Lee County Home, with report of committee recommending passage, was taken up for consideration.

Digitized by Google

Paisley of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Aldrich	Falvey	Lookingbill	Schmitz
Alesch	Felter	McCreery	Schroeder
Augustine	Fletcher	McDermott	Smith
Avery	Foster	McKinnon	Snyder
Beath	Fuelling	McLean	Sours
Beswick	Fuester	Maniece	Speidel
Bonnstetter	Gallagher	Mercer	Stewart
Bouska	Garner	Metcalf	Stimpson
Brady	Gittinger	Millhone	Strachan
Bruce	Goode	Mitchell	Swift
Burgess	Grell	Moore of Benton	Teter
Casey	Hanson of Lyon	Moore of Harrison	Thies
Crouch	Hanson of Winnebago	Mooty	Thiessen
Cunningham	Hartman	Osborn	Treimer
Davis	Hook	Paisley	Weed
Dean	Hough	Peaco	Wieben
Dole	Hultman	Rawlings	Wiese
Donlon	Humeston	Reed	Willis
Doran	Jenkins	Rice	Wolf
Dreessen	Jensen	Roe	Yager
Durant	Johnson	Ryder	Zipse
Elliott	Koch	Schlatter	Zylstra
Ellsworth			Mr. Speaker
Fabritz			

The nays were, none.

Absent or not voting, 17.

Bowers	Hopp	McFarlane	Porter
Craven	Laughlin	Malone	Sheridan
Frizzell	Lichty	Ostby	Stansell
Gissel	McCarthy	Peet	Stanzel
Grau			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 18, a bill for an act so to amend and revise the statutes relative to motor vehicles and the operation thereof as to eliminate therefrom obsolete matter, duplications, inconsistencies and contradictions, to supply manifest omissions, to change the classification of motor vehicles, and to this end to amend sections forty-eight hundred sixty-three (4863) and thirteen thousand ninety-two-d one (13092-d1), and to repeal sections forty-nine hundred twenty-two (4922), five thousand twenty-seven-d one (5027-d1), and five thousand twenty-seven-d two (5027-d2), all

Digitized by Google

of the Code, 1931, and all relating to motor vehicles, with report of committee recommending passage, was taken up for consideration.

Brady of Pottawattamie moved that action on House File No. 18 be deferred.

House File No. 75, a bill for an act to make permanent a temporary transfer made June 12, 1933, by authority of the Director of the Budget for Iowa, of twenty-five thousand dollars ($25,000.00) from the maintenance fund of Cherokee County, Iowa, to the poor fund of said county, with report of committee recommending passage, was taken up for consideration.

Strachan of Humboldt moved the previous question. Motion prevailed.

Smith of Cherokee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Aldrich	Fletcher	McKinnon	Sours
Alesch	Foster	Maniece	Stanzel
Augustine	Frizzell	Mercer	Stewart
Beswick	Fuelling	Metcalf	Stimpson
Bouska	Fuester	Millhone	Strachan
Brady	Garner	Mitchell	Swift
Bruce	Gittinger	Moore of Harrison	Teter
Burgess	Goode	Paisley	Thies
Casey	Grell	Peaco	Thiessen
Crouch	Hartman	Rawlings	Treimer
Cunningham	Hook	Reed	Weed
Davis	Hopp	Rice	Wieben
Donlon	Hough	Ryder	Willis
Dreessen	Humeston	Schmitz	Wolf
Durant	Jensen	Schroeder	Yager
Elliott	Koch	Smith	Zipse
Fabritz	McCarthy	Snyder	Zylstra
Falvey	McDermott		Mr. Speaker

The nays were, 24.

Avery	Felter	Hultman	Ostby
Beath	Gallagher	Johnson	Peet
Bowers	Grau	Lookingbill	Roe
Dean	Hanson of Lyon	McCreery	Sheridan
Dole	Hanson of Winnebago	McLean	Speidel
Doran		Osborn	Wiese
Ellsworth			

Digitized by Google

Absent or not voting, 13.

Bonnstetter	Laughlin	Malone	Porter
Craven	Lichty	Moore of Benton	Schlatter
Gissel	McFarlane	Mooty	Stansell
Jenkins			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Smith of Cherokee moved that the vote by which House File No. 75 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 76, a bill for an act to amend section ten hundred forty-three (1043) and Chapter forty-nine (49), Code, 1931, relative to costs of contesting elections of County Officers and elections for seats in the General Assembly, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved to amend House File No. 76 by adding a new paragraph to Sec. 2 of the bill as follows:

"The contestants at the time of filing notice of contest shall also file with the Secretary of State a bond, with security to be approved by said Secretary of State, conditioned to pay all costs in case the election of the party declared to have been elected be confirmed, or the statement be dismissed or the prosecution fail."

Johnson of Linn moved that action on House File No. 76 be deferred until Monday morning. Motion prevailed.

House File No. 84, a bill for an act to make permanent the transfers of County Funds in Humboldt County to the Poor Fund from the Bovine Tubercular Eradication Fund, where said transfers were originally made with the approval of the Director of the Budget, June 25, 1932, with report of committee recommending passage, was taken up for consideration.

Strachan of Humboldt called up the amendment filed by him and found on page 286 of the journal of December 4, and moved its adoption. Amendment adopted.

Strachan of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 93.

Aldrich	Falvey	Lookingbill	Schlatter
Alesch	Felter	McCarthy	Schmitz
Avery	Fletcher	McCreery	Schroeder
Beath	Foster	McDermott	Smith
Beswick	Frizzell	McKinnon	Snyder
Bonnstetter	Fuelling	McLean	Sours
Bouska	Gallagher	Maniece	Speidel
Bowers	Garner	Mercer	Stanzel
Brady	Gittinger	Metcalf	Stewart
Bruce	Goode	Millhone	Stimpson
Burgess	Grau	Mitchell	Strachan
Casey	Grell	Moore of Benton	Swift
Crouch	Hanson of Lyon	Moore of Harrison	Teter
Cunningham	Hanson of Winnebago	Mooty	Thiessen
Davis	Hartman	Osborn	Treimer
Dean	Hook	Ostby	Weed
Dole	Hopp	Paisley	Wieben
Donlon	Hough	Peaco	Wiese
Doran	Humeston	Rawlings	Wolf
Dreessen	Jenkins	Reed	Yager
Durant	Jensen	Rice	Zipse
Elliott	Johnson	Roe	Zylstra
Ellsworth	Koch	Ryder	Mr. Speaker
Fabritz			

The nays were, none.

Absent or not voting, 15.

Augustine	Hultman	Malone	Stansell
Craven	Laughlin	Peet	Thies
Fuester	Lichty	Porter	Willis
Gissel	McFarlane	Sheridan	

So the bill having received a constitutional majority was declared to have passed the House and the title as amended, agreed to.

House File No. 89, a bill for an act to legalize the proceedings relating to an election held in the Town of Grand Junction, Greene County, Iowa, on the proposition of establishing a municipal electric light plant within said town; and to legalize the proceedings taken by the Council of said town in letting a contract for the construction of said municipal electric light plant, under Sections 6134-d1 to 6134-d7, inclusive, of the Code of Iowa; and to legalize the contract entered into between said Town of Grand Junction, Iowa, and Fairbanks, Morse & Company for the construction of said municipal electric light plant, and the issuance of pledge-orders in payment thereof; and declaring said contract, and the pledge-orders issued thereunder, as valid, with report of committee without recommendation, was taken up for consideration.

Fuester of Ida moved the previous question. Motion prevailed.

Digitized by Google

Crouch of Greene asked and obtained unanimous consent to change 1933 to 1932 as it appears in bill.

Crouch of Greene moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Aldrich	Elliott	Hultman	Reed
Alesch	Ellsworth	Humeston	Rice
Augustine	Fabritz	Koch	Roe
Avery	Falvey	Lookingbill	Schlatter
Beath	Felter	McCreery	Schmitz
Beswick	Fletcher	McDermott	Schroeder
Bonnstetter	Foster	McKinnon	Smith
Bouska	Frizzell	McLean	Sours
Bowers	Fuester	Maniece	Stanzel
Bruce	Garner	Mercer	Stewart
Casey	Gittinger	Metcalf	Stimpson
Crouch	Goode	Mitchell	Strachan
Cunningham	Grau	Moore of Benton	Thies
Davis	Grell	Mooty	Thiessen
Dean	Hanson of Lyon	Osborn	Treimer
Dole	Hanson of	Ostby	Weed
Donlon	Winnebago	Paisley	Wieben
Doran	Hartman	Peaco	Yager
Dreessen	Hook	Peet	Zipse
Durant	Hopp	Rawlings	Zylstra

The nays were, 13.

Brady	Johnson	Ryder	Swift
Fuelling	McCarthy	Sheridan	Teter
Gallagher	Millhone	Snyder	Wiese
Hough			

Absent or not voting, 16.

Burgess	Laughlin	Moore of	Stansell
Craven	Lichty	Harrison	Willis
Gissel	McFarlane	Porter	Wolf
Jenkins	Malone	Speidel	Mr. Speaker
Jensen			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Crouch of Green moved that the vote by which House File No. 89 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

ADDITIONAL COPIES ORDERED PRINTED

McKinnon of Henry asked and obtained unanimous consent for the printing of 300 additional copies of House File No. 83 as amended.

Digitized by Google

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 184, a bill for an act relating to reports on the auditing of financial records of counties, schools, cities and towns.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 183, a bill for an act relating to the adoption of a plan of payment with "stamp-notes" by counties.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 182, a bill for an act relating to the office of state comptroller.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 181, a bill for an act relating to settlement of poor persons.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 91, a bill for an act relating to the closing of schools because of lack of attendance.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 49, a bill for an act to legalize the corporate acts and proceedings of Marshalltown Manufacturing Co. of Marshalltown, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 193, a bill for an act to legalize the proceedings of city council of city of Des Moines authorizing issuance of public improvement bonds:

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 122, a bill for an act to legalize the action of the town council of the town of Guttenberg, Iowa, appropriating and using certain moneys from the Electric Light Fund of said town for the relief of unemployment in said town.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 65, a bill for an act relating to the power to establish an Armory.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 221, a bill for an act relating to surrendering license plates on motor vehicles.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Digitized by Google

Senate File No. 63, a bill for an act relating to memorial buildings and monuments, petitions and qualifications, and method of appointing commissioners.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 115, a bill for an act relating to cities which control their own tax levies for bridge purposes. BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled: House File No. 77 and 193. Senate Files No. 51, 93 and 94.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 77 and 193, Senate Files No. 51, 93 and 94.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committe on enrolled bills respectfully reports that it has, on this 9th day of December, 1933, sent to the Governor for his approval: House Files No. 77 and 193.

WM. KOCH, *Chairman.*

Report adopted.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. SPEAKER: Your House committee on committee clerks beg leave to report the following clerk assigned to Davis of Appanoose County: Anna Breen.

LEROY S. MERCER, *Chairman.*
F. D. AUGUSTINE,
OVE T. ROE,

Report adopted.

Digitized by Google

AMENDMENTS FILED

Metcalf of Muscatine filed the following amendment:

Amend House File No. 124 as follows:

Amend by adding after the period (.) in section two (2), line seven (7), the following: "In counties of over twenty-five thousand, having a special charter city of five thousand or over, where the county auditor prepares and makes up the city tax books for such special charter city, three hundred dollars additional compensation only until January 1, 1935, and no additional compensation thereafter."

Further amend by adding to section four (4), line nine (9), the following: "In counties with a population of over twenty-five thousand, having a special charter city, where the taxes are collected by the county treasurer for such special charter city, three hundred dollars additional compensation only until January 1, 1935, and no additional compensation thereafter."

On the motion of Hanson of Lyon the House adjourned until 10 o'clock a. m. Monday, December 11.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 11, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Theodore Bauer, Pastor Easton Place M. E. Church, Des Moines, Iowa.

Journal of December 9, corrected and approved.

PETITIONS AND MEMORIALS

Favoring an increase in restaurant license fees. Peaco, from the restaurant owners of Clinton county. Referred to the committee on dairy and food.

Favoring the limitation of tax levy to 10 mills or 1%. Hanson, from the citizens of Lyon county. Referred to the committee on tax revision.

CONSIDERATION OF REPORT OF SPECIAL COMMITTEE

Alesch of Plymouth called up the report of the special committee to investigate Iowa highway commission and cement trusts, found on pages 245 to 256, inclusive, in the Journal of November 29.

SPECIAL ORDER MADE

Doran of Boone moved that the report of the special committee to investigate Iowa highway commission and cement trusts, be made a special order of business for Friday, December 15, at 10 o'clock a. m., and that this House on that date shall go into a committee of the whole, and call in the chief engineer, the present highway commission, the former members of the commission, and other members who may have been interested in this report. Motion prevailed.

Millhone of Page moved that the attorney general be requested to present his report of the investigation to the committee of the whole. Motion prevailed.

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled: House Files No. 49 and 111.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House Files No. 49 and 111.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 11th day of December, 1933, sent to the governor for his approval: House Files No. 49 and 111.

WM. KOCH, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 273 by committee on fish and game, a bill for an act to amend Section Ten (10), Chapter Thirty (30), Acts of the Forty-fifth General Assembly, relating to fish and game, and to provide for adequate funds to carry out the purposes for which the State Fish and Game Commission was created, and to thereby fix and determine the amounts of the various licenses to be collected.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 63, a bill for an act to amend sections four hundred eighty-four (484) and four hundred ninety-two (492) of the code, 1931, relating to memorial buildings and monuments, petitions and qualifications, and method of appointing commissioners.

Digitized by Google

Read first and second times and referred to committee on county and township organization.

Senate File No. 65, a bill for an act to amend Section Six Thousand Six Hundred Six (6606), code, 1931, relating to the power to establish an Armory.

Read first and second times and referred to committee on military affairs.

Senate File No. 91, a bill for an act to repeal section forty-two hundred thirty-one (4231), code 1931, relating to the closing of schools because of lack of attendance, and to enact a substitute therefor.

Read first and second times and referred to committee on schools and textbooks.

Senate File No. 115, a bill for an act to amend sections fifty-eight hundred seventy-five (5875) and sixty-two hundred nine (6209), Code, 1931, relating to cities which control their own tax levies for bridge purposes.

Read first and second times and referred to committee on roads and highways.

Senate File No. 122, a bill for an act to legalize the action of the town council of the Town of Guttenberg, Clayton County, Iowa, appropriating and using certain moneys from the Electric Light Fund of said town for the relief of unemployment in said town.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 181, a bill for an act to amend chapter ninety-nine (99), section one (1), acts of the forty-fifth general assembly, relating to settlement of poor persons.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 182, a bill for an act to amend Section seven (7), chapter four (4), acts of the forty-fifth general assembly, relating to the office of state comptroller.

Read first and second times and referred to committee on judiciary No. 1.

Digitized by Google

Senate File No. 183, a bill for an act to amend Chapter one hundred three (103), acts of the forty-fifth general assembly, relating to the adoption of a plan of payment with "stamp-notes" by counties.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 184, a bill for an act to amend chapter seven (7), section six (6), acts of the forty-fifth general assembly, relating to reports on the auditing of financial records of counties, schools, cities and towns.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 221, a bill for an act to amend section forty-nine hundred thirty-one (4931), Code, 1931, as enacted by chapter eighty (80), Acts Forty-fifth (45th) General Assembly, relating to surrendering license plates on motor vehicles.

Read first and second times and referred to committee on motor vehicles and transportation.

SENATE FILES SUBSTITUTED FOR HOUSE FILES

Hartman of Des Moines asked and obtained unanimous consent to substitute Senate File 65 for House File 108.

Gallagher of Iowa asked and obtained unanimous consent to substitute Senate File 91 for House File 267.

HOUSE FILE NO. 105 REREFERRED

Grell of Scott moved that House File No. 105 be rereferred to the committee on commerce and trade. Motion prevailed.

CONSIDERATION OF BILLS

House File No. 18, a bill for an act so to amend and revise the statutes relative to motor vehicles and the operation thereof as to eliminate therefrom obsolete matter, duplications, inconsistencies and contradictions, to supply manifest omissions, to change the classification of motor vehicles, and to this end to amend sections forty-eight hundred sixty-three (4863) and thirteen thousand ninety-two-d one (13092-d1), and to repeal sections

Digitized by Google

forty-nine hundred twenty-two (4922), five thousand twenty-seven-d one (5027-d1), and five thousand twenty-seven-d two (5027-d2), all of the Code, 1931, and all relating to motor vehicles, with report of committee recommending passage, was taken up for consideration.

Stansell of Clarke moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Felter	McCarthy	Smith
Alesch	Frizzell	McDermott	Snyder
Augustine	Fuelling	McFarlane	Sours
Avery	Fuester	McKinnon	Stansell
Beath	Gallagher	McLean	Stanzel
Beswick	Garner	Malone	Stewart
Bonnstetter	Gissel	Maniece	Stimpson
Bouska	Gittinger	Metcalf	Strachan
Bowers	Grau	Millhone	Swift
Brady	Grell	Moore of Harrison	Thies
Bruce	Hanson of Lyon	Mooty	Thiessen
Burgess	Hartman	Osborn	Treimer
Casey	Hook	Ostby	Weed
Cunningham	Hopp	Peaco	Wieben
Davis	Hough	Peet	Wiese
Dole	Hultman	Rawlings	Willis
Donlon	Humeston	Reed	Wolf
Doran	Jenkins	Roe	Yager
Durant	Jensen	Schlatter	Zipse
Elliott	Johnson	Schmitz	Zylstra
Ellsworth	Koch	Schroeder	Mr. Speaker
Falvey	Lichty		

The nays were, none.

Absent or not voting, 22.

Craven	Foster	McCreery	Rice
Crouch	Goode	Mercer	Ryder
Dean	Hanson of Winnebago	Mitchell	Sheridan
Dreessen	Laughlin	Moore of Benton	Speidel
Fabritz	Lookingbill	Paisley	Teter
Fletcher		Porter	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

The House resumed consideration of House File No. 76, a bill for an act to amend section ten hundred forty-three (1043) and Chapter forty-nine (49), Code, 1931, relative to costs of contesting elections of County Officers and elections for seats in the General Assembly.

Digitized by Google

Reed of Mahaska asked and obtained unanimous consent to withdraw the amendment offered by him, and found on page 366, of the journal of December 9.

Grau of Buena Vista and Reed of Mahaska offered the following amendments and moved their adoption:

Amend House File No. 76 by striking all after the enacting clause and substituting therefor the following:

Section 1. Chapter forty-nine (49), Code, 1931, is hereby amended by including therein as separate sections the following:

"The contestant shall file with the Secretary of State a bond with security to be approved by the Secretary of State, conditioned to pay all costs if the statement be withdrawn or the election be confirmed.

"Sec. 2. If the statement be withdrawn by the contestant, or the electoin be confirmed by the branch of the General Assembly in which the contest is tried judgment shall be rendered against the contestant for costs; but if the election be set aside the costs shall be paid from the general fund of the State."

Sec. 3. Section ten hundred forty-three (1043), Code, 1931, is hereby repealed and the following substituted therefor:

"1043-f1 Costs. If the election be confirmed, or the statement be dismissed, or the prosecution fail, judgment shall be rendered against the contestant for cost; but if the election be set aside the costs shall be paid by the county."

Further amend House File No. 76 by striking the title and substituting therefor the following:

"An act to amend Chapter forty-nine (49), Code, 1931, and to repeal section ten hundred forty-three (1043), Code, 1931, and to enact a substitute therefor, relating to the filing of bonds and payment of costs in contesting elections."

Sours of Floyd moved to amend the amendments as follows:

Amend line 4, Sec. 2 by inserting after the word "costs" in said line the following: "amount of same be approved by the legislature of the State of Iowa."

Also amend line 5, Sec. 3, by inserting after the word "costs", in said line the following: "amount of the same to be approved by the board of supervisors of the county in which the contest is held."

Amendments to the amendments adopted.

Zylstra moved the previous question. Motion prevailed.

Amendments as amended adopted.

Grau of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 74.

Augustine	Fabritz	Humeston	Reed
Avery	Falvey	Jenkins	Roe
Beath	Felter	Jensen	Schlatter
Beswick	Fletcher	Johnson	Schmitz
Bonnstetter	Fuelling	Koch	Smith
Bouska	Fuester	Laughlin	Snyder
Bowers	Gallagher	Lichty	Sours
Bruce	Gissel	Lookingbill	Stanzel
Burgess	Goode	McCreery	Strachan
Casey	Grau	McDermott	Thies
Craven	Grell	McKinnon	Thiessen
Crouch	Hanson of Lyon	McLean	Treimer
Davis	Hanson of Winnebago	Malone	Wieben
Dole	Hartman	Metcalf	Wiese
Donlon	Hook	Millhone	Willis
Doran	Hopp	Mooty	Yager
Durant	Hough	Osborn	Zylstra
Elliott	Hultman	Ostby	Mr. Speaker
Ellsworth		Peet	

The nays were, 26.

Aldrich	McCarthy	Moore of Harrison	Sheridan
Brady	McFarlane	Paisley	Stewart
Cunningham	Maniece	Peaco	Stimpson
Dreessen	Mercer	Rawlings	Swift
Frizzell	Mitchell	Ryder	Weed
Garner	Moore of Benton	Schroeder	Wolf
Gittinger			Zipse

Absent or not voting, 8.

Alesch	Foster	Rice	Stansell
Dean	Porter	Speidel	Teter

So the bill having received a constitutional majority was declared to have passed the House and the title as amended agreed to.

Grau of Buena Vista moved that the vote by which House File No. 76 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

HOUSE FILE WITHDRAWN

Reed of Mahaska asked and obtained unanimous consent to withdraw House File No. 174 from further consideration of the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Digitized by Google

Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 40, a bill for an act providing for the addition of radio receiving sets to general exemptions.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 57, a bill for an act relating to assessment of moneys and credits and providing for abatement or return of such assessment under certain conditions. BYRON G. ALLEN, *Secretary.*

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. SPEAKER: Your House committee on committee clerks begs leave to report the following clerk assigned to Reed of Mahaska County; Margarette Vermilyea.

LEROY S. MERCER, *Chairman.*
F. D. AUGUSTINE,
OVE T. ROE.

Report adopted.

On the motion of McKinnon of Henry the House adjourned until 9 o'clock a. m. Tuesday, December 12.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 12, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. P. N. McDermott, pastor of St. Peter and Paul Church, Atlantic, Iowa.

Journal of December 11 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Zipse of Chickasaw for the day, on request of Durant of Hancock; Grell of Scott for the day, on request of Durant of Hancock.

PETITIONS AND MEMORIALS

Favoring gross income tax plan. Brady, from citizens of Pottawattamie; Ostby of Worth, from the Commercial Club of Northwood, Iowa; Thiessen, from citizens of Clinton county. Referred to the committee on tax revision.

Opposing sales tax. Lichty of Black Hawk, from the Waterloo Retail Merchants Association; Ostby of Worth, from the Commercial Club of Northwood, Iowa. Referred to the committee on tax revision.

Favoring a special tax on chain stores. Jenkins, from the business men of Louisa county; Wiese, from the business men of Scott county. Referred to the committee on tax revision.

Favoring the elimination of the sale of prison made goods in open market in Iowa. Lichty, from the citizens of Black Hawk county; McFarlane, from the citizens of Black Hawk county. Referred to the committee on board of control.

Opposing endurance contests. Wiese of Scott, from the Davenport Women's Club. Referred to the committee on judiciary No. 1.

Opposing the direct buying of livestock. Weed, from the citizens of Madison county. Referred to the committee on agriculture.

Digitized by Google

REPORTS OF COMMITTEES

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 144, a bill for an act to amend Chapter Two Hundred Ninety-two (292) Code, 1931, relating to dangerous structures, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend House File No. 144 by striking the period in line thirteen (13) and substituting a comma therefor and by adding the following:

"but failure on the part of any such non-resident to designate an agent or file the certificate as provided herein, shall not deprive any city or town of any of the powers conferred under said section five thousand seven hundred fifty-nine (5759).". BLAKE WILLIS, *Chairman.*

Report adopted.

Roe of Allamakee, from the committee on compensation of public officers, submitted the following report:

MR. SPEAKER: Your committee on compensation of public officers to whom was referred House File No. 172, a bill for an act to amend section thirty-nine hundred twenty-one (3921), Code 1931, relating to placing a limit on compensations received by Presidents, Superintendents, Professors, Instructors, Directors, Officers and employees of Institutions governed by the State Board of Education, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. OVE T. ROE, *Chairman.*

Passed on file.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 173, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1931, relating to the refund of license fees on motor vehicle fuel, used or otherwise disposed of within the State of Iowa, and exempting the license fees on motor vehicle fuel used in construction or maintenance work and paid for out of public funds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was re-

Digitized by Google

ferred House File No. 188, a bill for an act to make permanent the transfer of Ten Thousand Dollars ($10,000.00) from the Bovine Tubercular Eradication Fund, in Hancock County, to the Poor Fund of said County, said Fund having been originally made with the approval of the Director of the Budget, November 23rd, 1932, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 202, a bill for an act to amend section nineteen hundred ninety (1990) and nineteen hundred ninety-one (1991), Code, 1931, relating to disposition of condemned liquors for medical or scientific purposes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 210, a bill for an act to authorize and direct the Governor of the State of Iowa to execute and deliver to Lloyd Martin and Edith M. Martin, his wife a patent to the following described real estate, to-wit: The Northwest one-quarter (NW¼) of the Southeast one-quarter (SE¼) of Section Eight (8), Township sixty-eight (88), range forty-two (42), West of the fifth P.M., situated in Fremont County, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. J. F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 224, a bill for an act to make permanent the temporary transfer, made November 6, 1931, of money from the secondary road maintenance fund to the general fund of Emmet County, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation. J. F. BRADY, *Chairman.*

Report adopted.

Digitized by Google

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 227, a bill for an act concerning declaratory judgments and decrees and to make uniform the law relating thereto, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 231, a bill for an emergency act to legalize all depositors agreements heretofore entered into by any county, town, city, township or school district, by its governing body or any designated officer or agent for that purpose, or by the State of Iowa, through its Executive Council, or any officer or agent for that purpose covering deposits of public moneys in any state bank, savings bank, trust company etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 239, a bill for an act relating to the general liability of cities and towns under management form, commission form and special charter, for personal injuries resulting from defective streets, alleys, sidewalks, public parks, and other public places, within such cities and towns, and providing for notice of defects in writing before occurrence of accidents, etc, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

BLAKE WILLIS, *Chairman.*

Passed on file.

SENATE MESSAGES CONSIDERED

Senate File No. 40, a bill for an act to amend Section eleven thousand seven hundred sixty (11760) Code of Iowa, 1931, providing for the addition of radio receiving set to general exemptions.

Read first and second times and referred to committee on judiciary No. 2.

Digitized by Google

Senate File No. 57, a bill for an act to amend the law as it appears in chapter three hundred thirty-two (332), Code, 1931, relating to assessment of moneys and credits and providing for abatement or return of such assessment under certain conditions.

Read first and second times and referred to committee on agriculture.

HOUSE FILE NO. 95 WITHDRAWN

Mercer of Johnson asked and obtained unanimous consent to withdraw House File No. 95 from further consideration of the House.

HOUSE FILE NO. 273 REFERRED

Schmitz of Winneshiek asked and obtained unanimous consent that House File No. 273 be referred to the committee on fish and game.

CONSIDERATION OF SENATE AMENDMENTS

On request of Mitchell of Webster, unanimous consent having been given, House File No. 17, to repeal section seventy-two hundred three (7203), Code, 1931, and to enact a substitute therefor, relating to the lien of poll taxes and of taxes on personal property, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE NO. 17

Amend House File No. 17 by striking all of section 1, after line 3 and inserting the following:

"7203. Lien of Personal Taxes. All poll taxes and taxes due from any person upon personal property now or hereafter entered on the delinquent personal tax list of any county as provided by law shall, from the date said taxes were so entered, be a lien upon any real estate now owned or hereafter acquired in said county by said person, and said lien shall continue until ten (10) years after the December 31st following the date of levy. At the expiration of said period said lien shall cease."

Mr. Mitchell moved that the House refuse to concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were, 1.

Gittinger

Digitized by Google

The nays were, 79.

Aldrich	Frizzell	Laughlin	Roe
Augustine	Fuelling	Lichty	Ryder
Avery	Fuester	Lookingbill	Schlatter
Beath	Gallagher	McCarthy	Schmitz
Bouska	Garner	McCreery	Schroeder
Bowers	Gissel	McFarlane	Smith
Bruce	Goode	McKinnon	Snyder
Burgess	Grau	McLean	Speidel
Casey	Hanson of Lyon	Mercer	Stanzel
Craven	Hanson of Winnebago	Millhone	Strachan
Cunningham	Hartman	Mitchell	Swift
Davis	Hook	Moore of Benton	Teter
Dean	Hough	Moore of Harrison	Thiessen
Dole	Hultman	Mooty	Weed
Donlon	Humeston	Ostby	Wieben
Doran	Jenkins	Paisley	Wiese
Dreessen	Jensen	Peet	Willis
Ellsworth	Johnson	Reed	Wolf
Fabritz	Koch	Rice	Yager
Felter			Mr. Speaker
Foster			

Absent or not voting, 28.

Alesch	Falvey	Metcalf	Stansell
Beswick	Fletcher	Osborn	Stewart
Bonnstetter	Grell	Peaco	Stimpson
Brady	Hopp	Porter	Thies
Crouch	McDermott	Rawlings	Treimer
Durant	Malone	Sours	Zipse
Elliott	Maniece	Sheridan	Zylstra

So the House refused to concur in the Senate amendment to House File No. 17.

CONSIDERATION OF BILLS

House File No. 148, a bill for an act to amend Sections Forty-nine hundred sixty-d five (4960-d5), Forty-nine hundred sixty-d ten (4960-d10), Forty-nine hundred sixty-d twenty-nine (4960-d29), and Forty-nine hundred sixty-d forty-five (4960-d45), Code, 1931; and to repeal Sections Forty-nine hundred sixty-d eleven (4960-d11) and Five Thousand twenty-five (5025) Code, 1931, relating to operators' and chauffeurs' license law, with report of committee recommending passage, was taken up for consideration.

The amendments proposed by the committee, found on page 238 of the journal of November 28, were lost.

Grau of Buena Vista asked and obtained unanimous consent to withdraw his amendment found on page 320 in the journal of December 6.

Digitized by Google

Goode of Davis called up his amendment found on page 320 of the journal of December 6, and moved its adoption.

Avery of Clay moved that the bill be laid on the table. A roll call was demanded and on the question, "Shall House File No. 148 be laid on the table?"

The ayes were, 70.

Aldrich	Felter	Lichty	Speidel
Alesch	Fletcher	Lookingbill	Stansell
Avery	Frizzell	McCarthy	Stanzel
Beath	Fuelling	McCreery	Stewart
Bonnstetter	Fuester	Malone	Stimpson
Bowers	Gallagher	Maniece	Strachan
Bruce	Gissel	Metcalf	Teter
Burgess	Gittinger	Moore of Harrison	Thies
Casey	Goode	Mooty	Thiessen
Craven	Grau	Osborn	Treimer
Cunningham	Hanson of Lyon	Paisley	Weed
Davis	Hook	Rice	Wieben
Dean	Hough	Roe	Wiese
Donlon	Hultman	Ryder	Willis
Doran	Humeston	Schmitz	Wolf
Durant	Johnson	Smith	Yager
Ellsworth	Koch	Sours	Zylstra
Falvey	Laughlin		

The nays were, 21.

Augustine	Fabritz	McDermott	Peaco
Bouska	Foster	McFarlane	Reed
Brady	Hartman	McLean	Schlatter
Dole	Jenkins	Millhone	Schroeder
Dreessen	Jensen	Ostby	Swift
Elliott			

Absent or not voting, 17.

Beswick	Hanson of Winnebago	Mitchell	Rawlings
Crouch	Hopp	Moore of Benton	Sheridan
Garner	McKinnon	Peet	Snyder
Grell	Mercer	Porter	Zipse
			Mr. Speaker

Motion prevailed and House File No. 148 was laid on the table.

House File No. 98, a bill for an act to amend section nineteen hundred five-c twenty-six (1905-c26) code, 1931, relating to real estate brokers, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of McCreery of Linn the amendments proposed by the committee, found on page 228 of the journal of November 28, were adopted.

McCreery of Linn moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Fletcher	McCreery	Schmitz
Alesch	Frizzell	McDermott	Schroeder
Avery	Fuelling	McFarlane	Smith
Beath	Fuester	McKinnon	Snyder
Bonnstetter	Gallagher	McLean	Sours
Bouska	Garner	Malone	Speidel
Bowers	Gissel	Maniece	Stansell
Bruce	Gittinger	Metcalf	Stewart
Casey	Goode	Millhone	Stimpson
Craven	Hanson of Lyon	Moore of	Strachan
Crouch	Hartman	Harrison	Swift
Cunningham	Hook	Mooty	Teter
Davis	Hough	Osborn	Thies
Dole	Hultman	Ostby	Treimer
Donlon	Humeston	Paisley	Weed
Doran	Jenkins	Peaco	Wieben
Dreessen	Jensen	Peet	Wiese
Durant	Johnson	Rawlings	Willis
Elliott	Koch	Reed	Wolf
Ellsworth	Laughlin	Roe	Yager
Fabritz	Lookingbill	Ryder	Zylstra
Falvey	McCarthy	Schlatter	Mr. Speaker
Felter			

The nays were, 1.

Thiessen

Absent or not voting, 19.

Augustine	Foster	Hopp	Porter
Beswick	Grau	Lichty	Rice
Brady	Grell	Mercer	Sheridan
Burgess	Hanson of	Mitchell	Stanzel
Dean	Winnebago	Moore of Benton	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 101, a bill for an act to amend Sections eighteen hundred twenty-two-a-one (1822,a1), Eighteen Hundred twenty-two-a two (1822-a2) Eighteen hundred twenty-two-a three (1822-a3), Code, 1931, relating to the expenditure by cities in aiding in the purchase of land for state parks, with report of committee recommending passage, was taken up for consideration.

Moore of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Felter	Lookingbill	Schmitz
Avery	Fletcher	McCreery	Schroeder
Beath	Frizzell	McDermott	Smith
Bouska	Fuelling	McKinnon	Snyder
Bowers	Fuester	McLean	Sours
Brady	Gallagher	Malone	Speidel
Bruce	Garner	Maniece	Stansell
Burgess	Gissel	Mercer	Stewart
Casey	Gittinger	Metcalf	Stimpson
Craven	Goode	Millhone	Strachan
Crouch	Grau	Moore of	Swift
Cunningham	Hanson of Lyon	Harrison	Teter
Dean	Hartman	Mooty	Thies
Dole	Hook	Osborn	Treimer
Donlon	Hough	Ostby	Wieben
Doran	Hultman	Paisley	Wiese
Dreessen	Humeston	Peaco	Willis
Durant	Jenkins	Peet	Wolf
Elliott	Jensen	Rawlings	Yager
Ellsworth	Johnson	Reed	Zylstra
Fabritz	Laughlin	Roe	Mr. Speaker
Falvey	Lichty	Schlatter	

The nays were, 5.

Bonnstetter	McCarthy	Thiessen	Weed
Davis			

Absent or not voting, 17.

Alesch	Hanson of	Mitchell	Ryder
Augustine	Winnebago	Moore of Benton	Sheridan
Beswick	Hopp	Porter	Stanzel
Foster	Koch	Rice	Zipse
Grell	McFarlane		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 102, a bill for an act to amend section thirteen thousand one hundred fourteen (13114), Code 1931, relative to obstructing natural water courses and public drains, with report of committee recommending passage, was taken up for consideration.

Avery of Clay moved to amend House File No. 102 as follows: insert in line three (3) of Section 1, following the word "or", the word "private."

Crouch of Greene moved that House File No. 102 be laid on the table,

Digitized by Google

A roll call was demanded, and on the question "Shall House File No. 102 be laid on the table?"

The ayes were, 35.

Beath	Falvey	Lichty	Sours
Beswick	Felter	McFarlane	Thies
Bouska	Fletcher	McKinnon	Thiessen
Bowers	Fuelling	Metcalf	Weed
Casey	Hartman	Mitchell	Wieben
Crouch	Hopp	Mooty	Wiese
Davis	Hough	Roe	Willis
Dean	Hultman	Schlatter	Wolf
Doran	Johnson	Snyder	

The nays were, 51.

Aldrich	Ellsworth	Jensen	Rawlings
Alesch	Fabritz	Laughlin	Reed
Avery	Foster	Lookingbill	Ryder
Brady	Frizzell	McCreery	Schmitz
Bruce	Gallagher	McDermott	Schroeder
Burgess	Garner	Malone	Sheridan
Craven	Gissel	Maniece	Smith
Cunningham	Gittinger	Moore of Harrison	Stewart
Dole	Goode	Osborn	Stimpson
Donlon	Grau	Ostby	Swift
Dreessen	Hook	Paisley	Treimer
Durant	Humeston	Peaco	Yager
Elliott	Jenkins		Zylstra

Absent or not voting, 22.

Augustine	Hanson of Winnebago	Millhone	Stansell
Bonnstetter	Koch	Moore of Benton	Stanzel
Fuester	McCarthy	Peet	Strachan
Grell	McLean	Porter	Teter
Hanson of Lyon	Mercer	Rice	Zipse
		Speidel	Mr. Speaker

Motion to lay on the table lost.

Moore of Harrison moved that action on House File No. 102 be deferred and that it retain its place on the calendar. Motion prevailed.

Senate File No. 65, a bill for an act to amend Section Six Thousand Six Hundred Six (6606), code, 1931, relating to the power to establish Armory, was taken up for consideration.

McKinnon of Henry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Beath	Bowers	Casey
Alesch	Beswick	Bruce	Craven
Avery	Bouska	Burgess	Crouch

Digitized by Google

Cunningham	Goode	Malone	Snyder
Davis	Grau	Maniece	Sours
Dole	Hartman	Mercer	Stansell
Donlon	Hook	Metcalf	Stewart
Doran	Hough	Millhone	Stimpson
Dreessen	Hultman	Mooty	Strachan
Durant	Humeston	Osborn	Swift
Elliott	Jenkins	Ostby	Teter
Ellsworth	Jensen	Paisley	Thies
Fabritz	Koch	Peaco	Thiessen
Felter	Laughlin	Peet	Treimer
Fletcher	Lichty	Rawlings	Weed
Foster	Lookingbill	Reed	Wieben
Frizzell	McCarthy	Roe	Wiese
Fuelling	McCreery	Ryder	Willis
Fuester	McDermott	Schlatter	Wolf
Gallagher	McFarlane	Schmitz	Yager
Garner	McKinnon	Schroeder	Zylstra
Gissel	McLean	Smith	Mr. Speaker
Gittinger			

The nays were, none.

Absent or not voting, 19.

Augustine	Hanson of Lyon	Mitchell	Rice
Bonnstetter	Hanson of	Moore of Benton	Sheridan
Brady	Winnebago	Moore of	Speidel
Dean	Hopp	Harrison	Stanzel
Falvey	Johnson	Porter	Zipse
Grell			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Hartman of Des Moines moved that the vote by which Senate File No. 65 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 115, a bill for an act to make permanent a temporary transfer made August 16, 1932, by authority of the Director of the Budget of Iowa, of ten thousand dollars ($10,000.00) from the Secondary Road Construction Fund of O'Brien County, Iowa, to the Poor Fund of said county, with report of committee recommending passage, was taken up for consideration.

Treimer of O'Brien moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Avery	Bouska	Bruce
Alesch	Beswick	Bowers	Burgess
Augustine	Bonnstetter	Brady	Casey

Digitized by Google

Craven	Goode	Maniece	Sours
Cunningham	Hartman	Metcalf	Stansell
Davis	Hook	Millhone	Stewart
Donlon	Hopp	Moore of Harrison	Strachan
Dreessen	Hough	Mooty	Swift
Durant	Humeston	Paisley	Teter
Elliott	Jenkins	Peaco	Thies
Ellsworth	Jensen	Rawlings	Thiessen
Falvey	Johnson	Reed	Treimer
Felter	Koch	Roe	Weed
Fletcher	Laughlin	Ryder	Wieben
Frizzell	Lookingbill	Schlatter	Wiese
Fuelling	McCarthy	Schmitz	Willis
Fuester	McDermott	Schroeder	Wolf
Gallagher	McFarlane	Smith	Yager
Garner	McKinnon	Snyder	Zylstra
Gissel	Malone		Mr. Speaker
Gittinger			

The nays were, 9.

Beath	Doran	McCreery	Osborn
Crouch	Grau	McLean	Ostby
Dole			

Absent or not voting, 19.

Dean	Hanson of Winnebago	Mitchell	Sheridan
Fabritz	Hultman	Moore of Benton	Speidel
Foster	Lichty	Peet	Stanzel
Grell	Mercer	Porter	Stimpson
Hanson of Lyon		Rice	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Treimer of O'Brien moved that the vote by which House File No. 115 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

ACTION DEFERRED

Garner of Butler asked and obtained unanimous consent to defer action on House File 118 and that it retain its place on the calendar.

Hopp of Mills asked and obtained unanimous consent to defer action of House File No. 47 and that it retain its place on the calendar.

CONSIDERATION OF BILLS

House File No. 16, a bill for an act so to amend section forty-nine hundred ninety-five (4995), Code, 1931, as to give traffic on duly designated boulevard or arterial highways the right of way over traffic on intersecting streets and highways, provided "Stop,

Digitized by Google

Boulevard'' signs are maintained on said intersecting streets and highways, with report of committee recommending passage, was taken up for consideration.

Mitchell of Webster moved that action on House File No. 16 be deferred and that it retain its place on the calendar. Motion lost.

Koch of Bremer moved the previous question. Motion prevailed.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question ''Shall the bill pass?''

The ayes were, 86.

Aldrich	Fletcher	McCreery	Schlatter
Alesch	Foster	McDermott	Schmitz
Beath	Frizzell	McFarlane	Schroeder
Beswick	Fuelling	McKinnon	Sheridan
Bonnstetter	Gallagher	McLean	Smith
Bouska	Garner	Malone	Snyder
Bowers	Gissel	Maniece	Stansell
Bruce	Gittinger	Mercer	Stewart
Burgess	Grau	Metcalf	Stimpson
Casey	Hartman	Millhone	Swift
Crouch	Hook	Moore of Harrison	Teter
Cunningham	Hopp	Mooty	Thies
Davis	Hough	Osborn	Thiessen
Dole	Hultman	Ostby	Treimer
Donlon	Humeston	Paisley	Weed
Dreessen	Jenkins	Peaco	Wieben
Durant	Jensen	Peet	Wiese
Elliott	Johnson	Rawlings	Willis
Ellsworth	Koch	Reed	Wolf
Fabritz	Laughlin	Roe	Zylstra
Falvey	Lichty	Ryder	Mr. Speaker
Felter	Lookingbill		

The nays were, 8.

Augustine	Brady	Fuester	Mitchell
Avery	Doran	Goode	Yager

Absent or not voting, 14.

Craven	Hanson of Winnebago	Porter	Stanzel
Dean	McCarthy	Rice	Strachan
Grell	Moore of Benton	Sours	Zipse
Hanson of Lyon		Speidel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 22, a bill for an act to amend paragraph eight (8) of section eighty-eight hundred twenty-nine (8829), Code, 1931,

Digitized by Google

relating to the investment of the funds of fraternal beneficiary societies, orders, or associations, with report of committee recommending passage, was taken up for consideration.

Wieben of Tama moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Falvey	Lichty	Schmitz
Alesch	Felter	Lookingbill	Schroeder
Avery	Fletcher	McCreery	Sheridan
Beath	Foster	McDermott	Smith
Beswick	Frizzell	McFarlane	Snyder
Bonnstetter	Fuelling	McKinnon	Sours
Bouska	Fuester	McLean	Stansell
Bowers	Gallagher	Malone	Stanzel
Brady	Gissel	Maniece	Stewart
Burgess	Gittinger	Mercer	Stimpson
Casey	Goode	Metcalf	Swift
Craven	Grau	Millhone	Teter
Crouch	Grell	Mitchell	Thies
Cunningham	Hanson of Lyon	Mooty	Thiessen
Davis	Hartman	Osborn	Treimer
Dole	Hook	Ostby	Weed
Donlon	Hopp	Paisley	Wieben
Doran	Hough	Peaco	Wiese
Dreessen	Humeston	Peet	Willis
Durant	Jenkins	Rawlings	Wolf
Elliott	Jensen	Reed	Yager
Ellsworth	Johnson	Roe	Zylstra
Fabritz	Koch	Ryder	Mr. Speaker
	Laughlin	Schlatter	

The nays were, none.

Absent or not voting, 16.

Augustine	Hanson of Winnebago	Moore of Benton	Rice
Bruce	Hultman	Moore of Harrison	Speidel
Dean	McCarthy	Porter	Strachan
Garner			Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Brady of Pottawattamie moved that the vote by which House File No. 22 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 37, a bill for an act to amend Section forty-nine hundred twenty (4920), Code, 1931, relating to license fees on motor vehicle trailers, with report of committee recommending passage, was taken up for consideration.

Digitized by Google

Bruce of Pocahontas called up the amendment filed by him and found on page 345 of the journal of December 7, and moved its adoption. Amendment lost.

Mooty of Grundy moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Foster	McDermott	Schlatter
Alesch	Frizzell	McFarlane	Schmitz
Avery	Fuelling	McKinnon	Schroeder
Beswick	Fuester	McLean	Smith
Bonnstetter	Gallagher	Malone	Snyder
Bouska	Garner	Maniece	Sours
Bowers	Gittinger	Mercer	Stanzel
Bruce	Goode	Mitchell	Stewart
Burgess	Grau	Moore of	Stimpson
Craven	Hanson of Lyon	Harrison	Strachan
Crouch	Hook	Mooty	Swift
Cunningham	Hopp	Osborn	Thies
Dole	Hough	Ostby	Thiessen
Doran	Hultman	Paisley	Treimer
Dreessen	Humeston	Peaco	Weed
Durant	Jensen	Peet	Wieben
Ellsworth	Koch	Rawlings	Wiese
Fabritz	Lichty	Reed	Willis
Falvey	Lookingbill	Roe	Yager
Felter	McCreery	Ryder	Zylstra
Fletcher			

The nays were, 12.

Beath	Gissel	McCarthy	Stansell
Brady	Hartman	Metcalf	Wolf
Davis	Jenkins	Millhone	Mr. Speaker

Absent or not voting, 16.

Augustine	Grell	Laughlin	Sheridan
Casey	Hanson of	Moore of Benton	Speidel
Dean	Winnebago	Porter	Teter
Donlon	Johnson	Rice	Zipse
Elliott			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 71, a bill for an act to amend Section forty-seven (47), Code, 1931, prescribing the form in which bills shall be printed which amend sections of the Code, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Brady of Pottawattamie the amendments proposed

Digitized by Google

by the committee, found on page 290 of the journal of December 5, were adopted.

Peet of Guthrie moved that action on House File No. 71 be deferred and that it retain its place on the calendar. Motion prevailed.

House File No. 106, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and corporate acts and proceedings relating to the incorporation of the Heiberg Brewing Company, incorporated of Waverly, Iowa, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Koch of Bremer the amendments proposed by the committee, found on page 291 of the journal of December 5, were adopted.

Koch of Bremer moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Falvey	McCarthy	Schlatter
Augustine	Fletcher	McCreery	Schmitz
Avery	Foster	McDermott	Schroeder
Beath	Frizzell	McFarlane	Sheridan
Beswick	Fuelling	McKinnon	Smith
Bonnstetter	Fuester	McLean	Sours
Bouska	Gallagher	Malone	Stansell
Brady	Garner	Maniece	Stanzel
Bruce	Gittinger	Mercer	Stewart
Burgess	Goode	Metcalf	Stimpson
Casey	Grau	Millhone	Swift
Craven	Hanson of Lyon	Mitchell	Teter
Crouch	Hanson of Winnebago	Moore of Harrison	Thies
Cunningham	Hartman	Mooty	Thiessen
Davis	Hook	Osborn	Treimer
Dean	Hopp	Ostby	Weed
Dole	Hough	Paisley	Wieben
Donlon	Humeston	Peet	Wiese
Doran	Jensen	Rawlings	Willis
Dreessen	Johnson	Reed	Wolf
Durant	Laughlin	Roe	Yager
Elliott	Lichty	Ryder	Zylstra
Ellsworth	Lookingbill		Mr. Speaker
Fabritz			

Digitized by Google

The nays were, none.

Absent or not voting, 16.

Alesch	Grell	Moore of Benton	Snyder
Bowers	Hultman	Peaco	Speidel
Felter	Jenkins	Porter	Strachan
Gissel	Koch	Rice	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Koch of Bremer moved that the vote by which House File No. 106 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MOTION FILED TO RECONSIDER TABLED MOTION

I move to take from the table the motion to reconsider the vote by which Senate File No. 65 passed the House and the motion to reconsider was laid on the table. CURTIS L. MCKINNON.

AMENDMENTS FILED

Yager of Dickinson filed the following amendment:

Amend House File No. 127 by striking Section 2.

Hook of Taylor filed the following amendment:

Amend House File No. 97, Section two (2) by striking out in line five (5), the words "after closure".

Also amend the title by striking from the last line the word "protection of the".

Brady of Pottawattamie filed the following amendment:

Amend House File No. 71 as follows:

Section one (1) line seven (7) by striking the word "printed" and insert in lieu thereof the word "expressed".

Lines eight (8) and nine (9) by striking the following: "In six point type".

Further amend line nine (9) by striking the word "printing" and insert in lieu thereof the word "expression".

Amend line eleven (11) by striking the words "in Italic letters," and substituting in lieu thereof the words, "shall be designated by underscoring."

Wiese of Scott filed the following amendment:

Amend House File No. 144 by adding thereto the following:

"Sec. 2. This act shall apply to all cities acting under special charter.

Sec. 3. This act shall apply to all cities under a commission form of Government."

Also, amend the title by striking the "period" (.) in line two (2) and inserting in lieu thereof "and making same applicable to cities acting under the commission form of Government and special charter cities."

Digitized by Google

McKinnon of Henry filed the following amendment:

Amend Senate File No. 65 by adding thereto the following:

"Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Burlington Hawkeye Gazette, a newspaper published at Burlington, Iowa, and in the Mount Pleasant Daily News, a newspaper published at Mount Pleasant, Iowa."

Willis of Dallas moved that the House adjourn until 10 o'clock a. m. tomorrow.

Jensen of Audubon moved as a substitute that the House adjourn until 9 o'clock a. m. tomorrow.

A roll call was demanded and on the question, "Shall the House adjourn until 9 o'clock a. m. tomorrow?"

The ayes were, 17.

Crouch	Foster	Hopp	Thies
Davis	Gittinger	Hough	Thiessen
Doran	Hartman	Osborn	Zylstra
Elliott	Hook	Schlatter	Mr. Speaker
Ellsworth			

The nays were, 67.

Aldrich	Felter	McCarthy	Ryder
Augustine	Fletcher	McCreery	Schmitz
Beath	Frizzell	McDermott	Schroeder
Beswick	Fuelling	McFarlane	Sheridan
Bonnstetter	Gallagher	McKinnon	Smith
Bouska	Gissel	McLean	Snyder
Bowers	Goode	Malone	Stansell
Brady	Grau	Maniece	Stanzel
Bruce	Hanson of Lyon	Mercer	Stewart
Burgess	Hanson of Winnebago	Metcalf	Strachan
Craven	Hultman	Millhone	Swift
Cunningham	Humeston	Mitchell	Treimer
Dean	Johnson	Moore of Harrison	Weed
Dole	Koch	Paisley	Wieben
Dreessen	Laughlin	Reed	Wiese
Durant	Lookingbill	Roe	Willis
Fabritz			Wolf
Falvey			

Absent or not voting, 24.

Alesch	Grell	Ostby	Sours
Avery	Jenkins	Peaco	Speidel
Casey	Jensen	Peet	Stimpson
Donlon	Lichty	Porter	Teter
Fuester	Moore of Benton	Rawlings	Yager
Garner	Mooty	Rice	Zipse

Substitute motion lost.

The motion of Willis of Dallas prevailed and the House adjourned until 10 o'clock a. m. Wednesday, December 13.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 13, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. E. A. Elliott, pastor of the United Brethren Church, Van Meter, Iowa.

Journal of December 12 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Lookingbill of Story for the day, on request of Durant of Hancock; Weed of Madison for the day, on request of Cunningham of Polk.

PETITIONS AND MEMORIALS

Favoring an increase in restaurant license fees. Cunningham, from the restaurant owners of Polk county; Thiessen, from restaurant owners of Clinton county. Referred to the committee on dairy and food.

Favoring the limitation of property tax to 1 per cent. Ellsworth, from the taxpayers of Hardin county. Referred to the committee on tax revision.

Opposing gross income tax. Fuelling, from the citizens of Clayton county. Referred to the committee on tax revision.

Favoring gross income tax. Millhone, from the citizens of Page county. Referred to the committee on tax revision.

Opposing any system of selling hard liquor. Cunningham, from the citizens of Polk county. Referred to the committee on liquor control.

Favoring liquor by Christmas. Brady of Pottawattamie, from the occupants of the Wickham Building in Council Bluffs. Referred to the committee on emergency legislation.

Digitized by Google

REPORTS OF COMMITTEES

Laughlin of Fremont, from the committee on roads and highways, submitted the following report:

MR. SPEAKER: Your committee on roads and highways to whom was referred House File No. 85, a bill for an act to create a Department of Public Works and to vest in said Department all the powers and duties heretofore exercised by the State Highway Commission and the Custodian of Public Buildings and Grounds, and to vest in said Department all those powers and duties of the Board of Education, Board of Control of State Institutions, State Board of Conservation and State Fair Board which relate to the making of improvements or the erection of buildings or structures where the cost exceeds two thousand dollars ($2000.00), and to abolish the State Highway Commission and the office of the members thereof, and to abolish the office of Custodian of Public Buildings and Grounds, and to repeal sections forty-six hundred twenty-two (4622) to forty-six hundred twenty-four (4624) inclusive, and section forty-six hundred twenty-five (4625) as amended, Code, 1931, relating to the State Highway Commission, and to repeal section two hundred seventy-two (272), Code, 1931, relating to the Custodian of Public Buildings and Grounds, and to amend section ten hundred sixty-three (1063), Code, 1931, relating to the bonds to be furnished by public officers, and to repeal section thirty-three hundred forty-five (3345), Code, 1931, and enact a substitute therefor, and to repeal section thirty-three hundred forty-six (3346), Code, 1931, relating to the employment of a state architect and consulting architects by the Board of Control of State Institutions, and to amend section thirty-three hundred forty-seven (3347), Code, 1931, relating to the letting of contracts for improvements by the Board of Control of State Institutions, and to repeal section thirty-nine hundred forty-five (3945), Code, 1931, and enact a substitute therefor, relating to improvements which may be made by the Board of Education, and to repeal all acts and provisions of the law which are in conflict with this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. E. P. LAUGHLIN, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on emergency legislation, submitted the following report:

MR. SPEAKER: Your committee on emergency legislation to whom was referred House File No. 119, a bill for an act to amend section seventy-one hundred ninety-three-a one (7193-a1), Code, 1931, providing for the compromise of taxes on real estate for the year 1932 and or any prior year or years, and providing for redemption from tax sales thereof and repealing all Acts or parts of Acts in conflict herewith and declaring an emergency, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recom-

Digitized by Google

mendation that the same be amended as follows, and when so amended the bill do pass:

Amend Section one (1) line six (6) by striking the word "shall" and substituting in lieu thereof the word "may".

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on emergency legislation to whom was referred House File No. 155, a bill for an act to authorize municipalities, as an emergency measure to be financed only through the Federal Emergency Administration of Public Works, to purchase, establish, construct, reconstruct, extend, repair, maintain and operate markets, market houses, and other market facilities, and pay for the same solely and only out of the earnings thereof; to authorize the issuance of revenue bonds payable solely and only out of revenues thereof, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN H. MITCHELL, *Chairman.*

Passed on file.

Craven of Jasper, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry to whom was referred House File No. 177, a bill for an act to amend section twenty-six hundred sixty-eight, (2668), Code, 1931, relating to the eradication of bovine tuberculosis, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. E. CRAVEN, *Chairman.*

Passed on file.

Augustine of Ringgold, from the committee on motor vehicles and transportation, submitted the following report:

MR. SPEAKER: Your committee on motor vehicles and transportation to whom was referred House File No. 195, a bill for an act to amend section five thousand twenty-nine (5029), Code, 1931, relating to law of road on motor vehicles, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. D. AUGUSTINE, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on emergency legislation, submitted the following report:

MR. SPEAKER: Your committee on emergency legislation to whom was referred House File No. 232, a bill for an emergency act relating to the

Digitized by Google

execution and delivery of treasurers' deeds conveying real estate sold at tax sale; to prohibit the delivery of such deeds until December 2, 1935, and to extend the period of redemption, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Jensen of Audubon, from the committee on departmental affairs, submitted the following report:

MR. SPEAKER: Your committee on departmental affairs to whom was referred House File No. 235, a bill for an act to invest the Auditor of State with power to authorize county treasurers in certain instances to discontinue the carrying of certain items of account on the books of his office, and to apportion certain losses in public revenues among taxing districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Strike the words "taxing districts" in line eleven and insert in lieu thereof the word "funds".

T. G. JENSEN, *Chairman.*

Report adopted.

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 270, a bill for an act to recognize the Iowa Swine Producers' Association and to aid in providing information in regard to the production and marketing of swine and to provide an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

A. H. BONNSTETTER, *Chairman.*

Passed on file.

Bouska of Howard, from the committee on telephone, telegraph and express, submitted the following report:

MR. SPEAKER: Your committee on telephone, telegraph and express to whom was referred Senate File No. 24, a bill for an act to require telephone companies to furnish equal service and facilities to each other without discrimination, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend Section one by striking lines one to nine inclusive and inserting in lieu thereof the following:

"Local exchange", within the meaning of this act, shall refer to telephone lines operating through a telephone switchboard or switchboards

Digitized by Google

furnishing telephonic communication generally among members of the public within the same city, town or village with or without connection with a community, locality and/or neighborhood, which said lines and switchboard or switchboards shall be under the same management and control operating under city franchise. "Local exchange".

Also further amend said section by striking from sub-section "A" line four, the word "exchanged", where same appears twice in said line, and insert in lieu thereof in each place, the words "exchange companies".

JOSEPH D. BOUSKA, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 274 by committee on claims, a bill for an act to make an appropriation to Ralph Almkuist.

Read first and second times and referred to committee on appropriations.

House File No. 275 by committee on claims, a bill for an act to make an appropriation to James Berry and Tolbert Moore.

Read first and second times and referred to committee on appropriations.

House File No. 276 by committee on emergency legislation, a bill for an act to amend Section six (6), chapter four (4), Acts of the Forty-fifth (45th) General Assembly, relating to the duties of the state comptroller.

Read first and second times and placed on calendar.

House File No. 277 by committee on banks and banking, a bill for an act to amend Section seven (7), Chapter one hundred fifty-nine (159), Acts of the 45th General Assembly, relating to public funds in any bank whose deposit liabilities have been assumed by another bank.

Read first and second times and placed on calendar.

House File No. 278 by committee on banks and banking, a bill for an act to amend Chapter Three Hundred Fifty-two-a 1 (352-a1), Code, 1931, relating to limitation of claims now filed or hereafter filed against the State Sinking Fund for public deposits and providing for assignment and reasignment of such claims and barring claims not so assigned, and repealing all acts in conflict.

Read first and second times and placed on calendar.

Digitized by Google

MOTION TO RECONSIDER

McKinnon of Henry called up his motion to take from the table the motion to reconsider the vote by which Senate File No. 65 passed the House and the motion to reconsider, was laid on the table, filed by him and found on page 396 of the journal of December 12. Motion prevailed.

McKinnon of Henry moved that the vote by which Senate File No. 65 passed the House be reconsidered.

A roll call was demanded and on the question, "Shall the vote by which Senate File No. 65 passed the House, be reconsidered?"

The ayes were, 95.

Aldrich	Fletcher	McCarthy	Schlatter
Augustine	Foster	McCreery	Schmitz
Avery	Frizzell	McDermott	Schroeder
Beath	Fuelling	McFarlane	Sheridan
Beswick	Fuester	McKinnon	Smith
Bonnstetter	Gallagher	McLean	Snyder
Bouska	Garner	Malone	Sours
Bowers	Gissel	Maniece	Speidel
Bruce	Gittinger	Mercer	Stansell
Burgess	Goode	Metcalf	Stewart
Casey	Grau	Millhone	Stimpson
Craven	Hanson of Winnebago	Moore of Benton	Strachan
Crouch	Hartman	Moore of Harrison	Teter
Cunningham	Hook	Mooty	Thies
Davis	Hopp	Osborn	Thiessen
Dean	Hough	Ostby	Treimer
Dole	Hultman	Paisley	Wieben
Donlon	Humeston	Peaco	Wiese
Doran	Jenkins	Peet	Willis
Dreessen	Jensen	Rawlings	Wolf
Durant	Johnson	Reed	Yager
Elliott	Koch	Rice	Zipse
Ellsworth	Lichty	Roe	Zylstra
Falvey			Mr. Speaker
Felter			

The nays were, none.

Absent or not voting, 13.

Alesch	Hanson of Lyon	Mitchell	Stanzel
Brady	Laughlin	Porter	Swift
Fabritz	Lookingbill	Ryder	Weed
Grell			

Motion prevailed and the House reconsidered.

McKinnon of Henry moved that the vote by which Senate File No. 65 went to its third reading be reconsidered. Motion prevailed.

Digitized by Google

CONSIDERATION OF BILLS

Senate File No. 65, a bill for an act to amend Section Six Thousand Six Hundred Six (6606), code, 1931, relating to the power to establish Armory, was taken up for consideration.

McKinnon of Henry called up the amendment filed by him and found on page 397 of the journal of December 2, and moved its adoption. Amendment adopted.

McKinnon of Henry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 97.

Aldrich	Felter	Laughlin	Ryder
Alesch	Fletcher	Lichty	Schlatter
Augustine	Foster	McCarthy	Schmitz
Avery	Frizzell	McCreery	Schroeder
Beath	Fuelling	McDermott	Sheridan
Beswick	Fuester	McFarlane	Smith
Bonnstetter	Gallagher	McKinnon	Snyder
Bouska	Garner	McLean	Sours
Bowers	Gissel	Malone	Speidel
Bruce	Gittinger	Maniece	Stewart
Burgess	Goode	Metcalf	Stimpson
Casey	Grau	Millhone	Strachan
Craven	Hanson of Lyon	Moore of Benton	Swift
Crouch	Hanson of Winnebago	Moore of Harrison	Teter
Cunningham	Hartman	Mooty	Thies
Davis	Hook	Osborn	Thiessen
Dean	Hopp	Ostby	Treimer
Dole	Hough	Paisley	Wieben
Donlon	Hultman	Peaco	Wiese
Doran	Humeston	Peet	Willis
Dreessen	Jenkins	Rawlings	Wolf
Durant	Jensen	Reed	Yager
Elliott	Johnson	Rice	Zylstra
Ellsworth	Koch	Roe	Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 11.

Brady	Lookingbill	Porter	Weed
Fabritz	Mercer	Stansell	Zipse
Grell	Mitchell	Stanzel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

HOUSE FILE NO. 105 REREFERRED

Sheridan of Lee asked and obtained unanimous consent to have House File No. 105 rereferred to the committee on judiciary No. 2.

Digitized by Google

ACTION DEFERRED

Hopp of Mills asked and obtained unanimous consent to defer action on House File No. 47 and that it retain its place on the calendar.

Garner of Butler asked and obtained unanimous consent to defer action on House File No. 118 and that it retain its place on the calendar.

ADDITIONAL COPIES ORDERED PRINTED

Rice of Keokuk asked and obtained unanimous consent for the printing of 300 additional copies of House File No. 1.

Zylstra of Sioux asked and obtained unanimous consent for the printing of 300 additional copies of House File No. 298 and House File No. 40.

Teter of Marion asked and obtained unanimous consent for the printing 200 additional copies of House File No. 41.

Cunningham of Polk asked and obtained unanimous consent for the printing of 300 additional copies of House File No. 185.

HOUSE FILE NO. 9 ORDERED PLACED ON CALENDAR

Gissel of Buchanan asked that House File No. 9 be withdrawn from the committee on county and township organization and placed on calendar. So ordered by the Speaker.

CONSIDERATION OF BILLS

House File No. 102, a bill for an act to amend section thirteen thousand one hundred fourteen (13114), Code 1931, relative to obstructing natural water courses and public drains, with report of committee recommending passage, was taken up for consideration.

Avery of Clay asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 388 of the journal of December 12.

McFarlane of Black Hawk moved to amend House File No. 102 as follows:

Amend House File No. 102 by striking the period at end of line twelve (12) and substituting the following:

Digitized by Google

", nothing in this act shall apply to established sanitary sewer systems of cities and towns including cities under special charters".
and renumbering the balance of the section.

Amendment adopted.

Moore of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Aldrich	Felter	Lichty	Ryder
Alesch	Fletcher	McCarthy	Schlatter
Augustine	Foster	McCreery	Schmitz
Avery	Frizzell	McDermott	Schroeder
Beath	Fuelling	McFarlane	Sheridan
Beswick	Fuester	McKinnon	Snyder
Bonnstetter	Gallagher	McLean	Speidel
Bouska	Garner	Malone	Stansell
Bowers	Gissel	Maniece	Stewart
Bruce	Gittinger	Mercer	Stimpson
Burgess	Goode	Metcalf	Strachan
Casey	Grau	Millhone	Swift
Craven	Hanson of Lyon	Moore of	Teter
Crouch	Hanson of	Harrison	Thies
Cunningham	Winnebago	Mooty	Thiessen
Davis	Hartman	Osborn	Treimer
Dole	Hook	Ostby	Weiben
Donlon	Hopp	Paisley	Wiese
Doran	Hough	Peaco	Willis
Dreessen	Humeston	Peet	Wolf
Durant	Jenkins	Rawlings	Yager
Elliott	Jensen	Reed	Zipse
Ellsworth	Johnson	Rice	Zylstra
Falvey	Koch	Roe	Mr. Speaker

The nays were, none.

Absent or not voting, 14.

Brady	Hultman	Moore of Benton	Sours
Dean	Laughlin	Porter	Stanzel
Fabritz	Lookingbill	Smith	Weed
Grell	Mitchell		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

McFarlane of Black Hawk asked and obtained unanimous consent to have the Chief Clerk correct the amendment to House File No. 102 as adopted, by inserting after the second paragraph the following:

"Sec. 2. Nothing in this act shall apply to established sanitary sewer systems of cities and towns operating under special charters."

Digitized by Google

House File No. 71, a bill for an act to amend Section forty-seven (47), Code, 1931, prescribing the form in which bills shall be printed which amend sections of the Code, with report of committee recommending amendment and passage, was taken up for consideration.

Brady of Pottawattamie called up the amendment filed by him and found on page 396, in the journal of December 12, and moved its adoption. Amendment adopted.

Gallagher of Iowa moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Elliott	Humeston	Reed
Alesch	Fabritz	Jenkins	Roe
Augustine	Falvey	Jensen	Ryder
Avery	Felter	Johnson	Schmitz
Beswick	Fletcher	Koch	Schroeder
Bonnstetter	Foster	Laughlin	Sheridan
Bouska	Frizzell	Lichty	Snyder
Bowers	Fuelling	McCarthy	Sours
Brady	Fuester	McDermott	Stansell
Bruce	Gallagher	McLean	Stewart
Burgess	Garner	Malone	Stimpson
Crouch	Gittinger	Maniece	Thies
Cunningham	Grell	Metcalf	Thiessen
Davis	Hanson of Lyon	Mooty	Treimer
Dean	Hartman	Osborn	Wieben
Dole	Hook	Paisley	Willis
Donlon	Hopp	Peaco	Wolf
Dreessen	Hough	Peet	Zylstra
Durant			

The nays were, 15.

Beath	Goode	Hultman	Swift
Craven	Grau	McCreery	Teter
Doran	Hanson of Winnebago	McFarlane	Yager
Ellsworth		Smith	Zipse

Absent or not voting, 20.

Casey	Mitchell	Porter	Stanzel
Gissel	Moore of Benton	Rawlings	Strachan
Lookingbill	Moore of Harrison	Rice	Weed
McKinnon	Ostby	Schlatter	Weise
Mercer		Speidel	Mr. Speaker
Millhone			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Digitized by Google

HOUSE FILE NO. 7 PLACED ON CALENDAR

Johnson of Linn asked that House File No. 7 be withdrawn from the committee on public health and placed on the calendar. So ordered by the Speaker.

MOTION TO REREFER HOUSE FILE NO. 217

Fabritz of Wapello moved that House File No. 217 be rereferred to the committee on banks and banking.

Foster of Cedar moved the previous question. Motion prevailed.

A roll call was demanded and on the question, "Shall House File No. 217 be rereferred to the committee on banks and banking?"

The ayes were, 33.

Aldrich	Foster	Laughlin	Peaco
Beswick	Frizzell	McCarthy	Schmitz
Bouska	Gallagher	McDermott	Stewart
Brady	Garner	McKinnon	Stimpson
Burgess	Gittinger	Malone	Thiessen
Cunningham	Grell	Maniece	Willis
Davis	Hough	Mercer	Wolf
Dole	Humeston	Ostby	Mr. Speaker
Fabritz			

The nays were, 65.

Alesch	Falvey	Lichty	Smith
Augustine	Felter	McCreery	Snyder
Avery	Fletcher	McFarlane	Sours
Beath	Fuelling	McLean	Speidel
Bonnstetter	Fuester	Metcalf	Stansell
Bowers	Gissel	Millhone	Stanzel
Bruce	Goode	Moore of Harrison	Strachan
Casey	Grau	Mooty	Swift
Craven	Hanson of Lyon	Osborn	Teter
Crouch	Hanson of Winnebago	Paisley	Thies
Dean	Hook	Peet	Treimer
Donlon	Hopp	Rawlings	Wieben
Doran	Hultman	Reed	Wiese
Dreessen	Jenkins	Roe	Yager
Durant	Jensen	Ryder	Zipse
Elliott	Johnson	Schroeder	Zylstra
Ellsworth			

Absent or not voting, 10.

Hartman	Mitchell	Rice	Sheridan
Koch	Moore of Benton	Schlatter	Weed
Lookingbill	Porter		

Motion lost.

HOUSE FILE NO. 217 INDEFINITELY POSTPONED

Sours of Floyd moved that the report of the committee on

Digitized by Google

banks and banking, recommending an indefinite postponement of House File No. 217, be adopted.

Johnson of Linn moved as a substitute motion that the report of the committee on judiciary No. 1 be rejected.

A roll call was demanded and on the question, "Shall the report of the committee on judiciary No. 1 be rejected?"

The ayes were, 30.

Aldrich	Frizzell	Jensen	Ostby
Bouska	Gallagher	Johnson	Smith
Brady	Garner	McCarthy	Stewart
Burgess	Gissell	McDermott	Stimpson
Cunningham	Gittinger	McKinnon	Thiessen
Davis	Grell	Maniece	Yager
Fabritz	Hough	Mercer	Mr. Speaker
Foster	Humeston		

The nays were, 67.

Augustine	Falvey	McLean	Schroeder
Avery	Felter	Malone	Snyder
Beath	Fletcher	Metcalf	Sours
Beswick	Fuelling	Millhone	Speidel
Bonnstetter	Fuester	Moore of Harrison	Stansell
Bowers	Goode	Mooty	Stanzel
Bruce	Grau	Osborn	Strachan
Casey	Hanson of Lyon	Paisley	Swift
Craven	Hanson of Winnebago	Peaco	Teter
Crouch	Hook	Peet	Thies
Dean	Hopp	Rawlings	Treimer
Dole	Hultman	Reed	Wieben
Donlon	Jenkins	Roe	Wiese
Doran	Lichty	Ryder	Willis
Dreessen	McCreery	Schlatter	Wolf
Durant	McFarlane	Schmitz	Zipse
Elliott			Zylstra
Ellsworth			

Absent or not voting, 11.

Alesch	Laughlin	Moore of Benton	Sheridan
Hartman	Lookingbill	Porter	Weed
Koch	Mitchell	Rice	

Substitute motion lost and House File No. 217 was indefinitely postponed.

CONSIDERATION OF BILLS

House File No. 116, a bill for an act to make permanent the temporary transfer, made December 28, 1932, of money from the secondary road trunk construction fund to the General fund of Harrison County, Iowa, with report of committee without recommendation, was taken up for consideration.

Moore of Harrison moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Fabritz	McDermott	Snyder
Augustine	Fletcher	McFarlane	Sours
Avery	Foster	Malone	Speidel
Beswick	Frizzell	Maniece	Stansell
Bonnstetter	Fuelling	Mercer	Stanzel
Bouska	Fuester	Millhone	Stewart
Bowers	Garner	Moore of	Stimpson
Bruce	Gittinger	Harrison	Strachan
Burgess	Goode	Mooty	Swift
Casey	Grell	Paisley	Teter
Craven	Hanson of Lyon	Peaco	Thies
Cunningham	Hanson of	Rawlings	Thiessen
Davis	Winnebago	Reed	Treimer
Dole	Hook	Roe	Wieben
Donlon	Hopp	Ryder	Wiese
Dreessen	Humeston	Schlatter	Willis
Durant	Jensen	Schmitz	Wolf
Elliott	Laughlin	Schroeder	Yager
Ellsworth	Lichty	Smith	Zipse

The nays were, 7.

Beath	Doran	Johnson	Osborn
Crouch	Gallagher	McLean	

Absent or not voting, 27.

Alesch	Hartman	McCreery	Porter
Brady	Hough	McKinnon	Rice
Dean	Hultman	Metcalf	Sheridan
Falvey	Jenkins	Mitchell	Weed
Felter	Koch	Moore of Benton	Zylstra
Gissel	Lookingbill	Ostby	Mr. Speaker
Grau	McCarthy	Peet	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 127, a bill for an act to legalize certain tax deeds issued without compliance with the requirements of section seven thousand two hundred eighty-three (7283) of the Code, 1931, and corresponding sections of earlier codes, relating to collections of costs of serving notice, with report of committee recommending passage, was taken up for consideration.

Yager of Dickinson called up the amendment filed by him and found on page 396 of the journal of December 12, and moved its adoption. Amendment adopted.

Yager of Dickinson moved that the bill be read a third time

Digitized by Google

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Fabritz	Koch	Smith
Alesch	Fletcher	Laughlin	Snyder
Augustine	Frizzell	Lichty	Speidel
Avery	Fuelling	McCreery	Stansell
Beath	Fuester	McDermott	Stanzel
Beswick	Gallagher	McKinnon	Stewart
Bonnstetter	Garner	Maniece	Stimpson
Bouska	Gissel	Mercer	Strachan
Bowers	Gittinger	Millhone	Swift
Bruce	Goode	Mooty	Teter
Burgess	Grau	Osborn	Thies
Craven	Grell	Paisley	Thiessen
Crouch	Hanson of Lyon	Peaco	Treimer
Cunningham	Hook	Peet	Wieben
Davis	Hopp	Rawlings	Wiese
Dole	Hough	Reed	Willis
Donlon	Hultman	Roe	Wolf
Doran	Humeston	Ryder	Yager
Dreessen	Jenkins	Schlatter	Zipse
Durant	Jensen	Schmitz	Mr. Speaker
Elliott	Johnson	Sheridan	

The nays were, 1.

Ellsworth

Absent or not voting, 24.

Brady	Hanson of Winnebago	Malone	Porter
Casey	Hartman	Metcalf	Rice
Dean	Lookingbill	Mitchell	Schroeder
Falvey	McCarthy	Moore of Benton	Sours
Felter	McFarlane	Moore of Harrison	Weed
Foster	McLean	Ostby	Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Yager of Dickinson moved that the vote by which House File No. 127 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 137, a bill for an act to repeal Chapter one hundred eighty (180), acts of the Forty-fifth General Assembly, relating to the appointment of referees in probate matters, with report of committee recommending passage, was taken up for consideration.

REPORT OF JOINT COMMITTEE ON EXTRA HELP

MR. SPEAKER: Your joint committee on extra help begs leave to make the following report and moves its adoption:

Digitized by Google

On November 27th, the Senate adopted a report of this committee naming George Hall as a janitor to be assigned to the custodian's force, and on November 28th, said report was adopted in the House. This report being in error, the committee recommends that the said George Hall be transferred to the Senate employee group as an assistant doorkeeper.

WM. KOCH,
J. P. GALLAGHER,
ED. RAWLINGS,
On the Part of the House.

D. W. KIMBERLY,
W. R. RITCHIE,
VINCENT F. HARRINGTON,
On the Part of the Senate.

Report adopted.

MOTION FILED TO TAKE FROM THE TABLE

I move to take House File No. 148 from the table.

OTTO FUELLING.

AMENDMENTS FILED

Hartman of Des Moines filed the following amendment:

Amend House File No. 166 by adding thereto the following:

"Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Burlington Post, a newspaper published at Burlington, Iowa, and in the Mount Pleasant Daily News, a newspaper published at Mount Pleasant, Iowa."

Moore of Harrison and Malone of Cass filed the following amendment:

Amend House File 180 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Chapter one hundred thirty-eight (138), title IX of the Code of 1931 is hereby repealed and the following enacted in lieu thereof.

Sec. 2. County aid for agricultural extension service.

Counties are hereby authorized to make appropriations in the manner provided for in this act for the purpose of educational work for improving and advancing agriculture, home economics and junior extension work in rural communities and rural adult education. Such appropriation shall be made in each county where there has been organized a county extension board as hereinafter provided.

Sec. 3. Appropriation—when made.

When a county extension board has been organized as provided in this act and this fact has been properly certified to the board of supervisors of said county by the chairman and secretary of the county extension board, the board of supervisors shall appropriate for the carrying out of said work from the general fund of the county, not more than three thousand dollars ($3,000.00) annually in counties having a population of less than twenty-five thousand (25,000), and not more than four thousand dollars ($4,000.00) annually in counties having a population of more than twenty-five thousand (25,000) as determined by the last fed-

Digitized by Google

eral census. The board of supervisors shall furnish sufficient office space for such service in the court house or elsewhere, unless such office accommodations are provided for in a local federal building.

Sec. 4. County Extension Board—composition.

The county extension board shall be composed of one member from each township, such member to be a qualified voter, an actual farm resident. Members of the county extension board shall be elected for a term of one (1) year. No member shall serve more than three (3) years in succession. Failure of any member elected to the board to qualify shall not invalidate the organization of the board. The county extension board shall fill any vacancy occurring in its membership.

Sec. 5. Method of election to county extension board.

The township member to the county extension board shall be elected at a general meeting of those residents, who are qualified voters not within the incorporated limits of a city or town of each township in the county at some designated place in each township before December 15 of each year. The first meeting in each township shall be called by the county auditor as soon as practicable after this act takes effect and all subsequent township annual meetings shall be called by the chairman of the county extension board.

The first township meetings shall be held at the same time in each township but all subsequent annual township meetings shall be at such times as the chairman of the county extension board may fix.

A schedule of the annual township meetings shall be published in an official county newspaper at least seven days before the first of said township meetings. Each township meeting shall proceed to organize itself and to elect a member of the county extension board which member shall be certified to the county auditor by the chairman and secretary of the township meeting. Such certification shall be conclusive unless objection is filed, in which event all disputes as to membership shall be decided by a majority vote of the county extension board.

The county auditor shall call the annual meeting of the county extension board, notifying by mail all members whose election has been certified to him, at which meeting the board shall organize, and proceed to formulate and carry out a program of work as herein provided. The said county extension board shall hold office until the annual meeting in December.

Sec. 6. County extension board—organization.

The county extension board at its annual meeting which shall be held as soon as possible after December 15, shall elect from its own members a chairman, vice-chairman and a secretary and such other officers as may be deemed necessary.

Sec. 7. Powers and duties of board.

The county extension board shall plan the educational work for improving and advancing agriculture, home economics and junior extension work in the rural communities, and rural adult education to be carried on in the county as contemplated in this act, and shall have general administration over all funds appropriated by the county for the carrying out of the purpose of this act.

Digitized by Google

Sec. 8. Cooperation with other agencies.

All work to be carried on under the provisions of this act shall insofar as is possible be conducted in cooperation with the Iowa state college of agriculture and mechanic arts, United States department of agriculture, and all agencies having the distribution of federal and state aid for similar purposes.

Sec. 9. Budget.

As soon as possible after the organization of the county extension board and not later than December 31st of each year the county extension board shall prepare and present to the county board of supervisors a budget setting forth the amount of funds necessary for the carrying out of the work as formulated and planned by the county extension board.

Sec. 10. Funds—How used and expended.

Such county funds as may be appropriated in accordance with this act shall remain in the custody of the county treasurer and shall be payable by him on vouchers signed by the chairman and secretary of the county extension board, which vouchers shall indicate on their face for what purpose the payment is to be used. The county extension board shall determine the manner and method in which the funds appropriated under the provisions of this act shall be expended, and in the carrying out of the work provided by this act shall employ a person or persons especially qualified to conduct the work planned by the county extension board for the ensuing year.

Sec. 11. No remuneration for officers.

No remuneration or compensation of any character shall be paid to the chairman, vice-chairman, secretary or any member of the county extension board.

Sec. 12. False certificates—How furnished.

Any officer of the county extension board making any certificate herein required with knowledge of its falseness or incorrectness in any particular shall be guilty of a misdemeanor and punished accordingly.

Sec. 13. Annual reports—records.

The retiring chairman and secretary of the county extension board, on the first Monday in January of each year shall file with the county auditor complete and detailed reports under oath of all expenditures made by order of the county extension board showing in detail to whom paid and for what purpose. A duplicate of such statement shall be sent to the Iowa State college of agriculture and mechanic arts, and a duplicate shall be sent to the United States department of agriculture together with such additional information as may be required. The books, papers, and records of the county extension board shall be open to inspection at all times.

Sec. 14.

Neither the county extension board, as such, nor the employed agents may engage in any commercial or political undertaking whatsoever. Any member or employee of such board who shall use the name of the county extension board in connection with any such undertaking, shall be subject to immediate removal from office or employment.

This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Atlantic News Tele-

Digitized by Google

graph, a newspaper published at Atlantic, Iowa, and in the Harrison County News, a newspaper published at Logan, Iowa.

Amend the title by striking all after the word "act" in line one (1) and substituting in lieu thereof the following: "to repeal chapter one hundred thirty-eight (138), title IX of the code of 1931, relating to farm aid association and to enact a substitute therefore relating to educational work for improving and advancing agriculture, home economics, and junior extension work in rural communities, and rural adult education in each county; and to provide county appropriations for conducting such educational work."

Maniece of Emmet filed the following amendment to House File No. 137:

Amend House File No. 137 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section twelve thousand forty-one (12041), Code, 1931, as amended by Chapter One Hundred Eighty (180), Acts of the Forty-fifth General Assembly, is hereby repealed and the following enacted in lieu thereof:

Reference—examination of accounts. In matters of accounts of executors and administrators, the court may appoint one or more referees, who shall have the powers and perform all the duties therein of referees appointed by the court in a civil action."

Amend the title by striking all after the word "repeal" in line one (1) and inserting in lieu thereof the following:

"Section twelve thousand forty-one (12041), Code, 1931, as amended by Chapter one hundred eighty (180), Acts of the Forty-fifth General Assembly, and to enact a substitute therefor, relating to the appointment of referee in probate matters."

Hopp of Mills filed the following amendment:

Amend House File No. 47 by striking all of the first paragraph of section one (1) and inserting in lieu thereof the following:

"All state and savings banks or loan and trust companies which shall have deposited therein, under trust agreement, trust funds accumulated or set aside by cemetery associations, incorporated or unincorporated, or by individuals by will or otherwise, or by the court in the settlement of estates, for the permanent care, upkeep, and maintenance of graves and burial places in this state, shall segregate all of said funds from the general assets of the said bank and shall keep a separate set of books and records showing in proper detail all transactions engaged in under authority of this act.

No such bank or trust company shall receive in its trust department deposit of current funds subject to check or the deposit of checks, drafts, bills of exchange, or other items for collection or exchange purposes. Funds deposited or held in trust by the bank awaiting investment shall be carried in a separate account and shall not be used by the bank in the conduct of its business unless it shall first set aside in the trust fund or

Digitized by Google

account herein provided for, United States bonds or other securities provided for and described in section 12772 of the code.

In the event of the failure of such bank the owners of the funds held in trust for investment shall have a lien on the bonds or other securities so set apart in addition to their claim against the estate of the bank."

Grau of Buena Vista moved that the House adjourn until 9 o'clock a. m. Thursday, December 14, 1933.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 14, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. S. A. Fulton, Pastor of the First Presbyterian Church, Des Moines, Iowa.

Journal of December 13, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Elliott of Polk for the day on request of Doran of Boone; Mooty of Grundy for the day on request of Bruce of Pocahontas.

PETITIONS AND MEMORIALS

Opposing licensing of livestock buyers. Wiese, from the citizens of Scott county. Referred to the committee on agriculture.

Asking that the gross income tax be so amended as to exempt religious, charitable and educational organizations. Reed, from the citizens of Mahaska county. Referred to the committee on tax revision.

Opposing any bills that will interfere with marketing liberty. Treimer, from the citizens of O'Brien county. Referred to the committee on agriculture.

Opposing taxation on fraternal societies. Swift, from members of the Modern Woodmen of America of Dubuque county. Referred to the committee on insurance.

Favoring the Gross Income Tax Plan. Peaco, from the citizens of Clinton county. Referred to the committee on tax revision.

Favoring an increase in restaurant license fees. Elliott, from the restaurant owners of Polk county. Referred to the committee on tax revision.

Digitized by Google

REPORTS OF COMMITTEES

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 46, a bill for an act to repeal section fifteen hundred sixty-one (1561) and fifteen hundred sixty-two (1562), Code, 1931, relative to bonds and sureties required for cigarette permits, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN H. MITCHELL, *Charman.*

Passed on file.

Treimer of O'Brien, from the committee on insurance, submitted the following report:

MR. SPEAKER: Your committee on insurance to whom was referred House File No. 79, a bill for an act to repeal paragraphs three (3), four (4), five (5) and six (6), of Section thirteen hundred ninety-seven (1397), Code, 1931, and to enact substitutes therefor relating to computation of workmen's compensation and prescribing methods for computing the average weekly earnings and annual earning capacity in such computation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

"5. If the employment is so irregular, intermittent or seasonal in character that none of the foregoing methods of computation can reasonably and fairly be applied, then the average weekly earnings shall be ascertained by dividing the total earnings the injured workman received during the year next preceding the injury by the number of calendar weeks in which he performed work for said employer during said year. In making such computation absence from work for seven consecutive calendar days, though not in the same week, shall be considered as a calendar week in which the employee performed no work for said employer. If such employee has been employed in said employment for a less period than two calendar weeks at the time of injury then his average weekly earnings shall be considered to be equivalent to the average weekly wage prevailing in the same or neighboring employments of the same grade as or most similar to the injured employee's employment."

WM. TREIMER, *Chairman.*

Report adopted.

Laughlin of Fremont, from the committee on roads and highways, submitted the following report:

MR. SPEAKER: Your committee on roads and highways to whom was referred Senate File No. 105, a bill for an act to amend section forty-seven hundred fifty-five-b thirty-two (4755-b32) of the Code 1931, to remove the present limitations on the use of Primary road funds for the

Digitized by Google

payment of principal and interest of primary road bonds and bonds issued to refund primary road bonds, to provide a comprehensive plan for the financing of primary road bonds and bonds issued to refund primary road bonds, and to make more certain that primary road bonds and bonds issued to refund primary road bonds and the interest on such bonds will be paid out of the primary road fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

E. P. LAUGHLIN, *Chairman.*

Passed on file.

Paisley of Lee, from the committee on dairy and foods, submitted the following report:

MR. SPEAKER: Your committee on dairy and foods to whom was referred House File No. 110, a bill for an act to amend Section Three Thousand Ninety-Five (3095), Code, 1931, relating to the marking of milk bottles, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WM. PAISLEY, *Chairman.*

Passed on file.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 126, a bill for an act to amend section seven thousand two hundred eighty-three (7283) of the Code, 1931, relating to costs of serving notice to redeem from tax sale and report and entry of such costs, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 132, a bill for an act providing for the examination of persons in court or any judge thereof having knowledge of the effects or property of persons under guardianship and all persons suspected of having wrongful possession of the effects and property of any person under guardianship, and providing for the enforcement of orders connected therewith, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Digitized by Google

Rawlings of Monona, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred House File No. 135, a bill for an act to amend section twenty-eight hundred twelve (2812), Code, 1931, relating to the annual license fee to be paid by restaurants, and to amend Chapter one hundred thirty-three (133), Code, 1931, providing for an inspection fee from any restaurant hereafter opened or hereafter changing ownership, and providing for the creation of a separate fund in the hands of the State Treasurer to be known as the restaurant fund, and limiting the purpose for which said fund may be used, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. RAWLINGS, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 136, a bill for an act to amend section fifty-five hundred eighty-two (5582), fifty-five hundred eighty-three (5583), fifty-five hundred eighty-five (5585), to fifty-five hundred eighty-seven (5587), inclusive, Code, 1931, relating to township licenses of places of amusement, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. MITCHELL, *Chairman.*

Report adopted.

Rawlings of Monona, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred House File No. 153 by Osborn, a bill for an act to amend section twenty-six hundred eighteen (2618), Code, 1931, relating to enrollment of animals with the Department of Agriculture, when said animals are being offered for public service, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. RAWLINGS, *Chairman.*

Passed on file.

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 175, a bill for an act to repeal sections five hundred twenty-three (523) and ten thousand six hundred thirty-nine (10,639) Code, 1931, and to enact substitutes therefor, all

Digitized by Google

relating to the election of Justices of the Peace and Constables, and their compensation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. S. HOOK, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 179, a bill for an act to amend section twelve thousand eight hundred four (12804), Code 1931, and providing for an assistant chief justice, and defining his rights, duties and powers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 191, a bill for an act to amend chapter five hundred twenty-two (522), Code, 1931, by clarifying the method of making payment in the case of purchase by one having an interest in the property and providing for notice of the time and place of sale in partition proceedings, and for protesting the amount and terms if sold at private sale, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Insert after the word "if" in line five (5) of Section one (1) the following: "at any time more than ten days prior to the date fixed for holding said sale,".

JOHN F. BRADY, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 199, a bill for an act to authorize and provide for assessments on mercantile business established in a county after January first (1st) and prior to July first (1st) of any year, to declare the effect thereof, and to provide the procedure for the making of such assessments and for the collection of the taxes levied thereon, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN H. MITCHELL, *Chairman.*

Passed on file.

Digitized by Google

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 216, a bill for an act to provide for the issuing of a permit to pipe line companies engaged in the business of owning, operating or controlling lines for the transportation or transmission of gas, gasoline, oils or motor fuels or inflammable fluids within the state; providing inspection fee therefor; providing location and inspection of pipe lines, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 229, a bill for an act to prohibit the expending of public funds for the employment of married women with certain exceptions thereto and providing a penalty for violations thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN F. BRADY, *Chairman.*

Passed on file.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred House File No. 230, a bill for an act to amend Sub-section 2 of Section 6944 of Chapter 330, Code, 1931, relating to exemptions from taxation of property owned by municipalities, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. BLAKE WILLIS, *Chairman.*

Passed on file.

Hook of Taylor, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 247, a bill for an act to provide for the expense of the bonds of the county auditors, clerks, recorders, attorneys, sheriffs, and superintendent of schools, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. C. S. HOOK, *Chairman.*

Passed on file.

Digitized by Google

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 250, a bill for an act to tax that portion of judgments issued under section twelve thousand three hundred seventy-six (12376) of the code, 1931, which is in excess of the amount for which the mortgaged property was sold, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be rereferred to the Committee on Emergency Legislation. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 251, a bill for an act to amend section sixty-nine hundred sixty-three (6963) Code, 1931, relating to the assessment of moneys and credits and to the place of said assessment, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN F. BRADY, *Chairman.*

Passed on file.

Rawlings of Monona, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred Senate File No. 85, a bill for an act to repeal sections three thousand eighty-nine (3089), three thousand ninety (3090), three thousand ninety-one (3091), and three thousand ninety-two (3092), Code, 1931, and to enact substitutes therefor, relating to the Iowa Butter Trademark; and to create the Iowa Butter Control Board, to define its powers and duties, and to vest title to the Iowa State Butter Trademark in the Iowa Trademark Butter Association, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Strike all after the enacting clause and substitute in lieu thereof the following:

Section 1. Sections three thousand eighty-nine (3089), three thousand ninety (3090), three thousand ninety-one (3091), and three thousand ninety-two (3092), Code, 1931, are hereby repealed and the following is enacted in lieu thereof:

"3089-f1. Iowa Butter Control Board. There is hereby created the Iowa Butter Control Board composed of the President of the Iowa State Dairy Association, the President of the Iowa State Creamery Operators Association, the Dean of Agriculture of the Iowa State College of Agriculture and Mechanic Arts, the Head of the Department of the Dairy

Digitized by Google

Industry of the same institution, and the Secretary of Agriculture, which board shall see to that the requirements of the law are met on all butter manufactured in the State of Iowa for sale under the Iowa State Butter trademark and that the standards required by law are maintained by all creameries desiring to be classified and known as an Iowa Trademark Creamery, and the board shall make rules and regulations for the enforcement of this act."

"3090-f1. Iowa Trademark Creameries. Any Creamery meeting the standards and requirements fixed by law shall be entitled to be classified and known as an "Iowa Trademark Creamery" and no other creamery shall use said name."

"3091-f1. Requirements. Any creamery desiring to be classified and known as an "Iowa Trademark Creamery" shall meet the requirements of the Sanitary and Dairy Laws of Iowa and must comply with the Iowa State and Federal standards as to butterfat and moisture contents.

All butter sold under said trademark shall be manufactured from cream containing not more than two tenths of one per cent acidity, must be pasteurized in accordance with the Pasteurization laws of Iowa.

All butter sold under the Iowa Trademark must score at least ninety-three (93) and be inspected at frequent intervals. All scoring and inspection to be made by the Iowa Butter Control Board or its duly authorized representatives.

Whenever a creamery qualifies as an Iowa Trademark Creamery the Board shall issue to said creamery a certificate to that effect, which certificate shall be subject to revocation by the Board for failure to maintain the standards and requirements fixed by law.

"3092-f1. Any creamery holding the classification of an "Iowa Trademark Creamery" must become a member of the "Iowa Trademark Butter Association", which shall be a non-trading, non-profit sharing association of the creameries classified as State Trademark Creameries and which association shall own and regulate the use of the Iowa State Butter Trademark."

"3092-f2. The ownership of the Iowa State Butter Trademark is hereby vested and lodged in the Iowa Trademark Butter Association and said association may own and hold said trademark for the benefit of its members. The Iowa Butter Control Board shall retain all supervision and control over the manufacture and sale of all butter to be sold under said trademark."

"3092-f3. The Iowa State Butter Control Board shall hold regular semi-annual meetings at the Dairy Industry Building or the Iowa State College of Agriculture and Mechanic Arts in conjunction with the Executive Committee of the Iowa State Trademark Association, which latter body shall act as an advisory body only at said meetings."

Sec. 2. This Act is deemed of immediate importance and shall take effect from and after its publication in two newspapers of this state as provided by law."

Amend title by striking from line six (6) and seven (7) the words

Digitized by Google

"and to vest title to the Iowa State" and inserting in lieu "and to create standards for its manufacture and to vest the title of said".

ED. RAWLINGS, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 97, a bill for an act to amend section nineteen hundred ninety (1990), Code, 1931, relative to the condemnation of intoxicating liquors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 279 by committee on printing, a bill for an act to repeal section two (2), chapter sixty-four (64), acts of the forty-fifth (45th) General Assembly, relative to printing and furnishing of school records by the State of Iowa.

Read first and second times and placed on calendar.

House File No. 280 by committee on agriculture, a bill for an act to repeal Chapter two hundred forty-six (246), Code, 1931, and enacting a substitute therefor, providing for the appointment of weed commissioners; defining noxious weeds; providing for destruction and assessment of costs, and penalities for the violation thereof.

Read first and second times and placed on calendar.

House File No. 281 by committee on agriculture, a bill for an act to amend sections thirty-one hundred twenty-seven (3127), thirty-one hundred thirty (3130) and thirty-one hundred thirty-seven (3137), Code, 1931, and to repeal sections thirty-one hundred twenty-nine (3129) and thirty-one hundred thirty-six (3136), Code, 1931, and to enact a substitute therefor, relating to agricultural seeds.

Read first and second times and placed on calendar.

House File No. 282 by committee on agriculture, a bill for an act to provide for sanitary inspection of baby chick hatcheries and baby chick establishments and to define the power of the Secretary of Agriculture.

Read first and second times and placed on calendar.

Digitized by Google

HOUSE FILE NO. 59 PLACED ON CALENDAR

Craven of Jasper asked that House File No. 59 be withdrawn from the committee on judiciary No. 2 and placed on calendar. So ordered by the Speaker.

CONSIDERATION OF BILLS

House File No. 47, a bill for an act to protect trust funds set aside for the care, upkeep, and maintenance of graves and burial places, and to grant to such funds a preference in the settlement of the affairs of insolvent banking institutions, with report of committee recommending amendment and passage, was taken up for consideration.

Ellsworth of Hardin moved the amendments proposed by the committee, found on page 239 of the journal of November 29, be adopted.

McFarlane of Black Hawk moved that the amendments filed by Hopp of Mills, and found on page 415 of the journal of December 13, be substituted for the committee amendments and be adopted.

A roll call was demanded and on the question, "Shall the amendments by Hopp be substituted and adopted?"

The ayes were, 73.

Aldrich	Felter	Laughlin	Sheridan
Augustine	Fletcher	Lichty	Smith
Beath	Frizzell	Lookingbill	Snyder
Beswick	Fuelling	McDermott	Sours
Bouska	Fuester	McFarlane	Stanzel
Bowers	Gallagher	McLean	Stewart
Bruce	Gissel	Malone	Stimpson
Burgess	Gittinger	Mercer	Strachan
Casey	Goode	Metcalf	Swift
Craven	Grau	Millhone	Teter
Crouch	Hanson of Lyon	Moore of Harrison	Thiessen
Cunningham	Hartman	Mooty	Treimer
Davis	Hopp	Ostby	Weed
Dole	Hough	Paisley	Wiese
Donlon	Jenkins	Reed	Willis
Doran	Jensen	Roe	Wolf
Dreessen	Johnson	Ryder	Zipse
Durant	Koch	Schmitz	Mr. Speaker
Fabritz			

The nays were, 8.

Avery	Falvey	McCreery	Wieben
Ellsworth	Foster	Speidel	Zylstra

Digitized by Google

Absent or not voting, 27.

Alesch	Hanson of Winnebago	Maniece	Rawlings
Bonnstetter	Hook	Mitchell	Rice
Brady	Hultman	Moore of Benton	Schlatter
Dean	Humeston	Osborn	Schroeder
Elliott	McCarthy	Peaco	Stansell
Garner	McKinnon	Peet	Thies
Grell		Porter	Yager

So the Hopp amendments were substituted and adopted.

Hopp of Mills moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Aldrich	Foster	Laughlin	Ryder
Augustine	Frizzell	Lichty	Schlatter
Avery	Fuelling	Lookingbill	Schmitz
Beath	Fuester	McDermott	Schroeder
Beswick	Gallagher	McFarlane	Sheridan
Bouska	Garner	McKinnon	Smith
Bruce	Gissel	McLean	Snyder
Burgess	Gittinger	Malone	Sours
Casey	Goode	Maniece	Speidel
Craven	Grau	Mercer	Stanzel
Crouch	Hanson of Lyon	Metcalf	Stewart
Cunningham	Hanson of Winnebago	Millhone	Stimpson
Davis	Hartman	Mitchell	Strachan
Dean	Hook	Moore of Harrison	Swift
Dole	Hopp	Mooty	Teter
Donlon	Hough	Ostby	Thiessen
Doran	Huumeston	Paisley	Treimer
Dreessen	Jenkins	Rawlings	Weed
Durant	Johnson	Reed	Wiese
Fabritz	Jensen	Roe	Zipse
Felter	Koch		Mr. Speaker
Fletcher			

The nays were, 7.

Ellsworth	McCarthy	Willis	Zylstra
Falvey	McCreery	Wolf	

Absent or not voting, 17.

Alesch	Grell	Peaco	Stansell
Bonnstetter	Hultman	Peet	Thies
Bowers	Moore of Benton	Porter	Wieben
Brady	Osborn	Rice	Yager
Elliott			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

The House resumed consideration of House File No. 137, a bill for an act to repeal Chapter one hundred eighty (180), acts of the

Digitized by Google

Forty-fifth General Assembly, relating to the appointment of referees in probate matters.

Maniece of Emmet called up the amendment filed by him, and found on page 415 of the journal of December 13, and moved its adoption. Amendment adopted.

Speidel of Washington moved as a substitute for the amendment to House File No. 137, the following:

"Amend House File No. 137 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter One Hundred Eighty, acts of the Forty-fifth General Assembly is hereby amended by striking from lines seven (7) and eight (8), the words 'whenever in the opinion of the court it seems fit and proper'."

A roll call was demanded and on the question "Shall the substitute be adopted?"

The ayes were, 57.

Aldrich	Felter	Humeston	Schmitz
Beath	Fletcher	Jenkins	Schroeder
Beswick	Foster	McCarthy	Sheridan
Bouska	Frizzell	McCreery	Snyder
Bowers	Fuelling	McDermott	Sours
Burgess	Fuester	McKinnon	Speidel
Casey	Gallagher	McLean	Stewart
Craven	Garner	Malone	Stimpson
Crouch	Gissel	Mitchell	Swift
Dean	Hanson of Lyon	Paisley	Teter
Donlon	Hartman	Rawlings	Thiessen
Doran	Hook	Reed	Weed
Dreessen	Hopp	Rice	Zylstra
Ellsworth	Hough	Ryder	Mr. Speaker
Fabritz			

The nays were, 32.

Bonnstetter	Hanson of Winnebago	Metcalf	Strachan
Bruce	Jensen	Millhone	Thies
Cunningham	Johnson	Moore of Harrison	Treimer
Davis	Koch	Osborn	Wiese
Dole	Lichty	Ostby	Willis
Durant	Lookingbill	Roe	Wolf
Gittinger	McFarlane	Smith	Yager
Goode	Maniece	Stansell	Zipse

Absent or not voting, 19.

Alesch	Falvey	Mercer	Porter
Augustine	Grau	Moore of Benton	Schlatter
Avery	Grell	Mooty	Stanzel
Brady	Hultman	Peaco	Wieben
Elliott	Laughlin	Peet	

Substitute amendment adopted.

Digitized by Google

Maniece of Emmet moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 64.

Aldrich	Ellsworth	Hultman	Reed
Avery	Fabritz	Humeston	Rice
Beath	Felter	Jenkins	Ryder
Beswick	Fletcher	Koch	Schmitz
Bouska	Foster	Lookingbill	Schroeder
Bowers	Frizzell	McCarthy	Sheridan
Bruce	Fuelling	McCreery	Sours
Burgess	Fuester	McDermott	Speidel
Casey	Garner	McKinnon	Stewart
Craven	Gissel	McLean	Stimpson
Crouch	Grau	Malone	Swift
Davis	Hanson of Lyon	Mercer	Teter
Dean	Hartman	Mitchell	Thiessen
Donlon	Hook	Mooty	Weed
Doran	Hopp	Paisley	Zylstra
Dreessen	Hough	Rawlings	Mr. Speaker

The nays were, 27.

Bonnstetter	Hanson of	Moore of	Thies
Cunningham	Winnebago	Harrison	Treimer
Dole	Jensen	Osborn	Wiese
Durant	Johnson	Ostby	Willis
Gallagher	McFarlane	Roe	Wolf
Gittinger	Maniece	Stansell	Yager
Goode	Metcalf	Strachan	Zipse
	Millhone		

Absent or not voting, 17.

Alesch	Grell	Peaco	Smith
Augustine	Laughlin	Peet	Snyder
Brady	Lichty	Porter	Stanzel
Elliott	Moore of Benton	Schlatter	Wieben
Falvey			

So the bill having received a constitutional majority was declared to have passed the House.

Speidel of Washington asked and obtained unanimous consent to have the Chief Clerk correct the title to House File No. 137, as follows:

Amend the title by striking from line one (1) the word "repeal" and inserting in lieu thereof "amend."

Speidel of Washington moved that the vote by which House File No. 137 passed the House be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

Mitchell of Webster asked and obtained unanimous consent to

Digitized by Google

consider at this time House File No. 166, a bill for an act creating a presumption in any action or proceeding to recover taxes upon property not listed or assessed for taxation during the lifetime of any decedent, that any property, any evidence of ownership of property, and any evidence of a promise to pay, owned by a decedent at the date of his death, had been acquired by such decedent more than five years before the date of his death; and providing that the burden of proving that any such property had been acquired by such decedent less than five years before the date of his death shall be upon the heirs, legatees, and legal representatives of such decedent, with report of committee recommending passage.

Hartman of Des Moines called up the amendment filed by him and found on page 412 of the journal of December 13, and moved its adoption. Amendment adopted.

Hartman of Des Moines moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Felter	Lichty	Ryder
Augustine	Fletcher	Lookingbill	Schlatter
Avery	Foster	McCarthy	Schmitz
Beath	Frizzell	McCreery	Schroeder
Beswick	Fuelling	McDermott	Sheridan
Bonnstetter	Fuester	McKinnon	Smith
Bouska	Gallagher	McLean	Snyder
Bowers	Garner	Malone	Sours
Bruce	Gissel	Mercer	Speidel
Burgess	Gittinger	Metcalf	Stansell
Casey	Goode	Millhone	Stewart
Craven	Grau	Mitchell	Swift
Crouch	Hanson of Lyon	Moore of Harrison	Teter
Cunningham	Hanson of Winnebago	Mooty	Thies
Davis	Hartman	Osborn	Thiessen
Dean	Hook	Ostby	Treimer
Donlon	Hopp	Paisley	Weed
Doran	Hough	Rawlings	Wiese
Dreessen	Humeston	Reed	Wolf
Durant	Jenkins	Rice	Yager
Fabritz	Koch	Roe	Zipse
Falvey			Zylstra

The nays were, 10.

Dole	Johnson	Stimpson	Wieben
Ellsworth	Maniece	Strachan	Willis
Jensen	Stanzel		

Digitized by Google

Absent or not voting, 12.

Alesch	Grell	McFarlane	Peet
Brady	Hultman	Moore of Benton	Porter
Elliott	Laughlin	Peaco	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Mitchell of Webster moved that the vote by which House File No. 166 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Mitchell of Webster asked and obtained unanimous consent to have House File No. 166 messaged to the Senate immediately.

House File No. 141, a bill for an act to make permanent the transfer of funds in Washington Consolidated Independent School District, Dallas County, Iowa, with report of committee recommending passage, was taken up for consideration.

Willis of Dallas moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 96.

Aldrich	Frizzell	McCreery	Schroeder
Augustine	Fuelling	McDermott	Sheridan
Avery	Fuester	McFarlane	Smith
Beath	Gallagher	McKinnon	Snyder
Beswick	Garner	McLean	Sours
Bonnstetter	Gissel	Malone	Speidel
Bouska	Gittinger	Maniece	Stansell
Bowers	Goode	Mercer	Stanzel
Burgess	Grau	Metcalf	Stewart
Casey	Hanson of Lyon	Millhone	Stimpson
Craven	Hanson of Winnebago	Mitchell	Strachan
Crouch	Hartman	Moore of Harrison	Swift
Cunningham	Hook	Mooty	Thies
Davis	Hopp	Osborn	Thiessen
Dole	Hough	Ostby	Treimer
Donlon	Hultman	Paisley	Weed
Doran	Humeston	Peaco	Wieben
Dreessen	Jenkins	Rawlings	Wiese
Durant	Jensen	Reed	Willis
Ellsworth	Johnson	Roe	Wolf
Fabritz	Koch	Ryder	Yager
Falvey	Lichty	Schlatter	Zipse
Felter	Lookingbill	Schmitz	Zylstra
Fletcher	McCarthy		Mr. Speaker
Foster			

The nays were, none.

Digitized by Google

Absent or not voting, 12.

Alesch	Dean	Laughlin	Porter
Brady	Elliott	Moore of Benton	Rice
Bruce	Grell	Peet	Teter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 72, a bill for an act to amend the law as it appears in sections forty-two hundred sixty-eight (4268), forty-two hundred seventy-three (4273), and forty-three hundred twelve (4312), Code, 1931, relating to school age, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gallagher of Iowa the amendments proposed by the committee, found on page 309 of the journal of December 6, were adopted.

Gallagher of Iowa moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 46.

Avery	Durant	Jenkins	Roe
Beswick	Falvey	Laughlin	Ryder
Bouska	Fletcher	Lichty	Schlatter
Bruce	Fuelling	McLean	Schmitz
Burgess	Gallagher	Maniece	Schroeder
Craven	Garner	Metcalf	Snyder
Crouch	Grau	Mitchell	Sours
Cunningham	Hanson of Lyon	Mooty	Speidel
Davis	Hartman	Osborn	Stewart
Dole	Hook	Ostby	Thies
Donlon	Hopp	Reed	Treimer
Dreessen	Humeston		

The nays were, 53.

Aldrich	Gittinger	Malone	Strachan
Augustine	Goode	Mercer	Swift
Beath	Hanson of Winnebago	Millhone	Teter
Bonnstetter	Hough	Moore of Benton	Thiessen
Bowers	Hultman	Moore of Harrison	Weed
Casey	Jensen	Paisley	Wieben
Doran	Johnson	Peaco	Wiese
Ellsworth	Lookingbill	Rawlings	Willis
Fabritz	McCarthy	Sheridan	Wolf
Felter	McCreery	Smith	Yager
Foster	McDermott	Stansell	Zipse
Frizzell	McFarlane	Stanzel	Zylstra
Fuester	McKinnon	Stimpson	Mr. Speaker
Gissel			

Digitized by Google

Absent or not voting, 9.

Alesch	Elliott	Koch	Porter
Brady	Grell	Peet	Rice
Dean			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Good of Davis moved that the vote by which House File No. 72 failed to pass the House, be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 97, a bill for an act to amend sections forty-four hundred eighty-five (4485), forty-five hundred three (4503), and forty-five hundred five (4505), Code, 1931, and to repeal section forty-four hundred eighty-six (4486), Code, 1931, all relating to the protection of the permanent school fund, with report of committee recommending passage, was taken up for consideration.

Hook of Taylor called up the amendment filed by him and found on page 396 of the journal of December 12, and moved its adoption. Amendment adopted.

Hook of Taylor moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Fabritz	Jenkins	Ostby
Augustine	Falvey	Jensen	Paisley
Avery	Felter	Johnson	Peaco
Beath	Fletcher	Laughlin	Rawlings
Beswick	Foster	Lichty	Reed
Bouska	Fuelling	Lookingbill	Roe
Bowers	Gallagher	McCarthy	Ryder
Bruce	Garner	McCreery	Schlatter
Burgess	Gissell	McDermott	Schmitz
Casey	Gittinger	McFarlane	Schroeder
Craven	Goode	McKinnon	Smith
Crouch	Grau	McLean	Snyder
Cunningham	Hanson of Lyon	Malone	Sours
Davis	Hanson of	Maniece	Stansell
Dean	Winnebago	Metcalf	Stanzel
Dole	Hartman	Millhone	Stewart
Donlon	Hook	Mitchell	Stimpson
Doran	Hopp	Moore of	Strachan
Dreessen	Hough	Harrison	Swift
Durant	Hultman	Mooty	Teter
Ellsworth	Humeston	Osborn	Thies

Digitized by Google

Thiessen	Wieben	Yager	Zylstra
Treimer	Wiese	Zipse	Mr. Speaker
Weed	Willis		

The nays were, none.

Absent or not voting, 16.

Alesch	Frizzell	Mercer	Rice
Bonnstetter	Fuester	Moore of Benton	Sheridan
Brady	Grell	Peet	Speidel
Elliott	Koch	Porter	Wolf

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

Hook of Taylor moved that the vote by which House File No. 97 passed the House, be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 134, a bill for an act to amend Chapter one hundred fifty-six (156), Section one (1), Acts of the Forty-fifth General Assembly, relating to the right of the superintendent of banking to take possession of banking institutions without insolvency proceedings, with report of committee recommending passage, was taken up for consideration.

Hanson of Lyon called up the amendment filed by him and found on page 345 of the journal of December 7, and moved its adoption. Amendment adopted.

Doran of Boone moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Donlon	Goode	Lichty
Augustine	Doran	Grell	Lookingbill
Avery	Dreessen	Hanson of Lyon	McCarthy
Beath	Durant	Hanson of Winnebago	McCreery
Beswick	Ellsworth	Hartman	McDermott
Bouska	Falvey	Hook	McFarlane
Bowers	Felter	Hopp	McKinnon
Bruce	Fletcher	Hough	McLean
Burgess	Frizzell	Hultman	Malone
Casey	Fuelling	Humeston	Maniece
Crouch	Fuester	Jenkins	Mercer
Cunningham	Gallagher	Jensen	Metcalf
Davis	Garner	Johnson	Millhone
Dean	Gissel	Laughlin	Mitchell
Dole	Gittinger		Moore of Benton

Digitized by Google

Moore of Harrison	Schlatter	Stewart	Wieben
Mooty	Schmitz	Stimpson	Wiese
Paisley	Schroeder	Strachan	Willis
Peaco	Sheridan	Swift	Wolf
Rawlings	Smith	Teter	Yager
Reed	Snyder	Thiessen	Zipse
Roe	Sours	Treimer	Zylstra
Ryder	Stansell	Weed	Mr. Speaker
	Stanzel		

The nays were, 3.

Fabritz	Foster	Ostby

Absent or not voting, 13.

Alesch	Elliott	Osborne	Rice
Bonnstetter	Grau	Peet	Speidel
Brady	Koch	Porter	Thies
Craven			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Doran of Boone moved that the vote by which House File No. 134 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Jensen of Audubon asked and obtained unanimous consent to have House File No. 134 messaged to the Senate immediately.

HOUSE FILE NO. 260 REREFERRED

Gallagher of Iowa asked and obtained unanimous consent to have House File No. 260 withdrawn from the committee on police regulations, suppression of crime and intemperance, and rereferred to the committee on liquor control.

MOTIONS FOR COMMITTEE OF THE WHOLE

Mitchell of Webster moved that the House resolve itself into a committee of the whole on Monday, December 18, to discuss tax revision.

Mitchell asked and obtained unanimous consent to withdraw his motion.

Hanson of Lyon moved that the House resolve itself into a committee of the whole on Monday, December 18, to discuss liquor control legislation.

Digitized by Google

MINORITY REPORT OF THE COMMITTEE ACTING UNDER HOUSE JOINT RESOLUTION NO. 7, OF THE 45TH GENERAL ASSEMBLY, REGULAR SESSION

His Excellency the Governor, the Lieutenant Governor, the Speaker of the House, Members of the Forty-fifth General Assembly in Extraordinary Session:

Pursuant to the provisions of House Joint Resolution No. 7 and the request that your Committee be not discharged, which was attached to their preliminary report, the undersigned, the minority of the committee, not entirely agreeing with the committee report, desire to express their views on a subject of vital importance to every man, woman and child now living or soon or hereafter to be born in Iowa, if not in the United States; and of great economic importance to the taxpayers and to those who still harbor the hope that they, too, sometime may add to Iowa's income, if not to that of the United States.

House Joint Resolution No. 7 made it incumbent upon the committee to report back to the 45th General Assembly at the earliest possible moment the results of their consultations and conferences, with such recommendations as to the committee seem fit and proper, for the deliberate consideration of the Governor, the Senate and the House of Representatives and for such further action by them as circumstances warrant.

The Committee having been duly organized, a sub-committee of three was appointed to "hold a consultation with the faculty, or with individual members of the faculty of the State University of Iowa Medical College and with the staff or with members of the staff of the State University Hospital;" they were also to "confer with the State Board of Education or members thereof and with the president of the State University and with any or all agencies having knowledge of conditions and being in a position to offer suggestions as to remedies."

At the organization meeting in Des Moines, March 7, 1933, the chairman of your committee "in order to obtain information for the use of the committee," was requested "to interview and consult with such individuals and agencies outside the State of Iowa as may have a vital interest in the university hospitals." This gave your chairman carte blanche to go outside the state in an effort to solve the riddle of the adult indigent law. He has been asked by no one to give an account of his activities at the expense of the State of Iowa, and he feels that now, before stating the objections of the minority to the committee report, he should briefly detail his itinerary and invite attention to the results of his consultations and conferences, which will follow in the minority report.

On March 12th, 1933, he arrived in Chicago; on Monday, the 13th, discussed with Drs. Olin West and Wm. D. Cutter Iowa's predicament and made an appointment with Dr. W. S. Houghton; Tuesday, the 14th, a long conference with Drs. Cutter and Houghton at the office of the Council on Medical Education and Hospitals of the American Medical Association; Wednesday, the 15th, luncheon and conference with Dr. Houghton at the University of Chicago Clinics, at which time Dr. Houghton kindly consented to give your chairman a note of introduction to Dr. Allen Gregg, Secretary of the General Education Board, Rockefeller Founda-

Digitized by Google

tion; Thursday and Friday, the 16th and 17th, correspondence; Saturday and Sunday, the 18th and 19th, Chicago to Washington; Monday, the 20th, Department of Agriculture—desired to see Secretary Wallace but Under-Secretary C. W. Ackerson, with much diplomacy, said, "Sorry, but impossible"; no difficulty experienced in getting an appointment with the office of the Bureau of Agricultural Economics, although the chief, Dr. Galpin, was not there; Tuesday, the 21st, called at the offices of Iowa's Senators and Congressmen; Wednesday, the 22nd, Bureau of Agricultural Economics, then Surgeon General's office, Dr. C. E. Waller; Thursday, the 23rd, New York Academy of Medicine; phoned Dr. Nathan E. Van Etten, who suggested seeing Dr. E. H. L. Corwin for further appointments; Friday, the 24th, conference with Dr. Willard C. Rappleye, Dean of Columbia University, Director of the Study made by the Commission on Medical Education; luncheon with Dr. and Mrs. Van Etten at their home; conference lasted all afternoon; Saturday, the 24th, conference at offices of Commonwealth Fund with Mr. H. J. Southmayd and Dr. L. J. Evans; then to the Rockefeller Foundation to meet Dr. Allen Gregg; Dr. W. S. Houghton of Chicago former Dean of the State University of Iowa College of Medicine, was present; Dr. Frederick F. Russell, M.D., Director of the International Health Board, and Dr. W. A. McIntosh were called into the conference, which lasted long after closing time in New York City.

From this conference the chairman of your committee brings to the 45th General Assembly in Extraordinary Session, direct from the lips of Dr. Allen Gregg, whose countenance radiates probity, these words: "The gift to Iowa was an outright gift with no strings attached—there were no commitments, gentlemen's agreements or understandings of any kind." Your chairman came away with the impression, although no one said so, that the Rockefeller people were as badly disappointed with their investment as the state of Iowa is with theirs.

The chairman of your committee expresses the hope that at some future time, not too far distant a conference may be held to further discuss the important subjects of the conversations with Drs. Russell and McIntosh, and Dr. Waller of the Surgeon General's office.

Monday, the 27th, to Baltimore to keep appointment at Johns-Hopkins Hospital with Dr. Dean Lewis, President of the American Medical Association. Wednesday, the 29th, again at the Bureau of Agricultural Economics in Washington.

The preliminary report stated that the chairman of your committee "consulted with the officials of the Brookings Institution in Washington, D. C." He did spend a pleasant social hour with Mr. H. P. Seidemann at the institution. Iowa's troublesome problem was mentioned, but not discussed. Thursday, the 30th, Chicago; Friday, the 31st, arrived Des Moines and went to the office of Dr. Oliver J. Fay, where the report of the committee was read. The chairman of your committee concurred in Senator Hicklin's dissent and dictated the letter of transmittal, making the report preliminary. He then signed both the report and the letter.

Having come now to the committee report, recent events cause the minority to wonder whether there is enough left of it to either subscribe or object to. While the minority were endeavoring to prepare their re-

Digitized by Google

port objecting to and agreeing with parts of the committee report which had already been delivered to the Speaker of the House and released to the press, the Des Moines Register, Saturday, Nov. 18th, carried a report that "pressure from non-members" had caused members of the interim committee of nine to change their minds. The Register stated someone "wished to have members of the committee hear the University's attitude on the committee's previous recommendations."

The minority worked away as best they could, the chairman being confined to his hotel for more than a week, in the belief that when a committee report was delivered to the assembly, it had at last found a place of refuge. The committee had notified the press there would be a minority report, and not able to resist the temptation, released, from carbon copies sent to each member of the committee prior to its last meeting, what they assured the public would be among the minority's recommendations.

The minority were laboring under the impression that the majority, after they had substituted nearly everything the University had requested for what they (the majority) had incorporated in the preliminary draft, had been fairly faithful in hearing the "University's attitude" "on the committee's previous recommendations." In fact, from the mass material presented at committee meetings, the minority believed the matter had been given exhaustive study. Somehow, perhaps by reason of the provisions of House Joint Resolution No. 7, the minority had gotten the idea that inasmuch as the University Medical College, Hospitals, etc., was an institution of some dimensions, belonging to the State of Iowa, the committee was going to make a report to the 45th General Assembly and permit them, along with the Governor, to give the whole matter "deliberate consideration" and take such "action as circumstances warrant."

If the adult indigent law is to remain in the statutes of Iowa, the minority stand just where they did when they signed the preliminary report. However, the minority challenges the statement of the majority that "the Perkins-Haskell-Klaus law was for the purpose of supplying adequate clinical material for the instruction of students of the College of Medicine." The minority grants that may have been the purpose of the promoters, but it is not so stated in the law, and they would not presume to assume the function of the Supreme Court of Iowa.

A little while before the recent muddle the Brookings report appeared in the press with "recommendations suggested in Appendix C, on medical care of the indigent sick in the hospitals of the State University of Iowa." Any country doctor who reads the history under I, A, B, C, D, II, III, IV, V, then turns the covers back and gently palpates the abdomen, will tell your honorable body that it is a dangerous appendix and prompt removal offers the only hope for the patient. Their recommendations follow:

I. They would not have the Perkins-Haskell-Klaus law modified—only minor modifications.

A. "That the county auditor, or in counties with trained social workers, those agents should investigate indigency instead of the county attorney." This is at variance with the committee recommendation, who would place that duty under the direction of the county Board of Supervisors; with this the minority agree.

Digitized by Google

B. Both the Brookings Institution and the committee agree the physician's examination fee should be reduced from five dollars to three dollars. Neither states why it should be made three dollars instead of two as recommended by all members of the committee of nine in their preliminary report. Without reason, the minority cannot be so fickle.

C. "The patient's escort's fee should be reduced from three dollars to two dollars a day." All members of the committee of nine subscribed to this in their preliminary report.

D. "Section 4021 of the code of Iowa, 1931, should be amended to conform with practice." The minority believe that would establish a bad precedent.

II. "Appropriations for the indigent service at the University hospitals should be increased sufficiently to run those hospitals to capacity." The first selective recommendation of the minority report ought to satisfy the most voracious appetite for indigents.

III. "The law should be amended to authorize the state board of education to establish and enforce locally as far as is practical a county patient quota plan, to apportion annually as equitably as possible the available services." The minority believe, after some thought, that this does qualify as a "minor modification" for the reason that while it proposes to put teeth in the law they can be only false teeth and are sure to rattle and fall out. As to the impracticability of the "county patient quota plan," both the majority and the minority were in complete accord.

IV. "A hospital field agent is necessary to link the hospitals with the service in local communities, to establish a better understanding of the service and constantly to check on the operation of the law from the point of view of the people." That is a high sounding phrase, but the minority respectfully suggests, that if the adult indigent law is to remain in the statutes, a much more important function for the field agent would be for him to be on the alert to locate those who die enroute to the hospital or soon after arrival, and assist in getting them back to the family undertaker.

V. "Local county provisions for medical aid to the indigent sick should be reconstructed along lines suggested above: (1) Filling the county's quota intelligently; (2) supplementing that quota with such local service as will put the medical and hospital service to indigents upon an acceptable level in co-operation with the local medical society." The minority pleads inability to comment on this paragraph without the aid of an interpreter.

The minority is in complete accord with recommendation I of the Brookings Report that "the Perkins-Haskell-Klaus law should not be modified." It should be repealed, the Perkins law restored to its original status and the adult indigent law forever scrapped. It is an abominable law—made up of incongruities, inconsistencies and impossibilities, incompatible with common sense. It makes possible, if it does not encourage and compel the perpetration of fraud; fraud upon the indigent and the tax payers, fraud upon the sick and well, fraud upon the reputable faculty of the college of medicine, fraud upon the medical students, fraud upon the reputable medical profession of the state, fraud upon the patient with

Digitized by Google

heart disease, who runs after advertised remedy, when he should be at home, quiet in bed; fraud upon the severely injured, especially skull fractures, whose lives are jeopardized or lost by reason of the long haul; fraud upon the aged and decrepit, who should be encouraged to die at home among comforting friends. Iowa's adult indigent law is the alpha and omega of all that is bad in legislation providing for the state care of sick indigents. There is no law in the United States to compare with it.

The majority, having completed the committee report, debated how best to present it to the 45th General Assembly. They looked around for a mild-eyed broncho, named her Iowa, and saddled her with their study of the situation; they put under the saddle a blanket woven out of the "elimination of the waiting list," "the quota plan," "the county whole-payment plan," "the county part-payment plan," "the limitation of the number of medical students," "economic considerations" and nine recommendations. They decorated the flaps of the blanket with "forms of proposed laws to carry out the recommendations." These "proposed laws" had been drafted largely in accordance with the wishes of the university authorities.

The minority felt that their report was a bit more humane and constructive than that of the committee and argued that the adult indigent law was a lump in a woman's breast, that it was malignant and that delay in advising radical measures was unjustifiable on any grounds. But when minority is told to go back and sit down, discretion suggests compliance—at least for a time.

The committee led their pony to the capital and found a stall for her; there was a little sign, hardly legible, on the saddle which read "Ride her, Cowboy, ride her." University folks knew about it, so it wasn't long before a couple of tenderfeet came over and took a look at "Iowa." Then a few got together and held a rump caucus—someone called it a committee meeting. The university folks looked at the saddle and said "It isn't on straight, needs adjustment." So they loosened up the girth and took some of the blanket out and put other pieces in. Being connected with the university instead of a veterinary college, they didn't know very much about ponies and when they tightened the belly-band, they put it quite a little farther back than the pony was accustomed to. So long as she was riderless it did not matter. They little dreamed that those additions were full-grown cockleburs between the saddle and a very thin blanket. These novices went home and someone told the newspapers about what had happened. Next day Erskine and Sternberg heard about the "committee meeting" and through Verne Marshall in the Cedar Rapids Gazette of Friday, November 17th, they had a lot to say. They had gone the limit in keeping inviolate whatever understandings there may have been between the majority and university authorities. For this example of fidelity the minority had only praise. The minority had no entanglements. Monkeying with the saddle on their "Iowa" was too much; it was a thrust below the belt. It wounded them in that tender professional spot known as ethics and the wound was not made by confreres, but by intruders.

All this newspaper dope was ground up, some of it sprinkled with

Digitized by Google

gentian, to add to her oats and hay, some of it mixed with fluid extract of ginger, to add to the pony's drinking water—a real tonic. The date for the Rodeo is not yet set. When this important event is announced, Dr. Thos. Burcham, on invitation, may be available to assist with the mounts.

Returning to the Brookings Institution "program for long time and immediate development of state and county governments," the minority timidly inquires: Since when did the Brookings Institution become the Brookings Health Institute? Who are the physicians and surgeons in that establishment who have driven all over Iowa, night and day, in mud to the hub, horses on their knees while the tires sparked and flashed like emery wheels sharpening the plow-shares? If no physicians are on the faculty, why be so liberal with advice and demands in matters medical? From whom do they take advice or orders?

What business is it of the Brookings Institution where the State Medical Library is located? The medical profession of Iowa, the 38th General Assembly and Governor Harding settled that in 1919. They propose the establishment of a state Board of Public Welfare, with a lot more swivel chairs; they would re-make the State Board of Health with still more chairs and white collars. They even suggest "in the re-organization of the state department, provision should, if possible, be made for additional or other adequate quarters for the State Health Department." All of which means more taxes and more indigents, Iowa needs no imported sociological phantasmagoria.

Suppose one of these philosophers gets sick on his plantation along the Potomac, can his wife notify his philosopher neighbors and right away have thirty of them come over to his place, husk thirty acres of philosophy, which would spoil if not taken care of, wash their hands and faces, feet—if need be—in the watering tank, go in to a big feed and call it a grand time? The philosopher says it is not according to the modern concept of sociology. No? But it is human; it is the kind of neighborly concern for the other fellow that grows straight up with the tall corn and is the warp and woof of Iowa's social fabric. Why adulterate it with colorful shoddy?

To introduce these philosophic ideas into a state which rapidly is evolving its own medico-social program, is like adding another great toe to each foot; with nails polished and painted they may be highly ornamental, but at best they can only impede progress. What would the Brookings Institution philosophers say if a doctor of chiropody stepped in and told them what changes ought to have been made in state and county administration? The Chairman of your committee, not knowing what part of the thirty thousand dollars it cost to get the socialized medicine recommendations, makes bold to say that in his opinion they are not worth a nickel a ream.

If the Brookings Institution philosophers are still here, they are cordially invited to meet the minority at the foot of the Grand Stairway—grand is only feebly descriptive—fix their eyes upon "Westward" as they solemnly ascend; consider the progress that has been and is Iowa's. Let them lift their eyes to the mosaics in the balcony over the stairway, note "Defense", "Charity", the "Executive", the "Legislative", the "Judiciary",

Digitized by Google

"Education", and imagine health soon to find a niche; look around the rotunda, note the lunettes: "Hunting", "Herding", "Agriculture", "the Forge", "Commerce", "Education", "Science", and "Art"; if no heart disease, go on to the gallery by way of the winding stair, it gives a little time for reflection; turn their eyes to the West and read these words:

"The ideal state—that in which an injury done to the least of its citizens is an injury done to all."—Solon.

Since the committee report was filed a supplemental report appeared in the Senate Journal, Tuesday, November 21, 1933. It was signed by three members of the committee of nine. They had investigated the county quota plan and found "that it has reduced the waiting list of patients to a considerable extent, and provides for a more equable division of indigent patients of all the counties of the state, and feel that it should be given a further trial, and recommend that with a suitable legal authorization, it be continued at least for a while." No explanation of how the quota plan brought about this reduction in the waiting list is offered. "Suitable legal authorization" appears in House File No. 112 and Senate File No. 81. In part it reads: "On the date this act becomes effective the commitments of all persons then waiting for treatment at the university hospital are hereby cancelled. Should commitments be applied for on behalf of any of those said patients within six months thereafter, they may be committed without regard to the thirty day provision of the preceding paragraph and they shall have preference as to sixty (60) per cent of the beds of the university hospital available for the use of indigent patients."

All the minority can say for Sec. 4018-f1—County Quotas—is that it is the superlative of confusion confounded. Is it any worse to suggest the repeal of such an inhuman law than it is to propose such merciless statutory disregard for "unprovided for sick and suffering." Does anyone believe that such legislation is not cockle-burs under the saddle of the pony called Iowa? Does anyone think she will not dislodge the rider when weight is put on the saddle?

Forget for the moment, "unprovided for sick and suffering," and find any consideration for the tax payer in either the committee report or the Brookings Institution socialized medicine recommendations, except on page 123 of the Senate Journal, Tuesday, Nov. 21, 1933, where the former says "Any solution of the problem of providing adequate care for the sick must also safeguard the supply of clinical material for the teaching needs of the College of Medicine, and must also take into account the necessity for avoiding all unnecessary expense during this time of unusual stringency. In other words, while humane care of the sick is our first duty, it should be so provided as to meet every need for clinical instruction at the University Hospitals, and at the same time not work any unnecessary hardship on the already overburdened tax payer."

The committee in their report already have advised the people of Iowa, through the press, of the minority's intention to have for one of its selective recommendations the repeal of the adult indigent law, the restoration of the Perkins law to its original status and take necessary steps to estab-

Digitized by Google

lish the clinical years of medicine in the city of Des Moines. The people were correctly informed by the Committee.

It is at once argued that such change is impossible because the constitution says all departments of the university must forever be at Iowa City. Is there anything in the constitution that requires the taxpayers of this state to stand on their heads, with their pockets turned inside out, in order that their feet may support a great university medical center until Gabriel blows his trumpet? If there is, it ought to be amended or repealed or prayer offered that the sound of that instrument soon may be heard. It is not proposed to move the Department of Medicine; it should remain at Iowa City. The proposal is to give the clinical years at Des Moines where many emergency cases fresh from the street make the hospitalized clinical material of much better quality and the number of out patients, so necessary for the teaching and training of medical students, is so much greater that the minority wonders why the reputable faculty does not request the change. Much of the clinical material at Iowa City is second, third or fourth hand often gathered from the discard and of little or no value for clinical teaching purposes. If legal advice is to the effect that change in the constitution is necessary to save the state one million dollars ($1,000,000.00) a year and make a better medical school by salvaging a much better quality and quantity of clinical teaching material than is now provided, surely someone will initiate the steps necessary to effect the change.

Is it not time that someone suggested diplomatic negotiations on the part of the state of Iowa with the County of Polk and the city of Des Moines with a view to determining what reciprocal relations might be established that would save the state a million or more dollars a year, lift a part of the load from Polk County which would be reflected to every other county in the state and be the salvation of the State University of Iowa Medical College?

The attention of your Honorable Body is invited to the following comparative tabulation of clinical teaching material at Broadlawns Polk County General Hospital with 100 beds and at the University Hospital at Iowa City with 954 beds.

Digitized by Google

BROADLAWNS GENERAL DEPARTMENT—FIGURES FROM ANNUAL REPORTS

Year	No. Out Patients Treated	No. In Patients Treated	Total Number Pts. Treated	No. of Out Patient Visits	Hospital Days Care Rendered	Average Length of Stay in Hosp.	Daily Average	Tuberculosis Department: No. of Patients Admitted	Tuberculosis Department: Days Care Rendered	Contagious Department: No. Patients Adm'd	Contagious Department: Days Care Rend.
1928	3,632	2,600	6,232	19,791	32,899	12+	90+	180	25,251	266	4,544
1929	4,896	2,589	7,485	19,261	31,352	12+	86—	171	27,693	370	8,033
1930	6,208	3,004	9,212	30,370	34,758	11+	95+	176	26,380	336	5,540
1931	14,699	3,313	18,012	40,714	36,722	11+	100+	172	25,225	237	3,705
1932	18,818	4,076	22,894	51,576	37,669	9+	103+	143	23,797	251	4,320
For 10 Months 1933	24,886	3,657	28,543	67,998	32,140	9—	88+				

INDIGENT INDIVIDUALS TREATED AT UNIVERSITY HOSPITAL

Taken from Report of the Committee on Medical Education and Hospitals—Handbook for the House of Delegates—May 10, 11, 12, 1933.

	No. Out Patients Treated	No. In Patients Treated	Total No. Pts. Treated
1928-1929	1,407	5,662	7,069
1929-1930	1,263	6,957	8,220
1930-1931	2,064	7,551	9,615
1931-1932	2,225	8,719	10,944

For detailed reports see Addenda A. 1.

Digitized by Google

DELIVERIES—BROADLAWNS GENERAL HOSPITAL

1928	238
1929	202
1930	232
1931	339
1932	394
1933, for first ten months as shown below	417
January	50
February	47
March	43
April	40
May	41
June	42
July	42
August	35
September	32
October	45
	417

Clinic Visits—Obstetrical Patients 1933.

	Prenatal		Postnatal	
	Patients	Visits	Patients	Visits
January	104	217	18	22
February	92	154	11	14
March	98	184	19	30
April	96	194	23	39
May	119	191	16	20
June	99	151	17	20
July	89	148	17	23
August	81	139	18	24
September	91	178	12	14
October	94	171	9	15
	963	1,727	160	221

In passing let the chairman of the committee of nine say, that in all his conferences with able, informed persons, professional and non-professional, no more constructive and statesman-like statement has been heard than that made by Dr. Charles H. Sprague, Superintendent of Broadlawns Polk County Public Hospital, only a few days ago: He "believes the state should maintain a medical college, when and where there is sufficient clinical teaching material to enable it to maintain a Class A standard, large enough to graduate each year a number of physicians sufficient to comply with the law of supply and demand. In return for what the State has done for the students, the state should require that the graduates give two years of service as internes in the hospitals of the state." Why is the state engaged in the business of medical education unless it is to have some return from its investment?

Digitized by Google

Just as the minority were about to call their report finished, here came House Joint Resolution No. 2, November 24, 1933, reciting a lot of old stuff. (See exhibit D). It calls to mind a conversation of the Chairman of your Committee with Dr. W. S. Houghton at the office of Secretary W. D. Cutter, on March 14th, 1933, at which time Dr. Houghton said about all the words that are in H. J. R. No. 2 and added as nearly as it is possible to quote conversation, "The county payment plan will close the institution. It is unthinkable, but we may have to open the hospital to citizens of the state without restrictions." There was considerable more conversation, which need not be repeated at this time.

Suppose now the 45th General Assembly in extraordinary session drop from the picture, for the time being, the State Board of Education and administrative officers, they are not licensed to practice medicine in Iowa. Call the faculty of the College of Medicine, ask them how they would like to get out from under lay domination.

Call Dr. Oliver J. Fay and Dr. E. D. Plass, ask either one if Dr. Fay did not say he "had no desire to interfere with the flow of clinical material which is necessary for you to properly instruct your students in obstetrics and gynaecology;" also that he had no "desire to interfere in any way with the teaching of medicine at the State University of Iowa;" ask if he did not propose to "lean over backwards to help any where that he could to keep the medical department of the State University of Iowa on its present high level." See Exhibit L.

Just how entangled must the reputable profession of Iowa become to satisfy the greed of Iowa's imported octopus? Didn't Dr. Fay, along with Drs. Erskine and Sternberg, go to about the limit of human endeavor to be on the square?

Call in the Drs. Mayo, widely known and justly famous; ask them what they think of the long haul for acutely sick and injured; ask them what they think of Iowa's clinical teaching facilities?

Call in Dr. Rappleye, although that is hardly necessary, for you have his book, marked Exhibit M. Dr. Walter L. Bierring, State Commissioner of Health, was a member of that commission and will, no doubt, be glad to explain any of the more technical medical education discussions.

Call in your family physicians, who ushered most of you into the world and who will be the medical court of last appeal for you before the final summons. Ask them how the adult indigent law functions.

Call Wm. D. Cutter, Secretary of the Council on Medical Education and Hospitals, or better, call the Council; Dr. Cutter has not been Secretary very long. Ask them when the last inspection of the State University of Iowa Medical College was made for rating purposes. Ask if it wasn't November 14, 1919?

Call in A. M. Schwitalla, S.J., Ph.D., President of the American Catholic Hospital Association, just to get the reaction of an eminent priest.

Refer to exhibit N; read for yourselves digests of all the laws in the United States having even the slightest similarity to Iowa's adult indi-

Digitized by Google

gent law. Read letters, commitment blanks, etc. from the Deans of University Medical Colleges.

While you are asking questions, ask someone how it happened that in the laws of 1919; 86 Ch. 76, Section 1 read as follows: "Whenever it shall appear to any physician, county supervisor, township trustee, public health nurse, overseer of the poor, policemen, priest or minister, that there is any legal resident of his or her county, etc." was changed by reason of Code Commissioner's Bill No. 92 which provided for amendments "for the purpose of remedying defects in the statutes, discovered in their practical application." Section 2 says "it shall be the duty of physicians, public health nurses, members of boards of supervisors and township trustees, overseers of the poor, sheriffs, policemen, and public school teachers, having knowledge of persons suffering from such malady or deformity, to file or cause such complaint to be filed." What was the defect that made it necessary to drop out "priest or minister?" See exhibit O.

No question mark was ever placed after S. U. I. Medical College in the days of Doctor W. F. Peck, he with the Civil War middle finger; Pappy Farnsworth with his little dog trot, but who knew his materia medica and therapeutics; Dr. J. C. Schrader with his leather manikin and mulato leather baby, with which he taught pretty good obstetrics, especially in his remarks about meddlesome midwifery; Dr. C. M. Hobby, austere, but able, who knew his eyes and ears; Dr. Elmer F. Clapp, the eminent anatomist and the Chauncey DePew of the faculty; Dr. Wm. D. Middleton, the perfect gentleman-surgeon, with no personal pronouns in his vocabulary; Dr. L. W. Littig, gruff, but a one hundred percenter; Dr. J. R. Guthrie, physiology; Dr. Woods Hutchinson, the gifted anatomist, the scholarly gentleman, later of Saturday Evening Post fame; Dr. Charles S. Chase, loquacious, but brilliant and honest; Dr. James W. Dalby, opthalmology and otology; Dr. Walter L. Bierring, pathology and bacteriology; Dr. A. C. Peters, laryngology and rhinology; F. S. Aby, normal histology; E. McClain, medical jurisprudence; Dr. Gershom H. Hill, psychiatry; E. L. Boerner, pharmacy; Dr. J. W. Harriman, anatomy; W. T. Barlow, chemistry; W. R. Whiteis, pathology and bacteriology; Albert M. Barrett, histology; Dr. W. E. Robinson, anatomy; Frank Carroll, chemistry; Billy Green, anatomist par excellence; Elbert R. Rockwood, comparable to Dr. Walter S. Haines—shades and shadows of them all, look at us now!

Iowa's adult indigent law is a smoldering fire, every now and then bursting into blaze. It will burn to the first, second or third degree, those who play about it, just in proportion to the zeal and zest with which the moth flies into the flame. It will put toxines in the professional blood, albumen in the professional renal secretion, it will make professional dizziness, headache and nausea; it may blight, if it does not blast, what, in a normal environment, might become eminent professional careers.

The adult indigent law, in its operation, keeps highminded competent, ethical men constantly between Scilla and Charbidus, and when out of that channel they find themselves between the devil and the deep sea.

Digitized by Google

Again, the chairman of the committee of nine asserts it is an abominable law and he speaks with knowledge.

Coming soon to the minority report proper, let a moment be taken to recall a little history. The speaker of the house, along with sixteen other representatives and fifteen senators must have had some rare kind of foresight which public hindsight is just beginning to see, when in the 40th General Assembly they voted No on both the donation and appropriation. They were:

Senators		Representatives	
Brookhart	Nelson	Aiken	Miller
Brookins	Price	Anderson	Napier
Browne	Romkey	Berry	Orr
Cessna	Shinn	Blume	Rewolt
Eithel	Snook	Dooley	Scott of Appanoose
Fulton	Thurston	Fackler	Smith of Lucas
Johnson	Tuck—15	Frahn	Stookesberry
McIntosh		Huff	Ulsted—17
		Leonard	

Nobody ever sold them the Brooklyn Bridge, the Chicago Art Museum or an heirship to a Dr-eam estate.

When, during supposedly prosperous times, the state of Iowa enlarged its medical education program, it did just what many of its citizens did in various fields of industry, it invested heavily and grievously encumbered itself with tax obligations, giving little thought to a day of reckoning.

In May, 1929, at the annual meeting of the Iowa State Medical Society the House of Delegates, on the recommendation of the Committee on Public Policy and Legislation, passed a resolution authorizing the Council to appoint a Committee on Medical Education and Hospitals. Their duty was: "(1) to collect information relative to the medical care of the indigent sick in Iowa; (2) to secure information as to the costs of such care in Iowa as compared with the costs in other states of relatively equal and like population; (3) to collect information as to the operation of the Perkins-Klaus Laws as they pertain to the commitment of indigent persons to the University Hospital and the cost to the state of the same; (4) to determine to what extent the operation of these laws supplies the Medical Department of the State University with proper clinical material for teaching purposes, and to collect such other information relative to medical education and hospitals as may be of value to the profession of the state."

The members of this committee were Drs. B. L. Eiker, Chairman, Leon, Arthur W. Erskine, Cedar Rapids, A. V. Hennessy, Council Bluffs and Mr. Vernon D. Blank, Executive Secretary. Their report was made at a special meeting of the House of Delegates held in Des Moines, December 17, 1930, in its foreword the committees said:

"It is the purpose of this report to present a careful study of the various economic, social, educational and medical problems connected with the care of the indigent sick in Iowa.

"The public, the tax payers, the legislators, the courts, the College of Medicine and hospital authorities, the medical profession and the indi-

Digitized by Google

gents of Iowa each have separate and distinct relations, and separate and distinct reactions to this problem.

"That there has been criticism and dissatisfaction is evidenced by the fact that in both the Forty-second and Forty-third General Assemblies there was introduced legislation intended to modify the laws governing the operation of the University Hospitals and the commitment of indigent patients thereto. Discussion in connection with these proposed changes made it apparent that there was a lack of factual evidence upon which to base sound judgments."

The following excerpts are from the report:

"The laws of the State of Iowa direct the Boards of Supervisors to provide medical care for the indigent sick within their respective jurisdictions. The usual means of providing such care are employed in Iowa by the Board of Supervisors, either directly or through their representatives, the over-seers of the poor, are:

1. Medical care rendered on individual fee basis.
2. Contract with individual physicians.
3. Contract with County Medical Societies.
4. Provision for hospital care by county owned and operated hospitals.

"The amount of money spent by the various counties in the state during 1928, through their Boards of Supervisors, for the care of the indigent sick is set forth in Table I, page 8, the total amounting to $446,970.78. The amount of money spent from State funds in the operation of the Perkins, Haskell-Klaus Law for the period ending December 31, 1928 was $903,835.78. The grand total spent by the State of Iowa for its care of the indigent sick through the two sources previously referred to was $1,350,806.56 for the calendar year 1928. (The distribution according to counties of the state funds expended under the Perkins, Haskell-Klaus Law during the year ending June 30, 1930, is shown in Table II, pages 10 and 11.)"

For the year 1931 the amount expended by the various counties through the Boards of Supervisors, for the care of the sick indigent was $648,470.64. The amount appropriated from state funds, in the operation of the Perkins, Haskell-Klaus Law for the year ending June 30, 1931 was $1,000,000.00, a total of $1,648,470.64. For the year 1932 supervisors spent approximately $1,000,000.00 and the state, through its indigent hospital, another $1,000,000.00. If to this amount were added the money spent by various charitable organizations and by individuals for the relief of the sick indigent in Iowa the total would be augmented by thousands of dollars; if to this sum were added the value of the services of physicians, surgeons and hospitals in Iowa, donated to the indigent and to a great number of deserving poor, this total would be increased by many more thousands of dollars, and if to this total were added the value of services rendered by physicians, surgeons, hospitals and nurses to dead-beats, who deliberately contracted the obligations, with no thought or intent of paying for same, the whole sum would stagger right minded persons and put to shame, if not silence, the sharpest and most subtle critic of the reputable medical profession.

Digitized by Google

Chapter 199 of the 1924 Code of Iowa provides for medical and surgical treatment of indigent persons as follows:

4005—COMPLAINT. Any adult resident of the state may file a complaint in the office of the clerk of any juvenile court, charging that any legal resident of Iowa residing in the county where the complaint is filed is suffering from some malady or deformity that can probably be improved or cured by medical or surgical treatment or hospital care, and that neither such person nor persons legally chargeable with his support are able to pay therefor.

4006—DUTY OF PUBLIC OFFICERS AND OTHERS. It shall be the duty of physicians, public health nurses, members of boards of supervisors and township trustees, over-seers of the poor, sheriffs, policemen, and public school teachers, having knowledge of persons suffering from any such malady or deformity, to file or cause such complaint to be filed.

4007—"PATIENT" DEFINED. The word "patient" as used in this chapter means the person against whom the complaint is filed.

4021—TREATMENT OF OTHER CHILDREN. The hospital authorities may in their discretion receive into the hospital for medical or surgical treatment or hospital care, patients under sixteen years of age not committed thereto under the provisions of this chapter; but the treatment or care of such patients shall not in any way interfere with the proper medical or surgical treatment or hospital care of committed patients.

All of the provisions of this chapter except as to commitment of patients shall apply to such patients. The hospital authorities shall collect from the person or persons liable for the support of such patients, the cost of such care and treatment, determined as in this chapter provided, and shall deposit it to the credit of the hospital fund.

"This section provides for cost patients under sixteen years of age, and is a remnant of the original Perkins law which applies to the Orthopedic Hospital. However, the same principle of procedure has been applied by the hospital administration to the general hospital."

4025—TREATMENT GRATUITOUS. No physician, surgeon, or nurse who shall treat or care for such patient shall charge or receive any compensation therefor except the salary or compensation fixed by the state board of education to be paid from the hospital funds.

"The four classes of patients admitted to the hospital are defined as follows:

"1. STATE. Those patients admitted under the Perkins, Haskell-Klaus Law. The expenses of these patients are paid by the state from the appropriation.

"2. COST. Those patients referred by practicing physicians outside the hospital, and recommended as worthy of hospital care but unable to pay professional fees, and who therefore pay only the basic hospital costs. In order to be admitted to such service a physician must sign a form setting forth the above facts.

"3. PAY. Those patients who are admitted to the private wards and who pay all fees, including professional, but who are receiving treat-

Digitized by Google

ment in departments which are on a full time basis. These fees are placed by the Treasurer of the University in a special fund which may be used only for the scientific work of the department concerned, upon the approval of the President and Dean.

"4. PRIVATE. These patients are the same as (3) above except that these are receiving treatment in departments which are on a part time basis, so that the professional fee goes to the individual faculty member."

According to table VIII on page 21 of the report for the year ending June 30, 1930, hospital earnings from private patients were $100,317.83; cost patients, $64,018.23; staff patients, $11,539.50; out patients, $55,903.88; total, $231,779.44. Total hospital receipts, $1,231,845.11.

That committee further reported: "The increasing number of patients waiting for treatment at the University Hospitals (at that time 1,934) is becoming a matter of grave concern to the patients themselves, the physicians attending them, and the university authorities." It pointed out some of the reasons for the large waiting list as follows: Increase in indigency, abuse of the law, misinterpretation of emergency, misrepresentation of degree of indigency, commitment of unnecessary cases, incomplete investigation, improved facilities of transportation, expenses paid from state funds and limitation of beds." To these may be added, quoting from another source, "It is one of the weaknesses of human nature which some people find hard to resist, to want to get something for nothing."

There are those who think the most important reason for the constantly increasing number of adult sick indigents, seeking treatment at the University Hospital, is the adult indigent law itself, exacting an annual toll of $1,000,000.00, apportioned to the ninety-nine counties in sums varying between $5,000.00 and $58,000.00, and definitely, if not completely, blocking attempts at the solution of the sick indigent problem in the community, where, in part, it originates and where, ultimately, it must be solved. This state appropriation not only interferes with the solution of the community sick indigent problem, but also with the solution of the health and economic problems of both the sick and well tax payer. The enlargement of the medical school, of which the hospital is an integral part, was conceived with the noble idea of providing a "comprehensive system of taking care of the poor of the state." How well it has fulfilled its purpose can best be answered by surveys of your own communities.

The full report of the committee on Medical Education and Hospitals, replete with information concerning the operation of Iowa's Indigent law, is submitted herewith, marked exhibit A and made a part of the minority supplemental report.

Much as the minority desires so to do, they find it difficult to deal with the community sick indigent problem, including the ever increasing waiting list, and avoid reference to the College of Medicine. The enlarged University Medical College and Hospital program contemplated a school of 500 students. In 1920-21 the enrollment was 169 with 46 graduates; in 1929-30, there were 490 enrolled, 98 graduates.

Digitized by Google

Below is a comparative tabulation of population of cities where university medical colleges are located, number of students, graduates and teachers of 15 University Medical Colleges with state supported hospitals. Session 1932-33.

Statistics of Approved, or Class A, Medical Colleges*

State University Medical College** with state supported hospitals		Population of city where college is located	Number of students registered 1932-1933	Graduated since July 1, 1932	Teachers
	Berkeley (82,109)				
California	San Francisco	634,394	231	54	379
Colorado	Denver	287,861	220	47	187
Illinois	Chicago	3,376,438	637	118	293
	Bloomington (18,227)				
Indiana	Indianapolis	364,161	459	102	270
Iowa	Iowa City	15,340	373	93	109
	Lawrence (13,726)				
Kansas	Kansas City	121,857	288	61	176
Louisiana	New Orleans***	458,762	171	....	149
Maryland	Baltimore	804,874	406	85	231
Michigan	Ann Arbor	26,944	485	132	219
Minnesota	Minneapolis	464,356	470	125	303
Nebraska	Omaha	214,006	338	74	122
Ohio	Columbus	290,564	365	86	129
Oklahoma	Oklahoma City	185,389	255	56	138
Virginia	Charlottsville	15,245	247	59	69
Wisconsin	Madison	57,899	313	50	131

*From Educational Number Journal Medical Association August 26, 1933.
**For complete medical college data see Exhibit B.
***Louisiana State University Medical Center; recent.

It will be noted that the above State University Medical Colleges and Medical Center are located in large cities, except Iowa, Michigan, at Ann Arbor, near Detroit with its one and one-half million population; Virginia with only 247 students, 59 graduates; Wisconsin, 313 students, 50 graduates. In California the work of the first year is given at Berkeley, the last three at San Francisco; in Indiana the first year is given at Bloomington, the last three at Indianapolis; Kansas gives the clinical courses at Kansas City.

There are 77 class A, or approved, medical colleges in the United States. Six state university medical colleges and two others give only the first two years of the medical course, the last two years being taken at the college of the student's choice; they are Alabama, Missouri, New Hampshire (not university), North Carolina (one university, one other), North Dakota, South Dakota, Utah and West Virginia. There are 41 "university" medical colleges, some state, some private, and 13 whose names do not include "university". All of these function without state supported hospitals. Of the entire list only 8 exceeded in enrollment (1932-1933) the goal set for Iowa, viz. 500; these are Georgetown University, Washington D. C., registrants 591, graduates 132; Northwestern University, Chicago, R. 550, G. 124; University Illinois, Chicago, R. 637, G. 118; Harvard University, Boston, R. 519, G. 129; St. Louis University, R. 532, G. 115; New York University, University and Bellevue Hospital Medical College, R. 511, G. 122; Jefferson Medical College, Philadelphia, R. 572, G. 140; University of Pennsylvania, Philadelphia, R. 522, G. 138.

Digitized by Google

Besides these only thirteen exceeded Iowa's enrollment of 373 with 93 graduates for the session 1932-33; these are: College of Medical Evangelist, Loma Linda—Los Angeles, Registered, 389, graduates, 68; Loyola University School of Medicine, Chicago, R. 450, G. 114; Indiana University, Indianapolis, R. 459, G. 102; Tulane University of Louisiana School of Medicine, New Orleans, R. 474, G. 104; University of Maryland School of Medicine and College of Physicians and Surgeons, Baltimore, R. 406, G. 85, Tufts College Medical School, Boston, R. 462, G. 117; University of Michigan, Ann Arbor, R. 485, G. 132; University of Minnesota, Minneapolis, R. 446, G. 138; Long Island College of Medicine, Brooklyn, R. 424, G. 99; Columbia University, New York, R. 378, G. 116; Hahnemann Medical College and Hospital, Philadelphia, R. 469, G. 108; Temple University School of Medicine, Philadelphia, R. 449, G. 125; University of Tennessee, College of Medicine, Memphis, R. 401, G. 109.

The next table compares the number of beds, average patients and patients admitted to the state supported hospitals connected with university medical schools in table above.

State University Hospital Data*

State University Hospitals	Pop. of City Where Hospital Is Located	Beds*** Rated Capacity	Average Patients	Patients Admitted
California—San Francisco	634,394	255	162	5,329
Colorado—Denver	287,861	158	128	2,965
Illinois—Chicago—Research and Educational Hospital	3,376,438	355	227	5,128
Indiana—Indianapolis	364,161			
Robt. W. Long Hosp. (Affil.)		107	105	2,231
James Whitcomb Riley Hosp. for Children (Affil.)		270	211	3,582
William H. Coleman Hosp. for Women (Affil.)		68	63	2,795
Iowa—Iowa City (Beds used for Indigents 550)	15,340	954	608	12,937
Kansas—Kansas City (Bell Memorial Hospital)	121,857	230	152	4,166
Louisiana—New Orleans	458,762			
** Charity Hospital		1,756	2,102	45,483
Maryland—Baltimore	804,874	250	250	5,343
Michigan—Ann Arbor	26,944	1,251	1,112	22,207
Minnesota—Minneapolis	464,356	420	332	6,452
Nebraska—Omaha	214,006	215	178	3,472
Ohio—Columbus	290,564	251	183	4,933
Oklahoma—Oklahoma City	185,389	440	445	6,346
Virginia—Charlottsville	15,245	289	194	6,994
Wisconsin—Madison	57,899	630	604	8,708

*From Hospital Number Journal American Medical Association, March 25, 1933. For complete hospital data see exhibit C.
**Established 1786. "No direct official connection between the Louisiana Medical Center and the Charity Hospital." (Personal letter.)
***Many of the state university medical colleges make use of beds in other hospitals for teaching purposes.

It will be noted that the number of hospital beds at Iowa's University Hospital is exceeded only by Michigan. Just why the state of Iowa should be ambitious in the field of medical education and research, with only indigents, taxes and a few pay patients for support, has not been made clear to the minority.

Digitized by Google

In 1932 two significant volumes were published dealing with medical problems, the Final Report of the Commission on Medical Education, Willard C. Rappleye, M.D., Director of Study, and the Report of the Committee on the Costs of Medical Care, Harry H. Moore, Ph.D., Director of Study. The following excerpts are from the former:

"The Commission on Medical Education was organized in 1925 by the Association of American Medical Colleges to make a study of the educational principles involved in medical education and licensure, and to make suggestions which would bring them into more satisfactory relationships with the newer conceptions and methods of university education, on the one hand, and with the needs of present-day society, on the other. It was believed that such a study would assist the efforts to develop a program adapted particularly to the educational, economic and social conditions in this country."

Quoting from this report it was pointed out in your committee's preliminary report that the supply of physicians in this country probably exceeds the need by at least 25,000, and it was recommended that the number of registrants at the state university of Iowa college of medicine be kept "within such limits as would produce for the last two years an average of 75 members for each of these years," and that the quantity of clinical material be correspondingly reduced. The average number of graduates for all medical colleges in the United States for 1933 was 73; average registrants 291. It is worth while in discussing Iowa's sick indigent problem and the waiting list in connection with a tax supported university hospital and medical college, which legislation had insured "an increase in hospital facilities and provided a comprehensive system for taking care of the poor of the state," to inquire what becomes of its graduates. Table 19, page 115, of the Commission's Report, shows "the extent to which recent graduates enter directly into the specialties":

Specialization Among Recent Graduates by Schools

All Medical Colleges	36.1%
Albany Medical College	41.8
University of Buffalo School of Medicine	26.2
Columbia University College of Physicians and Surgeons	39.1
Hahnemann Medical College of Philadelphia	14.7
Harvard University Medical School	64.1
Howard University College of Medicine	4.6
University of Illinois College of Medicine	31.1
STATE UNIVERSITY OF IOWA COLLEGE OF MEDICINE	48.9
Jefferson Medical College of Philadelphia	26.0
Johns Hopkins University School of Medicine	75.1
Long Island College of Medicine	17.8
University of Michigan Medical School	43.5
University and Bellevue Hospital Medical College	25.3
University of Pennsylvania School of Medicine	39.4
University of Chicago, Rush Medical College	44.5
Stanford University of School of Medicine	55.8
University of Toronto Faculty of Medicine	36.0
Tufts College Medical School	27.5
Tulane University School of Medicine	36.1
University of Virginia Department of Medicine	61.5

Digitized by Google

The Commission comments: "It is well established that the percentage of specialists in the larger cities is much higher than in smaller communities. In such typical states as Wisconsin, Indiana and Louisiana twenty to thirty per cent of all practitioners in cities of 50,000 or more restrict themselves to a limited field, whereas in communities of 10,000 or less the proportion is about three per cent and in those of 5,000 or less, about two per cent." (See tabulation in preliminary report.)

"Not only is there a concentration of physicians in the larger cities, particularly of recent graduates, but a large proportion of them limit their practices to a specialty, often without a sufficiently broad clinical experience."

Table 37, page 283 of the report shows the source and amount of income of 63 schools for 1926-27. "A large but not readily isolated fraction of the total was for research work, which, in some instances, is conducted quite independently of the teaching program."

Income of Medical Schools

Students' fees	$ 4,057,304
Endowment income	2,784,527
State or city	2,574,973
Other sources	2,567,059
	$11,983,873

"The average cost of maintaining the medical schools was approximately $794 per year per student for 1926-27. The average of the students' fees paid was $254. These are only averages and in some of the medical schools the cost is now above $3,000 per student per year."

The per capita cost of medical education to Iowa for 1929-30 has been given as $665.00. If to the regular budget for medicine, less the receipts from tuition and fees, is added the appropriations for the university hospitals as integral units of the college of medicine, the per capita cost will be somewhat greater; if the per capita cost per annum of the 373 medical students is compared with that of the 6,373 students in all other departments, Iowa's generosity to medical education will be apparent.

Concluding the Commission's report on the cost of medical education is found the following comment: "It is highly important and desirable that some schools which can obtain liberal support should develop programs of research and the training of personnel, particularly for the scientific and teaching field, but it is neither necessary nor desirable that the large budgets of this group of schools should become the standard for all . . . . The large expenditures of some medical schools should not be regarded as the standard for all because medical students can be well trained in schools which have modest budgets."

Coming now to the Majority Report of the Committee on the Costs of Medical Care it may be quickly, and sanity suggests finally, dismissed by presenting what it had to offer to once rural states like Iowa. One suggestion was that "a university medical service may be expanded and developed to meet wider needs"; another that "In the rural areas our problems are more difficult. We will probably have to think there in

Digitized by Google

terms of 'medical stations' rather than elaborate hospital centers, of places where patients can come and doctors can go and where such facilities as are possible can be provided. With the present state of agriculture, particularly in the southern states, it does not seem likely that any adequate form of rural medical care can be carried out without support from the state or elsewhere. There is not enough in the way of resources." Where does the state's money come from, with which to expand its university medical service and leave to the tax payer a "medical station". Is Iowa's goal an ever increasing flow of indigents to its University Medical Center, or is it NO INDIGENCY IN IOWA? The fact of the matter is, Iowa is no longer rural; good roads have made every farmer a suburban resident of and much nearer to his county seat or nearest large town than are residents of cities living like distances out, by reason of less traffic and fewer stop signals.

The minority report of that committee has been summarized by Dr. Nathan B. Van Etten, in part, as follows: "The minority objects to the large medical center as projected by the majority on the ground of exclusion of many physicians, of oppressive competition, of big business technique erecting machinery which eliminates personality and destroys personal relations by factory form. Mere bigness is often a liability.

"The minority recognizes the practicability of centering medical service in small places where there are only one or two hospitals where all of the physicians of the community are permitted to use all of the facilities of the hospitals in a true community spirit, the institution being supported by taxation or by gifts."

Dr. Dean Lewis, President of the American Medical Association, recently said: "The medical profession should take an active interest in hospitalization. Hospital planning should be undertaken. A city or town of 15,000 people should not have three hospitals. One good hospital could take care of the needs of such a community. Better have one hospital that is full and active than three partially filled. The partially filled hospital has an enormous overhead." Presumably, in a state like Iowa with few cities of 15,000, the county would be considered a community.

In 1926 the U. S. Department of Agriculture published a pamphlet, "Rural Hospitals", by Wayne C. Nason, Assistant Economic Analyst, Bureau of Agricultural Economics, Farmer's Bulletin No. 1485. In it may be found the following:

"More and more President (Theodore) Roosevelt's expressed desire for country people, 'a good kind of life on the farm' is being realized. Modern schools, less denominational rivalry with resultant better rural churches, community building, little country theatres, country parks and playgrounds, country visiting nurses, cooperative farm business enterprises, improved roads, telephone, the radio, electric equipment, and modern home conveniences are accomplishing notable results. They are bringing to farm people more contentment and to the Nation a more enduring agriculture. And now rural hospitals are being erected, in fulfillment of a long-known need, to give added satisfaction to rural life."

Digitized by Google

What has happened in Iowa and in the United States since 1926 is common knowledge.

Comes now President Franklin D. Roosevelt, addressing the American Legion, in Chicago, October 2, 1933:

"There are many veterans of our wars to whom disability and sickness unconnected with war service has come. To them the federal government owes the application of the same rule which it has laid down for the relief of other cases of involuntary want or destitution.

"In other words, if the individual affected can afford to pay for his own treatment he cannot call on any form of government aid. If he has not the wherewithal to take care of himself, it is first of all the duty of his community to take care of him and next the duty of his state. Only if under these circumstances his own community and his own state are unable, after reasonable effort, to care for him, then, and then only, should the federal government offer him hospitalization and care."

How is the community to provide for the disabled veteran's hospitalization in many places? What about the veteran's family, the tax payer and his family, indigents on the waiting list; and many whose lives are jeopardized or lost by long distance transportation?

A recent newspaper report of the meeting of the American College of Surgeons quoted a speaker as saying: "In Chicago 62 of your 85 hospitals are on the approved list." In Iowa, 39 of 128 hospitals are on the approved list and these are located in 22 cities. According to the Medical Directory of the American Medical Association, 1931, there are 120 Fellows of the American College of Surgeons in Iowa; 89 of these are located in 20 of the 22 cities having approved hospitals in which to work.

Is it any wonder that Dr. Dean Lewis says "Hospital planning should be undertaken"? Perhaps, because of the relation of sickness, accidents, physicians, surgeons and hospitals to both intra and interstate traffic, President Roosevelt may note a reason for interesting the Public Works Administration in offering inducement to counties or communities, not already supplied, to make suitable hospital provision for such care of medical and surgical cases as can there properly be given and where will be assured a standardized equipment and service that will enable competent, honest consultation, in serious cases, to properly function. The government's interest and activities in the field of public health and its efforts to establish county public health services could well be correlated with hospital planning. In any such undertaking, due consideration must be given to existing hospitals whose control is now either church, community, county, independent, or, in some cases, private.

In December, 1928, Dr. Thomas A. Burcham, Chairman, made a report of the legislative committee of the Iowa State Medical Society before the Conference of Secretaries and Deputy Councilors. This report dealt with conferences in 1927 between Dean Houghton, President Jessup, Department Heads of the University Medical College, and the Legislative Committee and officers of the State Medical Society. Two problems remained unsettled after these conferences: "First, the extent to which the new University Hospital should be used for private patients; second,

Digitized by Google

methods of meeting the demand of those who supported proposed changes in the Perkins, Haskell-Klaus Laws without curtailing the supply of clinical material at the University Hospital." Proposed changes and the reasons therefore were detailed and the decision of the Board of Education given, with the following comment: "After a careful analysis of the resolution from the Board of Education, one is convinced that the Board does not feel inclined to use its influence in any way to have the present Perkins, Haskell-Klaus Laws changed in any manner. Although they agree that certain changes should be made they are unwilling to consent to such changes being made in the law but desire that the changes be a policy of the Board."

The full report (1928) of the Legislative Committee of the Iowa State Medical Society, is submitted herewith marked exhibit D and made a part of the minority's supplemental report.

As has been mentioned, there were introduced in both the Forty-second and Forty-third General Assemblies, bills for legislation intended to modify the laws governing the operation of the University Hospital and the commitment of indigent patients thereto. Such bills will continue to be introduced indefinitely unless now the forty-fifth General Assembly in extraordinary session gives consideration to the tax payer as well as the tax eater.

Operating under House Joint Resolution No. 7, your committee, through its sub-committee, has held several conferences with hospital authorities in the hope that bills which, in a measure, might be satisfactory to all concerned could be agreed upon, to be presented to the special session of the Forty-fifth General Assembly. Before the supplemental report of your committee had been agreed upon or even drafted, the Des Moines Register, September 17, 1933, carried a front page news article from Iowa City detailing opposition on the part of hospital authorities to measures submitted with its preliminary report. This opposition in part was said to have been based on "the Brookings Institution report on state finances and management, although the committee of nine has been refused a copy of the Brookings report on hospital management." The Des Moines Register article is submitted herewith, marked exhibit E.

Copy of a letter written by the chairman of your committee under date of March 16, 1933, and addressed to Dean W. S. Houghton, University Clinics, University of Chicago, Chicago, Ill., to which no reply has been received, together with an editorial from the Mason City Globe Gazette of April 6, 1933, is submitted herewith, marked Exhibit F and made a part of the minority report.

Copy of the Spencer Reporter, February 5, 1931, containing an article based upon the searching, fact finding report of the Committee on Hospitals and Education of the Iowa State Medical Society, illustrated with a map of Iowa showing pertinent facts relative to hospitals and indigents, is submitted herewith, marked Exhibit G.

A Questionnaire sent to Iowa district judges together with replies are submitted herewith, without comment, and marked exhibit H.

In order that the Forty-fifth General Assembly may be informed concerning the promotion of Iowa's enlarged medical college and hospital

Digitized by Google

program, certain literature, much of it "Not to be released until December 27," 1922 just prior to the convening of the Fortieth General Assembly, is submitted herewith, without comment, and marked Exhibit I.

Newspaper clippings, reprints, and unsolicited letters dealing with the operation of the adult indigent law, are submitted herewith, without comment, marked exhibit J.

In conclusion, it appears from the Des Moines Register article (Exhibit E) that no matter what proposals your committee or the committee of the Iowa State Medical Society may have made or make, "Like the state board of education, university heads and the hospital staff feel there is no need for legislation" and opposition to any proposed reforms has been promised. There comes a time when patience is exhausted in endeavors to square a circle. The mere fact that Iowa has a capital investment of $5,000,000.00 or $6,000,000.00 in an enlarged medical college and hospital plant, with an overhead of approximately $1,500,000.00 per annum, not including interest on the investment, is no reason for carrying on at any cost, even if that were possible for a little while longer. The state's relation to its investment is comparable to that of some farmers and their once inflated land values and to that of all farmers with products for which there is no reasonable market; interest and taxes have helped to eat them out of house and home. Big business has had to suffer because of questionable promotion and for other reasons; small business, the industries, the professions and labor have been engulfed or overwhelmed in the debacle, and all realize we are living in a changing world.

The minority would direct your attention to the fact that every year enough clinical material, for teaching purposes, goes to waste, in the city of Des Moines, to furnish a much needed variety and a sufficient number for the instruction of all the new doctors there is need for each year in Iowa. It is not primarily essential that the state university medical college should be at Iowa City, except, perhaps, because of a constitutional provision, any more than that Nebraska should be at Lincoln, Indiana at Bloomington, or Kansas at Lawrence. At Des Moines it would be as much the university of Iowa medical college as are those at Omaha, Indianapolis and Kansas City, Kansas, the university medical colleges of their states. As a matter of fact, a similar condition is found at Rush and the University of California. Laws have been repealed, constitutions have been amended, and amendments, both state and national, have been or are being repealed. To whom does the Iowa State University Medical College and Hospital belong?

The state of Iowa having invested heavily in medical education, the minority directs your attention to one of the "Essentials of an Acceptable Medical College" required by the Council on Medical Education and Hospitals: "At least fifteen maternity cases should be provided for each senior student, who should have actual charge of these cases, under the supervision of the clinical instructor." Prior to February 12, 1933, the requirement was ten maternity cases. "During the calendar year of 1929 there was a total of 285 deliveries, while from January 1, 1930, to Sept. 29, 1930, 284 patients were delivered." Great and earnest effort is made to secure the needed number of obstetrical cases—1,500 for a

Digitized by Google

graduating class of 100, 48% of whom are said to have recently engaged in the various specialties. In 1929 there were 828 births in Des Moines hospitals and two other institutions; including these, the total for Des Moines was 2,823 births; in Polk County, outside Des Moines, 208, total for Polk Co. 3,031. For the same year there were 524 births in Iowa City (See A. addenda) including births at university hospital; Johnson County, outside Iowa City, 186, total 710. For the year 1932, the number of births at the University Hospital reached a total of 713. What part of Polk County's 3,000 or more births may have been available for clinical teaching is not definitely given, but the number must have been and is considerable. Is it good public policy even to endeavor to collect from all over the state the required number of obstetrical cases, legitimate and illegitimate, on or near the campus of the state university?

There were 5,238 on the waiting list for free treatment at the University Hospital on Feb. 7, 1933; many had waited for years, some had suffered and died enroute or while they waited and others are still waiting, notwithstanding other Iowa hospitals have had their beds only about 60 per cent filled, and churches, independent organizations and a few counties have struggled on against tremendous odds to keep their hospitals from putting out the sign "Closed for want of funds." What might it mean to Polk County if it could economically spend its $58,750.00, less $5,767.60 for special fees at Iowa City, presuming these would be similar anywhere—$52,982.44, within its own borders? The latter sum was spent (July 1, 1930-June 30, 1931) as follows: Board and room, $31,020.50; railroad fare, $4,020.19; bus, taxi and ambulance, $674.36; hotel, meals and telephone, $339.49; escorts, $415.50; doctors examination fees, $1,070.00; a total of $37,540.04, which with the special fees, makes $43,307.70 as the cost of all the inclusive service to 379 Polk County sick indigents that year; adding to this the excess charged to Polk County for which it received no service, makes the total $58,750.00. Proportionate amounts can be applied to 59 of the 99 counties, and it may be seriously questioned whether very many of the other 40, whose contribution is less than their total cost of service, really struck a bargain by taking advantage of the provisions of the adult indigent law. What would it mean if all this money could circulate in the various communities? Isn't this something for the P. W. A. to think about?

How did the other 172,458 inhabitants of Iowa's most important bailiwick, some of whom paid this indigent bill, manage to get along with the ministrations of their local physicians? What of its year-round floating population? True, for various and sufficient reasons, an occasional patient may have gone to Chicago, Rochester, Omaha, Minneapolis, St. Paul, St. Louis, Kansas City, New York, Philadelphia, Baltimore and other noted medical centers; may be some to Sioux City, Davenport, Cedar Rapids, Waterloo, Council Bluffs, Dubuque, Mason City, Marshalltown and smaller cities; to make up for all this migration they went from everywhere to Des Moines, and believe it or not, it has happened that some have gone back to the country doctor, the old family physician, to inquire what it was all about. That was and is their right How did the remaining 2,288,616 Iowa people manage to keep afloat?

Digitized by Google

Many of them did not; they sank, and Iowa City, with its "comprehensive system of taking care of the poor," "dedicated to the service of the Iowa people," suggested neither life preserver nor attempt at rescue. The reputable physicians and surgeons and the existing hospital set up of this state, insufficient and inequitably distributed as it is, did and do a much better job of taking care of the "sick poor of the state." Let it be understood here and now that the minority disavows any thought of reflection upon the eminent ability of members of the faculty of the State University Medical College. They deal with an immensely important social problem with four sides; the sick and injured, the reputable medical profession, the depleted tax payer and the humanities. Along with these and intimately associated with each is an urgent economic problem.

As long ago as 1923 or 1924 Dr. Olin West, addressing a state medical society, said: "The one great outstanding problem before the medical profession today is that involved in the delivery of adequate, scientific medical service to all the people, rich and poor, at a cost which can be reasonably met by them in their respective stations in life." Presumably, in their own communities, where reasonable and intelligent cooperation on the part of the public with the reputable medical profession is an essential part of the problem. He did not say the one great problem was to maintain a great university medical center at any cost.

One of the distressing features of Iowa's adult indigent law is that the truly indigent citizen, well to do a short while ago, poor today, in need of medical care, must first become "a ward of the state" and surrender what would appear to be a very important right, the right to have, if possible, the physician of his choice. That right is preserved to him in his own county by the board of supervisors and its contract with physicians for the care of the sick poor. To deny the patient the stimulation of his confidence in his own physician works a great injustice. Another most annoying feature of the sick indigent law is the demand, by those who "want to get something for nothing," that they be sent to Iowa City whether any real need exists or not, firm in the belief that some physician will acquiesce. The effect upon the community morale is bad. Of the many bad features of Iowa's adult indigent law, one is most repugnant, one which no lawyer, priest or minister would have tolerated for even the few years that reputable physicians have stood aghast, viz., A patient against whom complaint has been filed for no other reason than that he is poor and in need of medical care, must waive his right of privileged communication and the physician is compelled to violate his obligation to hold as a trust matters of delicacy and secrecy and hang the whole story on the line in the office of the clerk of the district court. The adult indigent law is wrong in principle and in application.

If it is admitted by your honorable body that indigency, in some or all of its phases, is primarily and largely a community problem, and that sickness of the indigent is very distinctly a community problem, this very large hospital plant belongs to your great commonwealth and it is up to you as its representatives—the trustees of its interests—to determine, in the light of experience, the practicability of the huge under-

Digitized by Google

taking of Iowa City with its immense capital investment and enormous overhead.

Having been promised, in the press of the state, opposition on the part of university and hospital authorities to recommendations and proposed amendments to Chapter 199, Code of Iowa, 1931, in its preliminary report, which purported to be an approach to a square deal for the sick indigents, the reputable medical profession, the taxpayers and the state university medical college of Iowa, the minority now deems it fit and proper to submit, for the deliberate consideration of the Governor, the Senate and the House of Representatives, the following selective recommendations, reasons and requests for such further action by your honorable selves as circumstances warrant:

1. Increase the appropriation for the university hospital by an indeterminable amount, but sufficient to fill unoccupied beds, provide more beds for the waiting list, whose chief characteristic is growth, and still more beds for those who insist upon free treatment and care at the hands of the state: or

2. Limit the students to a lesser number than that recommended in the preliminary report, limit indigent patients to the number required for the teaching of the smaller number of students and charge the entire cost for their care and treatment to each county according to services received; or

3. Provide for the repeal of the adult indigent law to become effective at a future time, giving due consideration to certain involved principles and relationships, restore the Perkins law to its original status and take necessary steps to establish the last two or three years of the State University of Iowa Medical College in the city of Des Moines, thereby relieving Iowa of a frequently whispered doubt, first openly expressed at a meeting of the Board of Education and found on page 18 of the Report of the Iowa State Board of Education for the biennial period ending June 30, 1928. Part of the letter follows as exhibit F of that report.

"EXHIBIT F"

"On February 20, 1928, a called meeting of the Board of Education was held at Iowa City. Part of a letter from Dr. H. S. Houghton, Dean of the College of Medicine, was read, as follows:

"'(1) The Medical College has approximately two hundred (191) students registered in the two final years of the medical course. Their studies are almost entirely clinical, and to a great extent, depend on the use of patients. To take Medicine as a typical example, it appears that the Department has 400 hours teaching, all of which require the use of ward patients; this excludes the hours devoted to physical diagnosis, clinical laboratory and therapeutics. It likewise takes no account of such allied subjects as pediatrics and neurology, which in this institution are independent departments. It is manifestly impossible to give two hundred students four hundred hours of exercises in practical medicine with a daily census of sixty patients. One scarcely needs to press the question further, but it may be added that the minimum called for

Digitized by Google

by the council of Medical Education of the A. M. A. as far back as 1910 was 100 beds for the use of combined classes numbering 200. Any institution falling below this requirement failed of recognition as a Class A College. In other words, it may be questioned whether this College at the present moment would qualify either under the Council of the American Medical Association or of the American Association of Medical Colleges as an approved and acceptable institution. What I have indicated with regard to the Department of Medicine is equally true of other departments, with the possible exception of orthopedics and otolaryngology, but these departments are under special pressure for the care of indigent patients, particularly sick and crippled children.

"'A comparison of six of the large Class A Medical colleges, three of which are state institutions and three private, makes apparent the deficiency to which I have directed your attention in the preceding paragraph:

University	Students 3 Yr.	Students 4 Yr.	Hours of Clinical Instruction requiring Ward Patients Med.	Hours of Clinical Instruction requiring Ward Patients Surg.	Beds under Hospital Faculty Control
Minnesota	100	100	300 288	217 432	1,000
Harvard	134	134	432	288	2,000
Hopkins	71	77	330	297	1,000
Michigan	118	116	324	250	1,162
Western Reserve	59	36	480	600	2,000
Iowa	91	100	408	338	346
"'(2)					
"'(3)					

"'I submit, in the light of the foregoing facts that the critical condition of the teaching and medical service responsibilities entrusted to the University by the State, should promptly be made known to the members of the Board of Education and that they be asked to deal with the difficulties involved, all of which are outside of the province or powers of the Medical Faculty.

Yours sincerely,

(Signed) Henry S. Houghton,

Dean'"

(See Exhibit P.)

The minority earnestly petitions your honorable body to give serious consideration to this recommendation in order that Iowa may regain and hold her proud position among American medical schools, and accomplish the purpose of the Board of Education and the administration of the university . . . . "namely, to put this institution in the front rank of medical colleges in the United States and keep it there." You are reminded that propaganda, landscaping, Gothic or Renaissance architecture and size do not determine RANK among medical colleges.

The minority further recommends that, if this third proposal appeals to your deliberate judgment as a possible or probable solution of the vexing problems that confront and confuse "The public, the taxpayers, the legislators, the courts, the College of Medicine and hospital authorities, the medical profession and the indigents of Iowa", due consideration

Digitized by Google

be given to members of the faculty of the State University of Iowa Medical College, who have labored under the most trying circumstances. You are again reminded that they did not enact the impracticable adult indigent law, nor did they match the philanthropic gifts of the Rockefeller Foundation and the General Education Board. The good faith and beneficient intent of the Thirty-eighth and Fortieth General Assemblies is not doubted, but a mistake was made, and the minority expresses the hope that you may be able to correct it in the best possible way. There is no occasion for tears; correction may hurt a little, but restoration to a place in the sun will compensate for that. The medical college can yet be made the pride of its alumni, the joy of its faculty, the delight of its students, a somnifacient for the President of the University, a sedative for the State Board of Education, a cerebral stimulant for the uninformed and a very real asset to the State of Iowa.

4. As provided in No. 3, except if the city of Des Moines, notwithstanding its relativity, is not in a receptive mood and does not care to be approached with a proposal which would add to its assets as well as to those of the State, then give only the first or first and second years of medicine at Iowa City and let the last two or three be taken elsewhere, for the reason that no city in the State of Iowa, other than Des Moines, has the environment essential to the clinical years of a Class A medical college. Located at Iowa City and Des Moines, it can be put just where the Board of Education and the administration of the University would have it, not large, but meritorius, and be somewhere "in the front rank of medical colleges in the United States."

Signed this 29th day of November, 1933, in the city of Des Moines

By the minority

E. E. MUNGER, M.D. G. W. PATTERSON.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following House Files:

December 5: House File No. 44.

December 8: House File No. 86.

December 9: House Files No. 193 and 77.

December 11: House Files No. 49 and 111.

CALL OF THE HOUSE DEMANDED ON COMMITTEE REPORT ON SENATE FILE NO. 105

We the undersigned demand a call of the House on the committee report on Senate File No. 105.

D. R. MCCREERY. OTTO FUELLING.
ARCH W. MCFARLANE. E. M. LICHTY.
J. P. GALLAGHER. BEN B. DORAN.

Digitized by Google

REPORT OF ATTORNEY GENERAL SUBMITTED

In accord with motion duly adopted on page 372 of the journal of December 11, the Attorney General submitted to the Speaker of the House a report respecting investigations of complaints heretofore lodged against the State Highway Commission.

AMENDMENTS FILED

Goode of Davis filed the following amendment:

Amend House File No. 96, Section 2, by striking from lines eleven and twelve the following: ", as a result of the giving of such information".

Bonnstetter of Kossuth filed the following amendment:

I move to amend the amendments to House File 180 filed by Moore of Harrison and Malone of Cass found on page 412 of the journal of December 13th, 1933 by adding to section ten (10) the following:

"Such person shall be called the County Secretary of Agriculture and the salary shall not exceed the average salaries of the prevailing salaries of the county clerk, county recorder and county auditor."

Dean of Cerro Gordo filed the following amendment to House File 282:

Strike the period (.) in line 4, section 1 and insert the words "in numbers of 1000 or more in any one year."

Section 2, line 3 by striking the period (.) and all of the sentence and inserting the words "in numbers of 1000 or more in any one year."

Section 8, lines 5 and 6 by striking the words "The State Hatchery Board shall cooperate with the Secretary of Agriculture in the formulating of these rules."

Section 14, line 3 strike the figures "$300" and insert in lieu thereof, the figures "$100".

Strike out all of section 9 and renumber the following sections.

On the motion of Sours of Floyd, the House adjourned until 9 o'clock a. m. Friday, December 15.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 15, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Eric P. Swan, pastor of the Union Park M. E. Church, Des Moines, Iowa.

Journal of December 14 corrected and approved.

PETITIONS AND MEMORIALS

Opposing taxation of religious, charitable, and educational organizations. Dean, from the citizens of Cerro Gordo county; Ellsworth of Hardin, from the citizens of Iowa Falls, Iowa; Johnson, from the citizens of Linn; Lichty from the citizens of Black Hawk; Malone, from the citizens of Cass county; McCreery, from the citizens of Linn county; McFarlane, from the citizens of Black Hawk county, and Mercer, from the citizens of Johnson county. Referred to the committee on tax revision.

Favoring the gross income tax plan. Brady, from the citizens of Pottawattamie county; Koch, from the citizens of Bremer county; Lichty of Black Hawk, from the Orange Township Night School; Millhone, from the citizens of Page county; Peaco, from the citizens of Clinton county. Referred to the committee on tax revision.

Opposing the direct buying of live stock. Burgess, from the citizens of Woodbury county; Lookingbill, from the citizens of Story county, and Stansell, from the citizens of Clarke county. Referred to the committee on agriculture.

Opposing the elimination of the direct buying stations. Peaco, from the citizens of Clinton county; Thiessen, from the citizens of Clinton county, and Wiese, from the citizens of Scott county. Referred to the committee on agriculture.

Favoring a lower license fee on automobiles. Hanson, from the taxpayers of Lyon county. Referred to the committee on motor vehicles and transportation.

Digitized by Google

Opposing taxation of fraternal societies. Swift of Dubuque, from the Catholic-Order-of-Foresters of Dubuque, Iowa. Referred to the committee on insurance.

Asking that money to run schools be raised by indirect taxation. Peaco of Clinton from the P. T. A. of the Maple Grove school. Referred to the committee on schools and text books.

Asking that druggists be given permission to handle liquor. Koch, from the druggists of Bremer county. Referred to the committee on liquor control.

Favoring an increase in restaurant license fees. McFarlane, from the restaurant owners of Black Hawk county. Referred to the committee on dairy and food.

Favoring the present state law for prohibition. Metcalf, from the citizens of Muscatine county. Referred to the committee on liquor control.

Favoring a special tax on chain stores. Wiese, from the business men of Scott county. Referred to the committee on tax revision.

Opposing the bill which prohibits married women working. McCarthy, from the citizens of Woodbury county. Referred to the committee on labor.

REPORTS OF COMMITTEES

Paisley of Lee, from the committee on dairy and foods, submitted the following report:

MR. SPEAKER: Your committee on Dairy and Foods to whom was referred House File No. 31, a bill for an act to amend section thirty-one hundred-d one (3100-d1) Code, 1931, relating to an inspection fee and excise tax on oleomargarine, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely post-

WM. PAISLEY, *Chairman.*

Passed on file.

Stewart of Calhoun, from the committee on police regulation and suppression of crime and intemperance, submitted the following report:

MR. SPEAKER: Your committee on police regulation and suppresion of crime and intemperance, to whom was referred House File No. 54, a

Digitized by Google

bill for an act to amend chapter thirty-seven (37) section twenty-four (24) Acts of the Forty-fifth General Assembly, relating to the sale of nonintoxicating liquors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ANDREW STEWART, *Chairman.*

Passed on file.

Durant of Hancock, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 112, a bill for an act to amend chapter one hundred ninety-nine (199), Code, 1931, by inserting after section four thousand eighteen (4018) a new section; to amend sections four thousand twenty-five (4025), four thousand twenty-six (4026) and four thousand twenty-eight (4028), Code, 1931; and to repeal sections four thousand ten (4010), four thousand twelve (4012), four thousand sixteen (4016), four thousand seventeen (4017), and four thousand twenty-one (4021), Code, 1931, and to enact substitutes therefor, all relating to the treatment of indigent persons, beg leave to report they have had the same under consideration and have intsructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. Amend section eight (8), line eleven (11), by inserting the word "official" following the word "preceding".

2. Amend section nine (9) by striking all of line twenty (20) and inserting in lieu thereof the following:

"to accrue to the credit of the university hospital fund".

3. Further amend section nine (9), line twenty-two (22), by striking the word "such" and inserting in lieu thereof the word "each".

4. Further amend section nine (9), line thirty-two (32), by striking the period and quotation marks at the end of the line and inserting therefor the following:

"to reimburse the university hospital fund".

S. B. DURANT, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on public health to whom was referred House File No. 139, a bill for an act to regulate the exhibitions of motion pictures in theatres, places of amusement and public buildings and to prescribe methods for fire prevention in connection with the use of motion picture machines and prescribing a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

S. B. DURANT, *Chairman.*

Passed on file.

Digitized by Google

Also:

MR. SPEAKER: Your committee on public health to whom was referred House File No. 178, a bill for an act to amend sections twenty-five hundred eighty-five-b one (2585-b1), twenty-five hundred eighty-five-c eleven (2585-c11), twenty-five hundred eighty-five-c twelve (2585-c-12, twenty-five hundred twelve (2512), twenty-five hundred thirteen (2513), twenty-five hundred twenty-two (2522), twenty-two hundred seventeen (2217), and to amend Chapter one hundred twenty-four-B one (124-B1) by adding thereto section twenty-five hundred eighty-five-f one (2585-f1), Code of 1931, relating to the practice of cosmetology, (including manicuring), and providing penalties for the violation of the laws of Iowa and the rules of the department of health relating to cosmetology, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. S. P. DURANT, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on public health to whom was referred House joint resolution No. 2,

A Joint Resolution to remove restrictions on the public use and patronage of the State University Hospital during the present economic depression, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. S. P. DURANT, *Chairman.*

Report adopted.

Gallagher of Iowa, from the committee on schools and text books, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 186, a bill for an act to amend section forty-two hundred thirty-nine-a3 (4239-a3), code 1931, relative to compensation of county officers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. P. GALLAGHER, *Chairman.*

Passed on file.

Stewart of Calhoun, from the committee on police regulations and suppression of crime and intemperance, submitted the following report:

MR. SPEAKER: Your committee on police regulation and suppression of crime and intemperance to whom was referred House File No. 225, a bill for an act to amend sections five (5), six (6), seven (7), fifteen (15), sixteen (16), seventeen (17), eighteen (18), twenty (20), twenty-one (21), twenty-three (23), twenty-four (24), twenty-seven (27),

Digitized by Google

twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), and thirty-eight (38) of Chapter Thirty-Seven (37) of the Laws of the Forty-Fifth General Assembly: to repeal sections nineteen (19) and twenty-five (25) of Chapter Thirty-Seven (37) of the Laws of the Forty-Fifth General Assembly; to amend sections two (2) and three (3) of Chapter Thirty-Eight (38) of the Laws of the Forty-Fifth General Assembly; to remove limitation on alcoholic content of beer and extend provisions of Chapters Thirty-Seven (37) and Thirty-Eight (38) of the Laws of the Forty-Fifth General Assembly to fermented malt beverages; to authorize counties, through boards of supervisors, to issue and revoke Class B and C permits outside limits of cities and towns, revenue therefrom to accrue to County General Fund; to abolish restrictions on sales by Class B permittees for consumption off the premises; to exempt from tax fermented malt beverages shipped out of State of sold by Class A permittees to another Class A permittee; to authorize brewers to allow consumption of fermented malt beverages, without charge, on premises by employees and others, without liability for tax; all relating to the manufacture, distribution and sale of fermented malt beverages, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ANDREW STEWART, *Chairman.*

Passed on file.

Malone of Cass, from the committee on tax reduction, submitted the following report:

MR. SPEAKER: Your committee on tax reduction to whom was referred House File No. 259, a bill for an act to amend section twenty-nine hundred thirty (2930), Code, 1931, relating to farm aid associations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. E. MALONE, *Chairman.*

Report adopted.

Moore of Harrison, from the committee on conservation of resources, submitted the following report:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 71, a bill for an act to enable the United States to acquire state lands for national forests, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

R. G. MOORE, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on conservation of resources, to whom

Digitized by Google

was referred Senate File No. 74, a bill for an act to amend sections penditure by cities aiding in the purchase of land for state parks, beg 1822-a1, 1822-a2, 1822-a3 of the code, 1931, relating to the expenditure by cities aiding in the purchase of land for state parks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. R. G. MOORE, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 283 by committee on drainage, a bill for an act to amend section seventy-five hundred sixty-two (7562) Code, 1931, relating to the classification and re-classification of assessments in levy and drainage districts.

Read first and second times and placed on calendar.

House File No. 284 by committee on banks and banking, a bill for an act to amend section seventy-four hundred twenty-d six (7420-d6), Code, 1931, relating to the rate of interest on public deposits.

Read first and second times and placed on calendar.

EXTENDING PRIVILEGE OF HOUSE TO SENATE

Malone of Cass moved that as a courtesy, the House extend to the Senate the privilege to attend the committee of the whole meeting to be held to-day. Motion prevailed.

MOTION TO REDRAFT HOUSE FILE NO. 130

Jenkins of Louisa asked and obtained unanimous consent that the Chief Clerk be authorized to redraft a new bill to replace House File No. 130, which had been lost.

HOUSE FILES WITHDRAWN

Moore of Harrison asked and obtained unanimous consent to withdraw House File No. 104 from further consideration of the House.

Gallagher of Iowa asked unanimous consent to withdraw House File No. 3 from further consideration of the House. Objections offered.

Digitized by Google

Gallagher of Iowa moved that House File No. 3 be withdrawn from further consideration of the House. Motion prevailed.

Garner of Butler asked and obtained unanimous consent to withdraw House Joint Resolution No. 1, from further consideration of the House.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 65, a bill for an act to amend section six thousand six hundred six (6606), code, 1931, relating to the power to establish an armory.

BYRON G. ALLEN, *Secretary.*

CONSIDERATION OF BILLS

House File No. 264, a bill for an act to amend section fifteen forty-six-a one (1546-a1), Code, 1931, by striking out certain provisions relating to the limitation of fee for the furnishing or procurement of employment by an employment agency and enacting a substitute therefor, was taken up for consideration.

Sours of Floyd moved that House File No. 264 be amended by striking all after the word "thereof" in line 3.

Foster of Cedar moved the previous question on the amendmend. Motion prevailed.

Grau of Buena Vista moved that McKinnon be permitted to ask the gentleman of Floyd a question. Motion prevailed.

COMMITTEE OF THE WHOLE

In accordance with the motion which prevailed on Monday, December 11, the House resolved itself into a committee of the whole for the discussion of the report of the committee to investigate Iowa highway commission and cement trusts. The Speaker called Mitchell of Webster to the chair.

The committee recessed until 9 o'clock tomorrow morning.

Digitized by Google

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 16, 1933.
LEGISLATIVE DAY OF DECEMBER 15, 1933.

Pursuant to recessing, the committee of the whole reconvened, Mitchell of Webster in the chair.

Prayer was offered by Rev. C. E. Lookingbill, M. E. Church, Nevada, Iowa.

The committee resumed consideration of the report of the Committee to Investigate Iowa Highway Commission and Cement Trusts.

Brady of Pottawattamie moved that the committee rise. Motion prevailed.

The House reconvened, Mitchell of Webster in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Hartman of Des Moines for the calendar day of December 16, on request of Hough of Fayette; Craven of Jasper for the calendar day of December 16, on request of Hanson of Winnebago; Reed of Mahaska for the calendar day of December 16, on request of Sours of Floyd.

REPORTS OF COMMITTEES

Durant of Hancock, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health to whom was referred House File No. 67, a bill for an act to amend Chapter one hundred and ninety-nine (199), Code of Iowa of 1931, and to provide methods for apportioning among the several counties of the state the cost of treatment of indigent persons at the hospital of the College of Medicine of the State University, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be reported without recommendation. S. B. DURANT, *Chairman.*

Report adopted.

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 274, a bill for an act to make an appropriation to Ralph Almkuist, beg leave to report they have had the same under con-

Digitized by Google

sideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 275, a bill for an act to make an appropriation to James Berry and Tolbert Moore, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

AMENDMENT FILED

Cunningham of Polk filed the following amendment:

Amend House File No. 266 by striking all of Section 2.

On motion of Jensen of Audubon, the House adjourned until 10 o'clock a. m. Monday morning.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 18, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven, pastor of the A. M. E. Church, Des Moines, Iowa.

Journal of the calendar days of December 15 and 16, was corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Cunningham of Polk for the day on request of Weed of Madison.

PETITIONS AND MEMORIALS

Opposing taxation of religious, charitable and educational organizations. Brady, from the citizens of Pottawattamie county; Davis, from the citizens of Appanoose county; Lichty, from the citizens of Black Hawk county; Ryder, from the citizens of Dubuque county; Schlatter, from the citizens of Jackson county; Swift, from the citizens of Dubuque county; Thiessen, from the citizens of Clinton county. Referred to the committee on tax revision.

Opposing the placing of cemetery perpetual care of trust funds in the hands of the state. Davis of Appanoose, from the officers of the Cincinnati, Iowa, cemetery; Peaco of Clinton, from the Ladies Elmwood Association of DeWitt, Iowa; Wiese of Scott, from the officers of the Blue Grass cemetery of Blue Grass, Iowa. Referred to the committee on judiciary No. 2.

Favoring an increase in restaurant license fees. Lichty, from the business men of Black Hawk county; Mercer, from the restaurant owners of Johnson county. Referred to the committee on dairy and food.

Opposing the direct buying of livestock by packers. Burgess, from the citizens of Woodbury county.

Digitized by Google

Favoring the licensing of direct buyers. Speidel, from the citizens of Washington county. Referred to the committee on agriculture.

Favoring bills affecting incorporated towns. Moore of Harrison, from the town council of Missouri Valley. Referred to the committee on cities and towns.

Favoring the gross income tax plan. Brady, from the citizens of Pottawattamie county. Referred to the committee on tax revision.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 264, a bill for an act to amend section fifteen forty-six-a one (1546-a1), Code, 1931, by striking out certain provisions relating to the limitation of fee for the furnishing or procurement of employment by an employment agency and enacting a substitute therefor.

Sours of Floyd called up the amendment offered by him and found on page 472, of the journal of December 15, and moved its adoption.

Sours of Floyd asked and obtained unanimous consent to further discuss the bill and amendment at this time.

Avery of Clay moved as a substitute amendment to amend House File 264 by adding thereto the following:

"Sec. 2. Section fifteen hundred fifty-one-c two (1551-c2) is amended by adding thereto the following:

'Any person, firm, or corporation applying for a license, as provided in this chapter, to operate an employment agency for the furnishing or procuring of employment in any profession in which a license or certificate to engage therein is required by law shall furnish the commission with its contract form, which form shall furnish the commission with its contract form, which form shall distinctly provide that no fee or other thing of value in excess of one dollar ($1.00) shall be collected in advance of the procuring of employment and no license shall be issued unless such contract form contains such provision. Thereafter, any person, firm, or corporation to whom a license has been issued that violates this provision of its contract shall have his license cancelled.'"

Amend the title to House File 264 by striking the period (.) at the end of line four (4) and inserting the following:

"; and to amend section fifteen hundred fifty-one-c one (1551-c1), code 1931, relating to the licensing of certain employment agencies."

Sours of Floyd asked and obtained unanimous consent to withdraw his amendment.

Digitized by Google

McKinnon of Henry moved to defer action on House File 264. Motion prevailed.

Millhone of Page asked unanimous consent to consider House File No. 112 at this time. Objections offered.

Speidel of Washington moved that House File No. 112 be considered at this time.

HOUSE FILE NO. 112 MADE SPECIAL ORDER

McKinnon of Henry moved as a substitute motion that House File No. 112 be made a special order for Wednesday, December 20, at 10 o'clock a. m. Motion prevailed.

House File No. 265, a bill for an act to repeal section fifteen fifty-one-c four (1551-c4), Code, 1931, relating to license fees for the operation of an employment agency, and to enact a substitute therefor, was taken up for consideration.

Davis of Appanoose moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 62.

Aldrich	Fabritz	McDermott	Ryder
Alesch	Falvey	McFarlane	Schlatter
Augustine	Fletcher	McLean	Schroeder
Beath	Foster	Maniece	Smith
Beswick	Gittinger	Millhone	Stansell
Bouska	Hartman	Mitchell	Stewart
Brady	Hook	Moore of Benton	Stimpson
Bruce	Hough	Moore of Harrison	Swift
Burgess	Hultman	Osborn	Teter
Casey	Jensen	Ostby	Thiessen
Craven	Johnson	Peaco	Wieben
Davis	Koch	Peet	Wiese
Dole	Laughlin	Reed	Willis
Donlon	Lichty	Rice	Wolf
Elliott	Lookingbill	Roe	Zipse
Ellsworth	McCarthy		

The nays were, 29.

Avery	Gallagher	McCreery	Stanzel
Bowers	Gissel	Malone	Thies
Crouch	Goode	Mercer	Treimer
Doran	Grau	Metcalf	Weed
Felter	Grell	Mooty	Yager
Frizzzell	Hanson of Winnebago	Schmitz	Zylstra
Fuelling	Jenkins	Sours	Mr. Speaker
Fuester			

Digitized by Google

Absent or not voting, 17.

Bonnstetter	Garner	McKinnon	Sheridan
Cunningham	Hanson of Lyon	Paisley	Snyder
Dean	Hopp	Porter	Speidel
Dreessen	Humeston	Rawlings	Strachan
Durant			

So the bill having reeeived a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn asked and obtained unanimous consent for the immediate consideration of House File No. 179, a bill for an act to amend section twelve thousand eight hundred four (12804), Code 1931, and providing for an assistant chief justice, and defining his rights, duties and powers, with report of committee recommending passage.

McFarlane of Black Hawk moved to amend the publication clause by striking the words "Des Moines Register, a newspaper published at Des Moines, Iowa," and inserting in lieu thereof the words: "Waterloo Daily Courier, a newspaper published at Waterloo, Iowa." Amendment adopted.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 101.

Aldrich	Fletcher	McCarthy	Schlatter
Alesch	Foster	McCreery	Schmitz
Augustine	Frizzell	McDermott	Schroeder
Avery	Fuelling	McFarlane	Sheridan
Beath	Fuester	McKinnon	Smith
Beswick	Gallagher	McLean	Snyder
Bouska	Garner	Malone	Sours
Bowers	Gissel	Maniece	Stansell
Brady	Gittinger	Mercer	Stanzel
Bruce	Goode	Metcalf	Stewart
Burgess	Grau	Millhone	Stimpson
Casey	Grell	Mitchell	Strachan
Craven	Hanson of Winnebago	Moore of Benton	Swift
Crouch	Hartman	Moore of Harrison	Teter
Davis	Hook	Mooty	Thies
Dean	Hopp	Osborn	Thiessen
Dole	Hough	Ostby	Weed
Donlon	Hultman	Paisley	Wieben
Doran	Jenkins	Peaco	Wiese
Dreessen	Jensen	Peet	Willis
Durant	Johnson	Rawlings	Wolf
Elliott	Koch	Reed	Yager
Ellsworth	Laughlin	Rice	Zipse
Fabritz	Lichty	Roe	Zylstra
Falvey	Lookingbill	Ryder	Mr. Speaker
Felter			

Digitized by Google

The nays were, none.

Absent or not voting, 7.

Bonnstetter	Hanson of Lyon	Porter	Treimer
Cunningham	Humeston	Speidel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that the vote, by which House File No. 179 passed the House, be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

Johnson of Linn asked and obtained unanimous consent for the immediate consideration of House File No. 195, a bill for an act to amend section five thousand twenty-nine (5029), Code 1931, relating to law of road on motor vehicles, with report of committee recommending passage.

Malone of Cass moved the previous question. Motion prevailed.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 41.

Augustine	Gallagher	McFarlane	Sheridan
Avery	Grell	Maniece	Stansell
Beswick	Hartman	Mercer	Stimpson
Brady	Hough	Mooty	Strachan
Bruce	Jensen	Ostby	Swift
Burgess	Johnson	Peaco	Weed
Crouch	Lichty	Peet	Wieben
Doran	McCarthy	Ryder	Willis
Elliott	McCreery	Schlatter	Wolf
Falvey	McDermott	Schmitz	Zylstra
Foster			

The nays were, 54.

Aldrich	Felter	Jenkins	Roe
Alesch	Fletcher	Laughlin	Smith
Beath	Frizzell	Lookingbill	Snyder
Bonnstetter	Fuester	McKinnon	Sours
Bouska	Garner	McLean	Speidel
Bowers	Gissel	Malone	Stanzel
Casey	Gittinger	Metcalf	Stewart
Craven	Goode	Millhone	Teter
Davis	Grau	Moore of Harrison	Thies
Dean	Hanson of Lyon	Osborn	Thiessen
Dole	Hanson of Winnebago	Paisley	Treimer
Donlon	Hook	Reed	Wiese
Durant	Hultman	Rice	Yager
Ellsworth			Zipse

Digitized by Google

Absent or not voting, 13.

Cunningham	Hopp	Mitchell	Rawlings
Dreessen	Humeston	Moore of Benton	Schroeder
Fabritz	Koch	Porter	Mr. Speaker
Fuelling			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Durant of Hancock asked and obtained unanimous consent for the immediate consideration of House File No. 188, a bill for an act to make permanent the transfer of Ten Thousand Dollars ($10,000.00), from the Bovine Tubercular Eradication Fund, in Hancock County, to the Poor Fund of said County, said Fund having been originally made with the approval of the Director of the Budget, November 23rd, 1932, with report of committee recommending passage.

Durant of Hancock moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Felter	Lookingbill	Sheridan
Alesch	Fletcher	McCarthy	Smith
Avery	Foster	McCreery	Snyder
Beath	Frizzell	McDermott	Sours
Beswick	Fuelling	McFarlane	Speidel
Bonnstetter	Fuester	McKinnon	Stansell
Bouska	Gallagher	Malone	Stanzel
Bowers	Gissel	Mercer	Stewart
Brady	Gittinger	Metcalf	Stimpson
Bruce	Goode	Millhone	Strachan
Burgess	Grell	Mitchell	Swift
Casey	Hanson of Lyon	Moore of Harrison	Teter
Craven	Hanson of Winnebago	Mooty	Thies
Crouch	Hartman	Paisley	Thiessen
Davis	Hook	Peaco	Treimer
Dean	Hopp	Rawlings	Weed
Dole	Hough	Reed	Wieben
Donlon	Jenkins	Rice	Wiese
Doran	Jensen	Roe	Willis
Dreessen	Johnson	Ryder	Wolf
Durant	Koch	Schlatter	Yager
Elliott	Laughlin	Schmitz	Zipse
Ellsworth	Lichty	Schroeder	Zylstra
Fabritz			Mr. Speaker
Falvey			

The nays were, 1.

Ostby

Digitized by Google

Absent or not voting, 12.

Augustine	Grau	McLean	Osborn
Cunningham	Hultman	Maniece	Peet
Garner	Humeston	Moore of Benton	Porter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Durant of Hancock moved that the vote by which House File No. 188 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

HOUSE FILE NO. 180 REREFERRED

Moore of Harrison moved that House File No. 180 be made a special order for Thursday, December 21, at 10 o'clock a. m.

Strachan of Humboldt moved as a substitute motion, that House File No. 180 be rereferred to the committee on agriculture.

Jensen of Audubon moved the previous question. Motion prevailed.

A roll call was demanded, and on the question "Shall House File No. 180 be rereferred to the committee on agriculture?"

The ayes were, 55.

Avery	Fuelling	McFarlane	Schroeder
Beath	Gissel	McLean	Snyder
Beswick	Grau	Mercer	Sours
Bouska	Hanson of Lyon	Millhone	Speidel
Bruce	Hanson of Winnebago	Mitchell	Stansell
Burgess	Hopp	Moore of Benton	Stewart
Crouch	Hough	Mooty	Strachan
Dole	Hultman	Paisley	Swift
Doran	Jenkins	Peet	Teter
Durant	Koch	Rawlings	Thies
Elliott	Laughlin	Reed	Treimer
Felter	Lichty	Ryder	Weed
Fletcher	McCreery	Schlatter	Willis
Frizzell		Schmitz	Zylstra

The nays were, 47.

Aldrich	Falvey	McCarthy	Roe
Alesch	Foster	McDermott	Sheridan
Bonnstetter	Fuester	McKinnon	Smith
Bowers	Gallagher	Malone	Stanzel
Brady	Garner	Maniece	Stimpson
Casey	Gittinger	Metcalf	Thiessen
Craven	Goode	Moore of Harrison	Wieben
Davis	Grell	Osborn	Wiese
Dean	Hartman	Ostby	Wolf
Donlon	Hook	Peaco	Yager
Dreessen	Jensen	Rice	Zipse
Ellsworth	Lookingbill		Mr. Speaker

Digitized by Google

Absent or not voting, 6.

Augustine	Fabritz	Johnson	Porter
Cunningham	Humeston		

Motion prevailed and House File No. 180 was rereferred to the committee on agriculture.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 23, a bill for an act relating to the secondary road construction fund.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 166, a bill for an act creating a presumption in any action or proceeding to recover taxes upon property not listed or assessed for taxation during the lifetime of any decedent.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 229, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Nora Springs, Floyd county, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 157, a bill for an act in reference to private banks and their examination and regulation by the superintendent of banks and relating to fees for examination.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 132, a bill for an act to legalize the corporate acts and proceedings of Star Automobile Company, of Pella, Marion county, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 90, a bill for an act to amend section forty-two hundred seventy-seven (4277), code, 1931, relating to high school tuition and transportation for non-resident pupils.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 226, a bill for an act to enable the State of Iowa to secure the benefit of funds allotted to this State by the Federal Government for street and highway work.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 232, a bill for an act relating to the classification and re-classification of assessments in levee and drainage districts.

BYRON G. ALLEN, *Secretary.*

Digitized by Google

SENATE MESSAGE CONSIDERED

Senate File No. 232, a bill for an act to amend section seventy-five hundred sixty-two (7562), Code, 1931, relating to the classification and re-classification of assessments in levee and drainage districts.

Read first and second times.

SENATE FILE NO. 232 SUBSTITUTED FOR HOUSE FILE NO. 283

Avery of Clay asked and obtained unanimous consent to have Senate File No. 232 substituted for House File No. 283.

MOTION FOR SPECIAL ORDER

Sours of Floyd moved that the House resolve itself into a Committee of the Whole on Tuesday, December 19, at 9:30 a. m. for the further consideration of the report of the committee to investigate Iowa Highway Commission and Cement Trusts, and that the discussion be completed before the adjournment on the above date.

Alesch of Plymouth moved to amend the motion by giving Mr. Fred White, Chief Engineer of the Iowa Highway Commission, three hours to discuss the report; and the remainder of the time to be given to the committee. Amendment adopted.

The Sours motion as amended was adopted.

Swift of Dubuque offered the following resolution:

HOUSE RESOLUTION NO. 4

Be It Resolved, That when the House of Representatives of the Forty-fifth General Assembly, Extra Session, adjourns on Friday, December 22, 1933, it shall be reconvened December 26, 1933, at 11:00 A. M.

AMENDMENTS FILED

Weed of Madison filed the following amendment:

Amend House File No. 27 as follows: From lines 6, 10, and 13, strike the "quotation marks and period" as they appear in said lines and insert in lieu thereof the following: ", said six months permit fee to apply to summer resorts only."

Peaco of Clinton filed the following amendment:

Amend House File No. 216 by adding after Section 4 as Section 4-a1 the following:

Section 4-a1. Before any such permit shall be granted by the Com-

Digitized by Google

mission, the Commission shall, after a public hearing, as hereinafter provided, make a finding that the services proposed to be rendered will promote the public convenience and necessity.

Bowers of Union filed the following amendment:

Amend House File No. 80 by adding the following as Section 2:

Sec. 2. This Act, being deemed of immediate importance, shall be in full force and effect from and after its publication in The Creston News Advertiser, a newspaper published at Creston, Iowa, and in the Afton Star Enterprise, a newspaper published at Afton, Iowa.

Wolf of Franklin filed the following amendment:

Amend House File No. 282 by striking from line one, section twelve the word "may" and insert in lieu thereof the word "shall".

Further amend section twelve by striking the period in line three of said section and insert in lieu thereof, the following: "who shall inspect all hatcheries in the state, There shall be one or more inspections of each hatchery in the state between March 1st and June 1st of each hatching year.

Schroeder of Carroll and Dressen of Crawford filed the following amendment:

Amend House File No. 112 by striking that part of the title following the word "by" in line one, and substituting in lieu thereof "providing methods for apportioning among the several counties of the state the cost of treatment of indigent persons at the hospital of the College of Medicine of the State University.

Also amend House File No. 112 by striking all after the enacting clause and inserting in lieu thereof that part of House File No. 67 which follows the enacting clause.

On the motion of Jensen of Audubon the House adjourned until 9 o'clock a. m. Tuesday, December 19.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 19, 1933.

House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Albert Burns Cadwell, pastor of the Trinity M. E. Church, Des Moines, Iowa.

Journal of December 18 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Cunningham of Polk for the day, on request of Weed of Madison.

PETITIONS AND MEMORIALS

Opposing the direct buying of livestock by packers. Aldrich, from the citizens of Wright county; Alesch, from the citizens of Plymouth county; Burgess, from the citizens of Woodbury county; Smith, from the citizens of Cherokee county; Treimer, from the citizens of O'Brien county. Referred to the committee on agriculture.

Opposing taxation on religious, educational and charitable organizations. Elliott, from the citizens of Polk county; Maniece, from the citizens of Emmet county; Strachan, from the citizens of Humboldt county. Referred to the committee on tax revision.

Opposing the placing of cemetery perpetual care of trust funds in the hands of the State. Grell of Scott, from the officers of the Blue Grass cemetery of Blue Grass, Iowa; Reed, from the citizens of Mahaska county; Thiessen of Clinton, from the Ladies Elmwood Association of DeWitt, Iowa. Referred to the committee on judiciary No. 2.

Favoring a special tax on chain stores. Peaco, from the business men of Clinton county; Thiessen, from the business men of Clinton county. Referred to the committee on tax revision.

Opposing the licensing of direct buyers. Millhone, from the citizens of Page county. Referred to the committee on agriculture.

Digitized by Google

Favoring the gross income tax plan. Durant of Hancock, from the citizens of Klemme, Iowa. Referred to the committee on tax revision.

Asking that the packers be compelled to buy all livestock on the competitive market. Mercer, from the citizens of Johnson county. Referred to the committee on agriculture.

Favoring an increase in restaurant license fees. Koch, from the restaurant owners of Bremer county. Referred to the committee on dairy and food.

Opposing direct buying of livestock and favoring passage of House File 176. Foster, from seventy-one producers of live stock in Cedar county. Referred to the committee on agriculture.

Favoring the limitation of the tax levy on real estate to 1 per cent. Frizzell, from the citizens of Poweshiek county. Referred to the committee on tax revision.

Opposing the Workmen's Compensation Law. Reed of Mahaska, from the representatives of local unions of Iowa. Referred to the committee on labor.

Favoring the establishment of a hydro-electric power commission. Metcalf of Muscatine, from the Board of Water and Light Trustees of Muscatine, Iowa. Referred to the committee on public utilities.

Favoring the present state prohibition laws. Metcalf, from the citizens of Muscatine county. Referred to the committee on liquor control.

Favoring direct buying of live stock. Wiese, from the citizens of Scott county; Grell, from the citizens of Scott county. Referred to the committee on agriculture.

REPORTS OF COMMITTEES

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred Senate File No. 122, a bill for an act to legalize the action of the town council of the Town of Guttenberg, Clayton County, Iowa, appropriating and using certain moneys from the Electric Light Fund of said town for the relief of unemployment in said town, beg leave to report

Digitized by Google

they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Augustine of Ringgold, from the committee on motor vehicles and transportation, submitted the following report:

MR. SPEAKER: Your committee on motor vehicles and transportation to whom was referred Senate File No. 129, a bill for an act to amend Chapter Eighty-three (83), Acts of the Forty-fifth General Assembly, relating to portable flare equipment for certain motor vehicles and the penalty for violation of laws relating thereto, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. D. AUGUSTINE, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 181, a bill for an act to amend Section seventy-two hundred five (7205), Code, 1931, relating to tax liens upon certain personal property, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred Senate File No. 182, a bill for an act to amend Section seven (7), chapter four (4), acts of the forty-fifth general assembly, relating to the office of state comptroller, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 214, a bill for an act to repeal Chapter five hundred sixty-four (564) of the 1931 Code of Iowa and enact a substitute therefor to provide for the licensing of retail dealers and other persons for the sale or transfer of pistols; to provide for registering all sales or transfers of pistols; to prohibit the possession or use of pistols by certain classes of persons; to prohibit the carrying of concealed pistols ex-

Digitized by Google

cept by lawfully authorized persons; to prohibit the carrying, selling or giving away of other dangerous weapons; to prescribe penalties for the violations of this act; to make uniform the law pertaining to acquiring, possessing, transferring, and carrying of pistols, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN F. BRADY, *Chairman.*

Passed on file.

Roe of Allamakee, from the committee on compensation of public officers, submitted the following report:

MR. SPEAKER: Your committee on public officers to whom was referred House File No. 248, a bill for an act to amend section fifty-seven (57), Chapter eighty-nine (89), Acts of the forty-fifth (45) General Assembly relating to salaries and compensation of state, county and city officers, and fixing these salaries from and after December 31, 1934, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

OVE T. ROE, *Chairman.*

Passed on file.

Swift of Dubuque presented the following resolution:

HOUSE RESOLUTION NO. 4

Be It Resolved, That when the House of Representatives of the Forty-fifth General Assembly, Extra Session, adjourns on Friday, December 22, 1933, it shall be reconvened December 26, 1933, at 11:00 A. M.

Laid over under rule 34.

Felter of Warren, Hanson of Lyon, Grau of Buena Vista, Beswick of Van Buren, Gallagher of Iowa, Fuelling of Clayton, Mooty of Grundy, Malone of Cass, Koch of Bremer, Fletcher of Osceola, Swift of Dubuque, Willis of Dallas, Davis of Appanoose, Lookingbill of Story, Mitchell of Webster, Doran of Boone, Elliott of Polk, Frizzell of Poweshiek, Reed of Mahaska, McLean of Marshall, Aldrich of Wright, Treimer of O'Brien, Bruce of Pocahontas, Stanzel of Sac, Moore of Benton, Avery of Clay, Schroeder of Carroll, Rawlings of Monona, Thiessen of Clinton, Schmitz of Winneshiek, Roe of Allamakee, Laughlin of Fremont, Fabritz of Wapello, Speidel of Washington, Durant of Hancock, Strachan of Humboldt, Weed of Madison, Craven of Jasper, Osborn of Decatur, Ostby of Worth, Wieben of Tama, Hopp of Mills, Wolf of Franklin, Goode of Davis, Beath of Adams, Dean of Cerro Gordo, Stan-

Digitized by Google

sell of Clarke, Dole of Jefferson, Jenkins of Louisa, Snyder of Hamilton, Hanson of Winnebago, Thies of Pottawattamie, Metcalf of Muscatine, Yager of Dickinson, Wiese of Scott, Lichty of Black Hawk, Stewart of Calhoun, McCreery of Linn, Ellsworth of Hardin, Augustine of Ringgold, Ryder of Dubuque, and Gissel of Buchanan, presented the following resolution:

HOUSE RESOLUTION NO. 5

Whereas, There now exists a condition of extreme difficulty among live stock producers of Iowa, due largely to low prices for said live stock, and

Whereas, Many abuses have developed in the marketing system of our country that have a direct influence on the price situation, and

Whereas, A large percentage of Iowa's hog crop is sold direct to packers, at the plants or through concentration yards, with apparently injurious results in many cases, and

Whereas, We now have bills pending in this special session seeking to correct said evils, but because we believe that individual state legislation is not adequate to correct the situation, and

Whereas, The HON. HENRY A. WALLACE, Secy. of Agriculture has recently declared his intentions to take action to correct marketing abuses above referred to, now therefore

Be It Resolved, by the House of Representatives, That we urge speed in the Secretary's plan for investigation, and that we do urge he use his authority to remedy the evils referred to at the earliest possible moment, and,

Be It Further Resolved, That a copy of this resolution be forwarded to Henry Wallace immediately, requesting him to acknowledge the same, and expressing to the Iowa House of Representatives, what plans if any, he has for correcting the evils now affecting the live stock trade, in order that we may consider such plans along with legislation now pending.

Laid over under rule 34.

INTRODUCTION OF BILLS

House File No. 285, by committee on motor vehicles and transportation, a bill for an act to amend section forty-nine hundred thirty-one (4931), Code, 1931, as enacted by chapter eighty (80), Acts Forty-fifth (45th) General Assembly, relating to surrendering license plates on motor vehicles.

Read first and second times and placed on calendar.

House File No. 286, by committee on motor vehicles and transportation, a bill for an act to amend Chapter Two hundred fifty-one (251), Code, 1931, relating to motor vehicles and the laws of

Digitized by Google

the road, to provide for a road patrol and for the appointment, powers, duties, compensation and term of office of the members of said patrol.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 90, a bill for an act to amend section forty-two hundred seventy-seven (4277), code, 1931, relating to high school tuition and to make non-resident parents whose children are transported to high school responsible for the pro-rata cost of such transportation and to provide the conditions under which a portion of such transportation cost may be assumed by their board.

Read first and second times and referred to committee on schools and text books.

Senate File No. 132, a bill for an act to legalize the corporate acts and proceedings of Star Automobile Company, of Pella, Marion County, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Star Automobile Company.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 226, a bill for an act to enable the State of Iowa to secure the benefit of funds allotted to this State by the Federal Government for street and highway work, to authorize the state highway commission to cooperate with the Federal Government in the expenditure of such funds, and to provide a means for making prompt payment on such work.

Read first and second times and referred to committee on roads and highways.

Senate File No. 229, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Nora Springs, Floyd County, Iowa, its articles of incorporation, the election of officers and board of trustees under said articles of incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as heretofore incorporated and assumed by said articles of re-incorporation.

Digitized by Google

Read first and second times and referred to committee on judiciary No. I.

Senate File No. 157, a bill for an act in reference to private banks and their examination and regulation by the superintendent of banks and to amend section ninety-one hundred forty-three (9143), Code, 1931, relating to fees of examination.

Read first and second times.

SENATE FILE NO. 157 SUBSTITUTED FOR HOUSE FILE NO. 197

Ellsworth of Hardin moved to substitute Senate File No. 157 for House File No. 197. Motion prevailed.

HOUSE FILE NO. 243 WITHDRAWN

Jensen of Audubon asked and obtained unanimous consent to have House File No. 243 withdrawn from further consideration of the House.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 65.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 65.

MOTION TO RECONSIDER FILED

MR. SPEAKER: I move that the vote by which House File 180 was rereferred to the agriculture committee be reconsidered.

JOSEPH D. BOUSKA.

AMENDMENTS FILED

Brady of Pottawattamie filed the following amendment:

Amend House File No. 112 as follows:

Digitized by Google

"Sec. 8. Amend section four thousand twenty-seven (4027), Code of Iowa, 1931 by adding at the end of said section the following: "The cost of all medicine, care, X-ray, laboratory and maintenance furnished to such patients, shall be paid one-half by the state and one-half by the county of each patient's legal residence. The cost of the commitment, transportation, attendants and other special appliances and treatments of all patients admitted or accepted for treatment at the University Hospital shall be paid by the state.

"The Auditor of State shall make a quarterly estimate of the per diem charge for medicine, care, X-ray, laboratory and maintenance based upon such reports and audits as he shall require, and in the final quarter of each year he shall provide for an audit to determine the said per diem charge for medicine, care and maintenance, and upon the basis of the same adjust any and all irregularities and errors found to exist as the result of the quarterly estimates."

Hanson of Lyon filed the following amendment:

Amend House File No. 281, Section two (2), sub-section six (6), line forty (40), by adding the following after the period at the end of the line:

"The percentage of germination shall mean the percentage of seeds, which as shown by laboratory test have sufficient vitality to produce plants. Percent of hard seeds shall not be included in the total percentage of germination but may be recorded separately."

Beswick of Van Buren filed the following amendment:

Amend House File No. 27 by striking all after the enacting clause and substituting therefor the following:

"Section 1. Chapter thirty-seven (37), section twenty-seven (27), Acts of the Forty-fifth (45th) General Assembly, is amended as follows:

1. Strike from line twenty-two (22), the period (.) and insert in lieu thereof the following:

'; hotels, inns or taverns having two hundred fifty (250) guest rooms or more, operated as summer resorts for six (6) months only, of any calendar year, shall pay a permit fee of one hundred twenty-five dollars ($125.00), for such six months period of operation.'

2. Strike from line twenty-five (25), the period (.), and insert in lieu thereof the following:

'; hotels, inns or taverns having more than one hundred (100) and less than two hundred fifty (250) guest rooms, operated as summer resorts for six (6) months only, of any calendar year, shall pay a permit fee of seventy-five dollars ($75.00), for such six months period of operation.'

3. Strike from line twenty-seven (27), the period (.), and insert in lieu thereof the following:

'; hotels, inns or taverns having one hundred (100) guest rooms or less, operated as summer resorts for six (6) months only, of any calendar year, shall pay a permit fee of fifty dollars ($50.00), for such six months period of operation.' "

Digitized by Google

COMMITTEE OF THE WHOLE

The time for special order, as made yesterday, having arrived, the House resolved itself into a Committee of the Whole for the purpose of further consideration of the report of the committee to investigate the Iowa Highway Commission and Cement Trusts. Speaker Miller called Mitchell of Webster to the chair.

At 12:00 Noon the committee recessed until 1:30 p. m.

The committee reconvened, Mitchell of Webster in the chair.

On the motion of McKinnon of Henry, the committee recessed until 9:30 tomorrow morning.

Digitized by Google

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 20, 1933.
LEGISLATIVE DAY OF DECEMBER 19, 1933.

The committee of the whole reconvened, Mitchell of Webster in the chair.

Prayer was offered by Rev. Henry McCraven, pastor A. M. E. Church, Des Moines, Iowa.

McKinnon of Henry moved that the committee of the whole rise and report. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

PETITIONS AND MEMORIALS

Opposing the direct buying of livestock by packers. Alesch, from the citizens of Plymouth county; Dean, from the producers, buyers and shippers of Cerro Gordo county. Referred to the committee on agriculture.

Favoring the direct buying of livestock by packers. Bonnstetter, from the citizens of Kossuth county; Casey, from the citizens of Mitchell county. Referred to the committee on agriculture.

Favoring the present state laws for prohibition. Metcalf, from the citizens of Muscatine county. Referred to the committee on liquor control.

Opposing the placing of cemetery perpetual care of trust funds in the hands of the state. Hough of Fayette, from the officers of the Duchams Grove Cemetery Association. Referred to the committee on judiciary No. 2.

Favoring an increase in restaurant license fees. Hultman, from the restaurant owners of Montgomery county. Referred to the committee on dairy and food.

Opposing the weighing and grading bill. Casey, from the citizens of Mitchell county. Referred to the committee on agriculture.

Opposing taxation of religious, charitable, and educational organizations. Hultman, from the citizens of Montgomery county. Referred to the committee on tax revision.

Asking that counties be compelled to furnish bonds for all

Digitized by Google

county officers. Hanson, from the officers of Lyon county. Referred to the committee on county and township organization.

COMMUNICATION FROM THE ATTORNEY GENERAL

HON. GEORGE E. MILLER,
SPEAKER OF THE HOUSE OF REPRESENTATIVES,
BUILDING.

DEAR MR. SPEAKER: In accordance with action taken by the House of Representatives requesting a report from the Department of Justice, respecting our investigations of the complaints heretofore lodged against the State Highway Commission, I beg leave to submit the following report:

1. The Department of Justice has been unable to find any competent evidence of collusion between any cement company and any member of the State Highway Commission, or any employee of the Commission.

2. The quoting of the same price on cement is not limited to Iowa State Highway contracts. Similar uniformity in prices exists in bids submitted to the State Highway Departments in other states. This practice appears to be general throughout the United States and throughout the entire cement industry, irrespective of whether the cement was to be used for highway work or other purposes. The practice of cement companies in submitting similar bids appears to be for all companies bidding to submit the same price for cement delivered at a given point or station. (See page LXXII, Report by Federal Trade Commission for March, 1932.)

3. Cement manufacturers sell their products on a multiple basing-point system, whereby uniform delivered price for each point of delivery can be calculated with mathematical precision, provided only that base prices and freight rates are known. Freight rates are compiled cooperatively by the cement industry and furnished to the manufacturers. The factor of freight rates is therefore definite and uniformly applied. Base prices are easily ascertained from trade journals and generally known. When any mill has a mill price sufficiently low that the combination of this price plus the freight to any single delivery point makes the delivery price lower than that of any other mill similarly calculated, such a mill is considered the basing-point mill and such a mill price is considered a base price.

Since each cement company knows through trade journals and market quotations the basing-point prices at any other plant in its trade territory, and since each cement company knows the freight rate from each basing-point to each point where the cement is to be delivered, and since all companies use the same formula in computing the market price, it is clear that the market price at any given station as determined by one company will be exactly the same as the market price at said station as determined by any other company. (See Pages XIV and XV of Federal Trade Commission report for March, 1932.)

4. This method of determining the quoting of delivered price of cement is not new. It was adopted by the cement companies about thirty years

Digitized by Google

ago and is still in use. (See Page XII of Federal Trade Commission report on cement industry for June, 1933.)

5. This method of determining and quoting prices on cement is apparently authorized and adopted in the code of fair competition in the cement industry, approved by President Roosevelt on November 27, 1933. A copy of the code of fair competition for the Portland Cement Industry, as signed by the President on November 27, 1933, is hereby furnished in connection with this report, and your attention is specifically directed to Article IX, on Page 9, of this code. According to the provisions of this code of fair competition, if any company wished to change its mill price, it must serve the five-day notice with the Code Authority and any other member of the industry may meet this new price. The Federal Government had been investigating this practice of the cement companies in making similar bids for a number of years. These reports were before the Federal Government, and a complete history of this practice was published and reported to the officials in Washington. At the time this code of fair competition for the cement industry was approved by the President of the United States, all of this material and information must have been at his disposal. I am unable to find any condemnation or prohibition of this practice in this code of fair competition for the Portland Cement Industry, as approved by the President.

6. From 1929 to 1932, inclusive, the records of the State Highway Commission show that they purchased a total of 4,054,000 barrels of cement. The commission avers that the average amount paid for this cement at the mills was $1.19-6/10 per barrel. The Commission has furnished this Department, for the use and benefit of the Legislature, the compilation of all the lettings and the prices paid therefor for all cement purchased during these years. This compilation is attached and is submitted with this report. Our Department has not had the time to audit and specifically check the items set forth in said report.

On Page 25 of Report No. 38 by the United States Tariff Commission, dated November 30, 1931, the cost of producing cement in "Eastern Missouri, Iowa, Minnesota, and South Dakota" is stated to be $1.27 per barrel. The present price of cement, as quoted at Mason City, which is a basing-point, is $1.55 per barrel.

7. The Highway Commission maintains that the sum of $542,000 was saved to the State of Iowa in the purchase of these 4,054,000 barrels of cement from 1929 to 1932, inclusive, by comparison of the prices actually paid and the market quotations. As stated above, our Department has not had the time to audit and check the Highway records with the published market prices.

8. The Highway Commission also avers that in the winter of 1930 and 1931, contracts for paving were let on the basis of the contractor furnishing his own cement, and a clause was added to the contracts whereby the State reserved the right until April 1, 1931, to purchase and furnish the cement, and that before April 1, 1931, the price of cement dropped about 57c per barrel, and in view of such a drop and by reason of this added clause, corresponding reductions were made in the contract prices for the paving, which saved the State the sum of $453,000. The

Digitized by Google

Highway Commission has furnished this Department, for the use, benefit and investigation of the Legislature, a compilation of their records pertaining thereto. These records have not been audited and specifically checked, due to the lack of time at our disposal prior to the making of this report.

9. Our Department has investigated many other complaints against the Highway Commission which have come to our Department or to members of the special investigating committee appointed by the House of Representatives. I am herein furnishing a copy of the reports and investigations made by State Agents Frank G. Moorhead and William H. Zelinsky, Peace Officers in the Department of Justice. These reports are self-explanatory.

The sixth part of Mr. Zelinsky's report deals with the purchase of a gravel farm by the Iowa State Highway Commission in Guthrie County, Iowa, on March 27, 1929. The records show that the Commission paid $400.00 an acre for this farm. The records further show that the vendor was one R. E. Montgomery, of Omaha, Nebraska, who had previously purchased it from the record owners of Guthrie County, Iowa. The Commission, before they entered into the purchase of this property, had employed a firm to make tests as to the condition of this gravel, which was done in the report filed with the Commission. This report should be inspected carefully by your Honorable Body. This property was carried on the records of Guthrie County in 1927 at an assessed valuation of $52.00 per acre, and in 1928 at an assessed valuation of $56.00 per acre. The investigation of this transaction is not complete. In justice to the State of Iowa and also to the State Highway Commission, we recommend a complete investigation of this land purchase.

The balance of the information in our files has already been furnished to the Legislature. This includes the letter of March 20, 1933, written to the Hon. Gustave Alesch, member of the House of Representatives, by F. R. White, Chief Engineer; the letter of March 4, 1933, written to the Hon. Geo. E. Miller, Speaker of the House of Representatives, by F. R. White, Chief Engineer; and information taken from report of state cement lettings, filed by Fred R. White, Chief Engineer of the State Highway Commission; and a copy of the first report made to the House of Representatives by the special committee under House Resolution No. 21.

Respectfully submitted,

EDWARD L. O'CONNOR, *Attorney General.*

December 12, 1933.

PROOFS OF PUBLICATION

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Allison Tribune, Allison, Iowa, relating to House File No. 118, a bill for an act to make permanent the transfers of county funds in Butler County to the poor fund from the maintenance fund, where said transfers were originally made with the approval of the Director of the Budget.

VIRGIL LEKIN, *Chief Clerk of the House.*

Digitized by Google

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Estherville Daily News, Estherville, Iowa, a bill for an act to make permanent the temporary transfer, made November 6, 1931, of money from the secondary road maintenance fund to the general fund of Emmet county.

VIRGIL LEKIN. *Chief Clerk of the House.*

AMENDMENTS FILED

Fabritz of Wapello filed the following amendment to Senate File No. 129:

Amend Senate File No. 129, section one, (1) by adding thereto the following:

"Trucks engaged in the business of carrying petroleum products shall not be required to place a lighted flare at the side of such vehicle when parked on the highway."

Cunningham of Polk filed the following amendment:

Amend House File No. 129 by striking Section 1 and inserting in lieu thereof the following:

Section 1. Amend Sec. 7, Ch. 123, Acts 45th G. A. by adding thereto the following:

"Provided any city or town upon application to the State Comptroller and upon showing made to said State Comptroller of strict necessity arising from the fact that the amount which can be made available under this act for the fire fund or for the maintenance and operation of the fire department within such city or town is clearly inadequate for such purposes, may be exempted by the State Comptroller from the limitation by this section but only to the extent required by such necessity and not in excess of the amount of money raised by the 1930 millage levy for such fund or purpose, and only for the year for which such exemption shall be granted. Said application and hearing shall be in the form and manner prescribed in Section 2 of this Chapter, except that no additional notice of hearing or publication of notice of hearing, required by said Section 2 shall be required, to permit the State Comptroller to reconsider any application heretofore filed for relief from the limitations of this Section."

REPORT OF COMMITTEE

Mitchell of Webster, from the committee of the whole, submitted the following report:

MR. SPEAKER: Your committee of the whole to whom was referred the report of the Special Committee appointed to investigate the Iowa Highway Commission and Cement Trusts, beg leave to report they have had the same under consideration and have instructed me to make the following recommendations:

"It appears upon the evidence given at the hearing of the State Highway Commission that apparent irregularities existed in connection with

Digitized by Google

purchase of the gravel pit in Guthrie County by the State Highway Commission; further, it appears that the purchase of said pit should be investigated further, therefore

The Committee recommends that the Attorney General's office and a committee be instructed to continue the investigation on behalf of said Committee in connection with said pit; also

That the Attorney General investigate the purchase of cement with reference to statutes on pools, trusts and combinations."

JOHN H. MITCHELL, *Chairman.*

Bonnstetter of Kossuth moved that the report of the committee of the whole, on the report of the committee to investigate Iowa Highway Commission and Cement Trusts, be adopted.

Speidel of Washington moved to recess until 1:30 o'clock today. Motion lost.

On the motion of McLean of Marshall the House adjourned to 9:30 a. m., December 21.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 21, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Phillip Shutt, Lay-reader, St. James Episcopal Church, Independence, Iowa.

Journal of the calendar days of December 19 and 20, corrected and approved.

PETITIONS AND MEMORIALS

Favoring the Gross Income tax plan. Grell, from the citizens of Scott county; Yager, from the citizens of Dickinson county. Referred to the committee on tax revision.

Favoring the direct buying of livestock by packers. Grau, from the citizens of Buena Vista county; Moore, from the citizens of Benton county. Referred to the committee on agriculture.

Opposing the direct buying of livestock. Bowers, from the residents of Union county; Stanzel, from the citizens of Sac county. Referred to the committee on agriculture.

Opposing the placing of cemetery perpetual care of trust funds in the hands of the state. Beswick of Van Buren, from the officers of the Farmington cemetery; Stimpson of Jones, from the members of the Forrest Hill Cemetery Association of Anamosa, Iowa. Referred to the committee on judiciary No. 2.

Favoring an increase in restaurant license fees. Grau, from the restaurant owners of Buena Vista county. Referred to the committee on dairy and food.

Opposing taxation on religious and charitable organizations. Hartman, from the citizens of Des Moines county. Referred to the committee on tax revision.

Opposing taxation of fraternal societies. McFarlane of Black

Digitized by Google

Hawk, from the Lutheran Mutual Aid Society of Waverly, Iowa. Referred to the committee on insurance.

Opposing special tax on chain stores. Rice, from the citizens of Keokuk county. Referred to the committee on tax revision.

Favoring the present state prohibition laws. Triemer, from the citizens of O'Brien county. Referred to the committee on liquor control.

Opposing the Local Option Elections mentioned in the proposed liquor bill. Yager, from the citizens of Dickinson county. Referred to the committee on liquor control.

REPORTS OF COMMITTEES

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 3, a bill for an act to revise and modernize the laws of this state relating to certain co-operative corporations with or without capital stock; to provide for the Incorporation, Regulation and Dissolution of such corporations; to define certain terms used in this act, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Gissel of Buchanan, from the committee on Board of Control, submitted the following report:

MR. SPEAKER: Your committee on board of control to whom was referred House File No. 11, a bill for an act to prohibit the sale in Iowa of all prison made goods produced by convict labor, and to provide a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. H. GISSEL, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 54, a bill for an act to amend Chapter Thirty Seven (37) of the Laws of the Forty Fifth General Assembly, relating to non-intoxicating liquors, beers, and other malt liquors, beg leave to report they have had the same under consideration and have instructed

Digitized by Google

me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 192, a bill for an act to fix and declare the legal liability of contractors on public improvement contracts for actionable negligence of themselves, their subcontractors, their independent contractors, and of the employees of any of them, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 198, a bill for an act relating to the Perpetual Care of Cemeteries, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN H. MITCHELL, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 211, a bill for an act to legalize the proceedings of the City Council of the City of Davenport, Iowa, a municipal corporation, by virtue of a special charter, relating to the improvement of certain streets and one alley by paving, without having obtained jurisdiction therefore as provided by Section Sixty-nine thirteen, (6913), sixty-nine fourteen (6914), and Sixty-nine fifteen (6915), Code, 1927, and any and all other irregularities, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Laughlin of Fremont, from the committee on roads and highways, submitted the following report:

MR. SPEAKER: Your committee on roads and highways to whom was referred Senate File No. 226, a bill for an act to enable the State of Iowa to secure the benefit of funds allotted to this State by the Federal Government for street and highway work, to authorize the state highway commission to cooperate with the Federal Government in the expenditure of such funds, and to provide a means for making prompt payment on

Digitized by Google

such work, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. P. LAUGHLIN, *Chairman.*

Report adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 4 relative to the adjournment of the Senate and House on December 22, 1933.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 5 relative to the appointment of a committee of six to report to the Forty-sixth General Assembly relative to proposed provision of the rules of procedure and statutes relative thereto, now and customarily in use by the Iowa Legislature.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 83, a bill for an act to amend chapter one hundred twenty-three (123), Acts of the Forty-fifth General Assembly, relative to levies to be made by any city or town for fire fund and fire department maintenance.

BYRON G. ALLEN, *Secretary.*

SENATE CONCURRENT RESOLUTION NO. 4

Be It Resolved by the Senate, the House concurring:

That when adjournment is had on Friday, December 22nd, 1933, it be to reconvene on Wednesday, December 27th, 1933, at 10 a. m.

SENATE CONCURRENT RESOLUTION NO. 5

Be It Resolved by the Senate, the House concurring, That a committee of six be appointed to make recommendations to the regular session of the Forty-sixth General Assembly relative to a revision of the rules of procedure and statutes relative thereto, now and customarily in use by the Iowa legislature.

Be It Further Resolved, That said committee consist of three members to be appointed by the President of the Senate and three members to be appointed by the Speaker of the House; that two shall be members of the Senate and two members of the House of the Forty-fifth General Assembly and that two shall be former members or desk-force employees of the General Assembly.

Be It Further Resolved, That the members of the committee serve without compensation but that the expense of printing seven hundred fifty (750) copies of the report shall be determined as nearly as possible by

Digitized by Google

the superintendent of printing and the appropriation to cover the expense thereof and the necessary expenses of the committee shall be made in the omnibus bill of this session.

Be It Further Resolved, That printed copies of the committee's report and recommendations be mailed to members of the Forty-fifth General Assembly and to members-elect of the Forty-sixth General Assembly on or before December 1, 1934.

CONSIDERATION OF HOUSE RESOLUTION NO. 4

Swift of Dubuque called up the resolution offered by him and found on page 488 of the journal of December 19, and moved its adoption.

McCreery of Linn moved the previous question. Motion prevailed.

A roll call was demanded and on the question, "Shall House Resolution No. 4 be adopted?"

The ayes were, 30.

Bonnstetter	Garner	Moore of Harrison	Speidel
Burgess	Gittinger	Peaco	Stimpson
Craven	Hook	Rawlings	Swift
Crouch	Hough	Rice	Teter
Davis	Koch	Roe	Thiessen
Dreessen	McCarthy	Ryder	Wolf
Durant	Maniece	Schmitz	Yager
Felter			Mr. Speaker

The nays were, 64.

Aldrich	Fletcher	Jensen	Paisley
Avery	Foster	Johnson	Peet
Beath	Frizzell	Laughlin	Reed
Beswick	Fuelling	Lichty	Schlatter
Bouska	Fuester	Lookingbill	Schroeder
Bowers	Gallagher	McCreery	Snyder
Bruce	Gissel	McFarlane	Sours
Casey	Goode	McKinnon	Stansell
Cunningham	Grau	McLean	Stanzel
Dean	Grell	Mercer	Strachan
Dole	Hanson of Lyon	Metcalf	Treimer
Doran	Hartman	Millhone	Weed
Elliott	Hopp	Moore of Benton	Wieben
Ellsworth	Hultman	Mooty	Willis
Fabritz	Humeston	Osborn	Zipse
Falvey	Jenkins	Ostby	Zylstra

Absent or not voting, 14.

Alesch	Hanson of Winnebago	Mitchell	Stewart
Augustine	McDermott	Porter	Thies
Brady	Malone	Sheridan	Wiese
Donlon		Smith	

Resolution lost.

Digitized by Google

McFarlane of Black Hawk asked unanimous consent to take up Senate Concurrent Resolution No. 4 at this time. Objections offered.

McFarlane of Black Hawk moved that the rules be suspended and that Senate Concurrent Resolution No. 4 be considered at this time.

A roll call was demanded and on the question, "Shall the rules be suspended and Senate Concurrent Resolution No. 4 be considered at this time?"

The ayes were, 87.

Aldrich	Felter	Lichty	Reed
Alesch	Fletcher	Lookingbill	Schlatter
Avery	Foster	McCarthy	Schroeder
Beath	Fuelling	McCreery	Smith
Beswick	Fuester	McFarlane	Snyder
Bouska	Gallagher	McKinnon	Sours
Bowers	Garner	McLean	Speidel
Brady	Gissel	Malone	Stansell
Bruce	Gittinger	Maniece	Stanzel
Burgess	Goode	Mercer	Stewart
Casey	Grau	Metcalf	Stimpson
Crouch	Grell	Millhone	Strachan
Cunningham	Hanson of Lyon	Mitchell	Thiessen
Davis	Hartman	Moore of Benton	Treimer
Dean	Hopp	Moore of Harrison	Weed
Dole	Hultman	Mooty	Wieben
Doran	Humeston	Osborn	Wiese
Durant	Jenkins	Ostby	Willis
Elliott	Jensen	Paisley	Wolf
Ellsworth	Johnson	Peaco	Yager
Fabritz	Koch	Peet	Zipse
Falvey	Laughlin		Zylstra

The nays were, 11.

Bonnstetter	Hook	Rice	Schmitz
Craven	Hough	Roe	Swift
Dreessen	Rawlings	Ryder	

Asbent or not voting, 10.

Augustine	Hanson of Winnebago	Porter	Thies
Donlon	McDermott	Sheridan	Mr. Speaker
Frizzell		Teter	

Motion prevailed and the rules were suspended.

McFarlane of Black Hawk moved that the House concur in Senate Resolution No. 4.

Jensen of Audubon moved the previous question. Motion prevailed.

House concurred in the Senate Resolution No. 4.

Digitized by Google

SPECIAL ORDER MADE

Fabritz of Wapello moved that the House resolve itself into a committee of the whole tomorrow at the time of reconvening as set by the House today, for the discussion of proposed liquor control bills.

Foster of Cedar moved the previous question. Motion prevailed.

The motion by Fabritz of Wapello prevailed.

INTRODUCTION OF BILLS

House File No. 287, by committee on schools and textbooks, a bill for an act to provide for the establishment and maintenance of a sinking fund for the repairing or replacing of school property in certain independent school districts, to authorize a levy for that purpose and to provide for the investment of such fund.

Read first and second times and placed on calendar.

House File No. 288, by committee on schools and textbooks, a bill for an act to provide public school facilities for persons of school age who reside on that portion of an Iowa school district that is located on the opposite side of a river that is a general boundary line of the state and such portion is not within the corporate limits of a city or town and the persons of school age residing on such portion are without reasonable access to a public school in the school district to which such portion belongs.

Read first and second times and placed on calendar.

House substitute for House File No. 280, by committee on agriculture, a bill for an act to repeal Chapter two hundred forty-six (246), Sections forty-eight hundred seventeen (4817) to forty-eight hundred twenty-nine (4829), inclusive, Code, 1931, and to enact a substitute therefor; providing for the appointment of weed commissioners, defining the term "noxious weeds", providing for the destruction of weeds, providing for the assessment of costs therefor, and providing penalties for the violation of the provisions of this act.

Read first and second times.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

Digitized by Google

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 23 and 166.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills:

House Files No. 23 and 166.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 21st day of December, 1933, sent to the governor for his approval: House Files No. 23 and 166. WM. KOCH, *Chairman.*

Report adopted.

CONSIDERATION OF BILLS

The time having arrived for special order on House File No. 112, a bill for an act to amend chapter one hundred ninety-nine (199), Code, 1931, by inserting after section four thousand eighteen (4018) a new section; to amend sections four thousand twenty-five (4025), four thousand twenty-six (4026) and four thousand twenty-eight (4028), Code, 1931; and to repeal sections four thousand ten (4010), four thousand twelve (4012), four thousand sixteen (4016), four thousand seventeen (4017), and four thousand twenty-one (4021), Code, 1931, and to enact substitutes therefor, all relating to the treatment of indigent persons, with report of committee recommending amendment and passage, was taken up for consideration.

Schroeder of Carroll asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 484 of the Journal of December 18, and substitute the following in lieu thereof:

Amend House File No. 112 as follows; strike all of said Bill following the words "An Act" in line one of the title and substitute therefore the words "to amend Chapter one hundred ninety-nine (199), Code, 1931, and

Digitized by Google

to provide methods for apportioning among the several counties of the state the cost of treatment of indigent persons at the hospital of the College of Medicine of the State University.

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

Section 1. That Chapter one hundred ninety-nine (199), Code, 1931, be and the same is hereby amended by adding thereto the following provisions of this act.

Sec. 2. Immediately following the first day of July in each year, beginning with July of the year 1934, the state comptroller shall determine the separate amounts which the several counties of the state have paid into the state treasury in taxes in the preceding twelve months for the support of the hospital of the College of Medicine at the State University. Each county of the state shall then be credited by the state comptroller with the amount so found to have been paid.

Sec. 3. The state comptroller shall then determine the separate amounts which have been expended by the hospital in the preceding twelve months for the transportation, care and treatment including cost of special appliances, instruments and x-ray work, for indigent persons committed to said hospital from each county of the state. Each county of the state shall then be charged by him with the cost of the services received as so determined.

Sec. 4. If the amount so credited to any county is greater than the cost of services so charged against it, then that county shall be entitled to be repaid by the state the amount of the balance in its favor.

Sec. 5. If the amount so credited to any county is less than the cost of services so charged against it, then that county shall repay the state the amount of the balance against it.

Sec. 6. The state comptroller shall, before the first day of August in each year, notify the auditor of each county of the amount of the credit balance so found in favor of his county, if any. Said county auditor shall immediately, and in writing, authorize the treasurer of his county to transfer such sum to the poor fund of the county from the state revenue, which notice shall be filed by the county treasurer and be a sufficient voucher for the amount so transferred.

Sec. 7. If the state comptroller shall find that a repayment is due the state from any county, the state comptroller shall, before the first day of August in each year, notify the auditor of each such county of the amount of the debit balance to be repaid by his county to the state as so found by the state comptroller. Said county auditor shall immediately and in writing direct the treasurer of his county to transfer such amount to the state revenue and to charge it to the poor fund of the county or to the county fund, which notice shall be filed by the county treasurer and be a sufficient voucher therefor, and such amount shall be paid into the state treasury.

Sec. 8. This act shall take effect and be in force on and after July first, A. D. 1934.

McKinnon of Henry moved the previous question. Motion prevailed.

Digitized by Google

A roll call was demanded and on the question "Shall the substitute amendment by Schroeder be adopted?"

The ayes were, 24.

Aldrich	Hook	Rawlings	Thiessen
Alesch	Humeston	Schlatter	Wieben
Brady	Jensen	Schroeder	Yager
Dreessen	McCarthy	Stanzel	Zipse
Fletcher	McKinnon	Stewart	Zylstra
Fuester	Ostby	Stimpson	Mr. Speaker

The nays were, 74.

Augustine	Falvey	Lichty	Rice
Avery	Felter	Lookingbill	Roe
Beswick	Foster	McCreery	Ryder
Bonnstetter	Frizzell	McFarlane	Schmitz
Bowers	Fuelling	McLean	Sheridan
Bruce	Gallagher	Maniece	Snyder
Burgess	Garner	Mercer	Sours
Casey	Gissel	Metcalf	Speidel
Crouch	Gittinger	Millhone	Stansell
Cunningham	Goode	Mitchell	Strachan
Davis	Grau	Moore of Benton	Swift
Dean	Hanson of Lyon	Moore of Harrison	Teter
Dole	Hartman	Mooty	Thies
Donlon	Hopp	Osborn	Treimer
Doran	Hough	Paisley	Weed
Durant	Hultman	Peaco	Wiese
Elliott	Jenkins	Peet	Willis
Ellsworth	Johnson	Reed	Wolf
Fabritz	Koch		

Asbent or not voting, 10.

Beath	Grell	Laughlin	Porter
Bouska	Hanson of Winnebago	McDermott	Smith
Craven		Malone	

Amendment lost.

On motion of McFarlane of Black Hawk, the House recessed until 1:30 p. m.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

Consideration of House File No. 112, was resumed.

On motion of Millhone of Page the amendments proposed by the committee, found on page 468 of the journal of December 15, were adopted.

Brady called up the amendments filed by him and found on page 492 of the journal of December 19, and moved their adoption.

Digitized by Google

Moore of Harrison moved the previous question on the main bill and all pending amendments. Motion prevailed.

A roll call was demanded and on the question "Shall the Brady amendment be adopted?"

The ayes were, 23.

Alesch	Fuester	Ostby	Thies
Brady	Garner	Rice	Thiessen
Craven	Jensen	Schlatter	Yager
Dreessen	McCarthy	Schroeder	Zipse
Fabritz	McKinnon	Stewart	Mr. Speaker
Foster	Malone	Stimpson	

The nays were, 80.

Aldrich	Falvey	Koch	Roe
Augustine	Felter	Lichty	Ryder
Avery	Fletcher	Lookingbill	Schmitz
Beath	Frizzell	McCreery	Sheridan
Beswick	Fuelling	McDermott	Smith
Bonnstetter	Gallagher	McFarlane	Snyder
Bouska	Gissel	McLean	Sours
Bowers	Gittinger	Mercer	Speidel
Bruce	Goode	Metcalf	Stansell
Burgess	Grau	Millhone	Stanzel
Casey	Grell	Mitchell	Strachan
Crouch	Hanson of Lyon	Moore of Benton	Swift
Cunningham	Hartman	Moore of Harrison	Teter
Davis	Hook	Mooty	Treimer
Dean	Hopp	Osborn	Weed
Dole	Hough	Paisley	Wieben
Donlon	Hultman	Peaco	Wiese
Doran	Humeston	Peet	Willis
Durant	Jenkins	Reed	Wolf
Elliott	Johnson		Zylstra
Ellsworth			

Absent or not voting, 5.

Hanson of Winnebago	Laughlin	Porter	Rawlings
	Maniece		

Amendment lost.

Grau of Buena Vista moved to amend House File No. 112, section eight (8) by striking from lines fifteen (15) and sixteen (16) the words, "by more than ten per cent".

Further amend section eight (8), by striking from lines eighteen (18) and nineteen (19) the words "of ten per cent".

Further amend section eight (8) by striking from line twenty (20) the word, "excess".

Further amend section eight (8) by striking from line twenty-one (21) the words "ten per cent" and inserting in lieu thereof the following: "its quota".

Goode of Davis moved to reconsider the vote by which the previous question was demanded. Motion prevailed.

Digitized by Google

A roll call was demanded on the adoption of the Grau amendment and on the question "Shall the Grau amendment be adopted?"

The ayes were, 38.

Alesch	Garner	McLean	Stewart
Beath	Goode	Maniece	Stimpson
Bruce	Grau	Moore of Harrison	Thies
Craven	Hook	Ostby	Thiessen
Crouch	Hopp	Rice	Treimer
Durant	Hough	Roe	Yager
Falvey	Jensen	Schlatter	Zipse
Fletcher	McCarthy	Snyder	Zylstra
Foster	McCreery	Stanzel	Mr. Speaker
Fuester	McKinnon		

The nays were, 62.

Aldrich	Ellsworth	Lookingbill	Schmitz
Augustine	Fabritz	McDermott	Schroeder
Avery	Felter	McFarlane	Sheridan
Beswick	Frizzell	Mercer	Smith
Bonnstetter	Fuelling	Metcalf	Sours
Bouska	Gallagher	Millhone	Speidel
Bowers	Gissel	Mitchell	Stansell
Burgess	Gittinger	Moore of Benton	Strachan
Casey	Hanson of Lyon	Mooty	Swift
Cunningham	Hartman	Osborn	Teter
Davis	Hultman	Paisley	Weed
Dean	Humeston	Peaco	Wieben
Dole	Jenkins	Peet	Wiese
Doran	Johnson	Reed	Willis
Dreessen	Koch	Ryder	Wolf
Elliott	Lichty		

Absent or not voting, 8.

Brady	Hanson of Winnebago	Laughlin	Porter
Donlon		Malone	Rawlings
Grell			

Amendment lost.

McCreery of Linn moved to amend House File No. 112 by striking from line 28 of section 2, the words: "enter an order directing" and inserting in lieu thereof the word: "notify".

Also, amend by striking from line 29 of section 2, the word: "to" and inserting in lieu thereof the words: "who may".

A roll call was demanded and on the question "Shall the McCreery amendments be adopted?"

The ayes were, 30.

Alesch	Bruce	Falvey	Hartman
Augustine	Craven	Gissel	Hook
Beath	Dole	Grau	Humeston
Beswick	Durant	Grell	Jenkins
Bonnstetter	Ellsworth	Hanson of Lyon	Jensen

Digitized by Google

Johnson	McKinnon	Smith	Strachan
Koch	Mercer	Snyder	Willis
McCreery	Ostby	Speidel	

The nays were, 65.

Aldrich	Foster	Metcalf	Sheridan
Avery	Frizzell	Millhone	Sours
Bouska	Fuelling	Mitchell	Stansell
Bowers	Fuester	Moore of Benton	Stanzel
Brady	Gallagher	Moore of	Stewart
Burgess	Gittinger	Harrison	Stimpson
Casey	Goode	Mooty	Swift
Crouch	Hopp	Osborn	Thies
Cunningham	Hough	Paisley	Thiessen
Davis	Hultman	Peaco	Treimer
Dean	Lichty	Peet	Weed
Doran	Lookingbill	Reed	Wieben
Dreessen	McDermott	Roe	Wiese
Elliott	McFarlane	Ryder	Wolf
Fabritz	McLean	Schmitz	Zipse
Felter	Malone	Schroeder	Zylstra
Fletcher	Maniece		

Absent or not voting, 12.

Donlon	Laughlin	Rawlings	Teter
Garner	McCarthy	Rice	Yager
Hanson of Winnebago	Porter	Schlatter	Mr. Speaker

Amendment lost.

Schroeder of Carroll offered the following amendments and moved their adoption:

I. Amend House File No. 112, Sec. 2, by striking the words "county" in lines 29 and 42, and inserting in lieu the words "state".

II. Amend Section 3 by striking in lines 5 and 6 the words "and the university hospital attendant and ambulance service is not available, then".

III. Amend Sec. 3 by striking in lines 11 and 12 the words "is a relative of the patient or a member of the immediate family".

IV. Amend Sec. 6 by striking it from the bill in its entirety.

V. Amend Sec. 8 by striking the words "population of" in line 9, and inserting in lieu thereof "tax paid during the year by" and striking from line 10 the word "population" and inserting in lieu thereof the words "the amount appropriated by the legislature". Also strike from lines 10 and 11 of Sec. 8, the words "according to the last preceding census" and insert in lieu thereof the words "for the support of the University Hospital during the year".

A division of the question was asked for, and on adoption of amendment No. 1 a roll call was demanded. On the question "Shall amendment No. 1 be adopted?"

Digitized by Google

The ayes were, 4.

Crouch	Jensen	Stanzel	Stimpson

The nays were, 82.

Aldrich	Fletcher	McDermott	Smith
Avery	Foster	McFarlane	Snyder
Beath	Frizzell	McKinnon	Sours
Beswick	Fuelling	McLean	Speidel
Bonstetter	Gallagher	Mercer	Stansell
Bouska	Gittinger	Metcalf	Stewart
Bowers	Goode	Millhone	Strachan
Bruce	Grau	Mitchell	Swift
Burgess	Hanson of Lyon	Moore of Benton	Teter
Casey	Hartman	Moore of Harrison	Thies
Cunningham	Hopp	Mooty	Thiessen
Davis	Hough	Osborn	Treimer
Dean	Hultman	Paisley	Weed
Dole	Humeston	Peaco	Wieben
Doran	Jenkins	Peet	Wiese
Durant	Johnson	Reed	Willis
Elliott	Koch	Ryder	Wolf
Ellsworth	Lichty	Schmitz	Yager
Fabritz	Lookingbill	Schroeder	Zipse
Falvey	McCarthy	Sheridan	Zylstra
Felter	McCreery		

Absent or not voting, 22.

Alesch	Fuester	Hook	Rawlings
Augustine	Garner	Laughlin	Rice
Brady	Gissel	Malone	Roe
Craven	Grell	Maniece	Schlatter
Donlon	Hanson of Winnebago	Ostby	Mr. Speaker
Dreessen		Porter	

Amendment lost.

Schroeder of Carroll asked and obtained unanimous consent to withdraw the remaining amendments offered by him.

McFarlane moved the previous question. Motion prevailed.

Speidel of Washington moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 96.

Aldrich	Brady	Dole	Fletcher
Alesch	Bruce	Doran	Foster
Augustine	Burgess	Dreessen	Frizzell
Avery	Casey	Durant	Fuelling
Beath	Craven	Elliott	Fuester
Beswick	Crouch	Ellsworth	Gallagher
Bonnstetter	Cuunningham	Fabritz	Garner
Bouska	Davis	Falvey	Gissel
Bowers	Dean	Felter	Gittinger

Digitized by Google

Goode	McCreery	Paisley	Stanzel
Grau	McDermott	Peaco	Stewart
Grell	McFarlane	Peet	Stimpson
Hanson of Lyon	McLean	Rawlings	Strachan
Hartman	Malone	Reed	Swift
Hook	Maniece	Roe	Teter
Hopp	Mercer	Ryder	Thies
Hough	Metcalf	Schlatter	Thiessen
Hultman	Millhone	Schmitz	Treimer
Humeston	Mitchell	Sheridan	Weed
Jenkins	Moore of Benton	Smith	Wieben
Johnson	Moore of Harrison	Snyder	Wiese
Koch	Mooty	Sours	Willis
Lichty	Osborn	Speidel	Wolf
Lookingbill		Stansell	Zylstra
McCarthy			

The nays were, 2.

McKinnon	Zipse

Asbent or not voting, 10.

Donlon	Jensen	Porter	Yager
Hanson of Winnebago	Laughlin	Rice	Mr. Speaker
	Ostby	Schroeder	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Speidel of Washington moved that the vote by which House File No. 112 passed the House be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

Cunningham of Polk asked unanimous consent to consider House File No. 129 at this time. Objections were offered.

Cunningham of Polk moved that the rules be suspended and that House File No. 129 be considered at this time. A roll call was demanded and on the question "Shall the rules be suspended and House File No. 129 be considered at this time?"

The ayes were, 72.

Aldrich	Dean	Grell	Moore of Harrison
Alesch	Doran	Hanson of Lyon	Mooty
Augustine	Dreessen	Hopp	Paisley
Avery	Durant	Hultman	Peaco
Beswick	Elliott	Johnson	Peet
Bonnstetter	Ellsworth	Koch	Rawlings
Bouska	Fabritz	Lichty	Roe
Brady	Falvey	Lookingbill	Ryder
Bruce	Foster	McCarthy	Schlatter
Burgess	Frizzell	McFarlane	Schmitz
Casey	Fuelling	McKinnon	Schroeder
Craven	Gallagher	Mercer	Sheridan
Crouch	Garner	Millhone	Snyder
Cunningham	Gissel	Mitchell	Sours
Davis	Gittinger	Moore of Benton	

Digitized by Google

Stansell	Treimer	Wiese	Zispe
Stewart	Weed	Willis	Zylstra
Strachan	Wieben	Wolf	Mr. Speaker
Swift			

The nays were, 20.

Beath	Hook	McLean	Stanzel
Felter	Hough	Malone	Stimpson
Fuester	Humeston	Maniece	Teter
Goode	Jensen	Osborn	Thies
Hartman	McCreery	Reed	Thiessen

Absent or not voting, 16.

Bowers	Hanson of	McDermott	Rice
Dole	Winnebago	Metcalf	Smith
Donlon	Jenkins	Ostby	Speidel
Fletcher	Laughlin	Porter	Yager
Grau			

Rules were suspended.

SENATE MESSAGE CONSIDERED

Senate File No. 83, a bill for an act to amend Chapter One Hundred Twenty-three (123) Acts of the 45th General Assembly, relative to levies to be made by any city or town for fire fund and fire department maintenance.

Read first and second times.

Cunningham of Polk asked and obtained unanimous consent to substitute Senate File No. 83 for House File No. 129.

Cunningham of Polk asked and obtained unanimous consent to suspend the rules forbidding the reading of a bill the second and third times on the same day.

Teter of Marion moved that the House adjourn until 9 o'clock a. m. tomorrow.

A roll call was demanded and on the question "Shall the House adjourn until 9 o'clock a. m. tomorrow?"

The ayes were, 31.

Alesch	Goode	Malone	Speidel
Beath	Grell	Manice	Stanzel
Craven	Hook	Metcalf	Stimpson
Falvey	Hough	Osborn	Teter
Felter	Humeston	Reed	Thies
Fuester	Jensen	Roe	Thiessen
Garner	McCreery	Ryder	Treimer
Gittinger	McLean	Smith	

Digitized by Google

The nays were, 68.

Aldrich	Dreessen	Koch	Schmitz
Augustine	Durant	Lichty	Schroeder
Avery	Elliott	Lookingbill	Sheridan
Beswick	Ellsworth	McCarthy	Snyder
Bonnstetter	Fabritz	McDermott	Sours
Bouska	Fletcher	McFarlane	Stansell
Bowers	Foster	Mercer	Stewart
Brady	Frizzell	Millhone	Strachan
Bruce	Fuelling	Moore of	Swift
Burgess	Gallagher	Harrison	Weed
Casey	Gissel	Mooty	Wieben
Crouch	Grau	Paisley	Wiese
Cunningham	Hanson of Lyon	Peaco	Willis
Davis	Hopp	Peet	Wolf
Dean	Hultman	Rawlings	Zipse
Dole	Jenkins	Rice	Zylstra
Donlon	Johnson	Schlatter	Mr. Speaker
Doran			

Absent or not voting, 9.

Hanson of Winnebago	Laughlin	Moore of Benton	Porter
Hartman	McKinnon	Ostby	Yager
	Mitchell		

Motion lost.

CONSIDERATION OF BILLS

Senate File No. 83, a bill for an act to amend Chapter One Hundred Twenty-three (123) Acts of the 45th General Assembly, relative to levies to be made by any city or town for fire fund and fire department maintenance, with report of committee recommending passage, was taken up for consideration.

Crouch of Greene moved the previous question. Motion prevailed.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Brady	Dean	Fabritz
Augustine	Bruce	Dole	Falvey
Avery	Burgess	Donlon	Felter
Beath	Casey	Doran	Fletcher
Beswick	Craven	Dreessen	Foster
Bonnstetter	Crouch	Durant	Frizzell
Bouska	Cunningham	Elliott	Fuelling
Bowers	Davis	Ellsworth	Gallagher

Digitized by Google

Gissel	McCarthy	Osborn	Strachan
Goode	McDermott	Paisley	Swift
Grell	McFarlane	Peaco	Teter
Hanson of Lyon	McKinnon	Peet	Thies
Hartman	McLean	Roe	Thiessen
Hook	Malone	Ryder	Treimer
Hopp	Mercer	Schlatter	Weed
Hultman	Metcalf	Schmitz	Wieben
Jenkins	Millhone	Schroeder	Wiese
Jensen	Mitchell	Sheridan	Willis
Johnson	Moore of Benton	Snyder	Wolf
Koch	Moore of Harrison	Sours	Zipse
Lichty	Mooty	Stansell	Zylstra
Lookingbill		Stewart	Mr. Speaker

The nays were, 13.

Alesch	Hough	Rawlings	Smith
Fuester	Humeston	Reed	Stanzel
Garner	McCreery	Rice	Stimpson
Grau			

Absent or not voting, 8.

Gittinger	Laughlin	Ostby	Speidel
Hanson of Winnebago	Maniece	Porter	Yager

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Cunningham of Polk moved that the vote by which Senate File No. 83 passed the House be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

McFarlane of Black Hawk called up the report of the committee recommending indefinite postponement of House File No. 125 and moved its adoption.

A roll call was demanded and on the question "Shall the report of the committee be adopted?"

The ayes were, 12.

Beath	Felter	Hough	Smith
Brady	Gallagher	McCreery	Speidel
Ellsworth	Grau	McLean	Zipse

The nays were, 77.

Aldrich	Crouch	Falvey	Hanson of Lyon
Alesch	Cunningham	Fletcher	Hartman
Augustine	Davis	Frizzell	Hook
Avery	Dean	Fuelling	Hopp
Beswick	Dole	Fuester	Jenkins
Bonnstetter	Donlon	Garner	Jensen
Bouska	Doran	Gissel	Johnson
Bowers	Dreessen	Gittinger	Koch
Burgess	Durant	Goode	Lichty
Casey	Elliott	Grell	Lookingbill

Digitized by Google

McFarlane	Moore of Harrison	Schroeder	Teter
McKinnon	Osborn	Sheridan	Thies
Malone	Paisley	Snyder	Thiessen
Maniece	Peaco	Sours	Treimer
Mercer	Reed	Stansell	Weed
Metcalf	Rice	Stanzel	Wieben
Millhone	Roe	Stewart	Wiese
Mitchell	Ryder	Stimpson	Wolf
Moore of Benton	Schmitz	Strachan	Zylstra
		Swift	

Absent or not voting, 19.

Bruce	Hultman	Mooty	Schlatter
Craven	Humeston	Ostby	Willis
Fabritz	Laughlin	Peet	Yager
Foster	McCarthy	Porter	Mr. Speaker
Hanson of Winnebago	McDermott	Rawlings	

Motion lost and the committee report was rejected.

Aldrich of Wright asked and obtained unanimous consent for the immediate consideration of House File No. 125.

House File No. 125, a bill for an act to make permanent a temporary transfer of funds, made June 5, 1933, by authority of the Director of the Budget, of fifty thousand and no/100 dollars ($50,000.00) from the Road Maintenance Fund of Wright County, Iowa, to the Poor Fund of said county, was taken up for consideration.

Aldrich of Wright moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Elliott	Humeston	Moore of Harrison
Alesch	Fabritz	Jenkins	Paisley
Avery	Falvey	Jensen	Peaco
Beswick	Fletcher	Johnson	Rawlings
Bonnstetter	Frizzell	Koch	Reed
Bouska	Fuelling	Lichty	Rice
Bowers	Fuester	Lookingbill	Roe
Burgess	Gallagher	McCarthy	Schlatter
Casey	Garner	McDermott	Schmitz
Crouch	Gissel	McFarlane	Schroeder
Cunningham	Gittinger	McKinnon	Sheridan
Davis	Goode	Malone	Smith
Dean	Grell	Maniece	Snyder
Dole	Hanson of Lyon	Mercer	Sours
Donlon	Hartman	Metcalf	Stansell
Doran	Hook	Millhone	Stanzel
Dreessen	Hopp	Mitchell	Stewart
Durant	Hough	Moore of Benton	

Digitized by Google

Stimpson	Thies	Wieben	Zipse
Strachan	Thiessen	Wiese	Zylstra
Swift	Treimer	Willis	Mr. Speaker
Teter	Weed	Wolf	

The nays were, 6.

Beath	Grau	McCreery	Speidel
Felter	McLean		

Absent or not voting, 16.

Augustine	Foster	Laughlin	Peet
Brady	Hanson of Winnebago	Mooty	Porter
Bruce	Hultman	Osborn	Ryder
Craven		Ostby	Yager
Ellsworth			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Aldrich of Wright moved that the vote by which House File No. 125 passed the House be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

Garner of Butler asked and obtained unanimous consent for the immediate consideration of House File No. 118.

House File No. 118, a bill for an act to make permanent the transfers of county funds in Butler County to the poor fund from the maintenance fund, where said transfers were originally made with the approval of the Director of the Budget, with report of committee recommending passage, was taken up for consideration.

Garner of Butler moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 77.

Aldrich	Donlon	Grell	Mercer
Alesch	Doran	Hanson of Lyon	Metcalf
Augustine	Dreessen	Hartman	Millhone
Avery	Durant	Hook	Mitchell
Beswick	Elliott	Hopp	Moore of Benton
Bonnstetter	Fabritz	Hough	Moore of Harrison
Bouska	Falvey	Humeston	Paisley
Bowers	Fletcher	Jensen	Peaco
Burgess	Fuelling	Johnson	Rawlings
Casey	Fuester	Koch	Reed
Crouch	Gallagher	Lichty	Rice
Cunningham	Garner	Lookingbill	Roe
Davis	Gissel	McKinnon	Schlatter
Dean	Gittinger	Malone	Schmitz
Dole	Goode	Maniece	

Digitized by Google

Schroeder	Stanzel	Teter	Wiese
Sheridan	Stewart	Thiessen	Zipse
Smith	Stimpson	Weed	Zylstra
Snyder	Strachan	Wieben	Mr. Speaker
Sours	Swift		

The nays were, 4.

Ellsworth	McCreery	McLean	Speidel

Absent or not voting, 27.

Beath	Grau	McDermott	Ryder
Brady	Hanson of Winnebago	McFarlane	Stansell
Bruce	Hultman	Mooty	Thies
Craven	Jenkins	Osborne	Treimer
Felter	Laughlin	Ostby	Willis
Foster	McCarthy	Peet	Wolf
Frizzell		Porter	Yager

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

AMENDMENTS FILED

Gallagher of Iowa filed the following amendment:

Amend the report of the committee of the whole on Highway Investigation by adding the following:

"That the charges against F. R. White, filed by the Investigating Committee were not supported by any testimony or evidence offered by such committee, and that honor and fairness demand that this committee expresses a full and complete vindication of F. R. White."

Dole of Jefferson filed the following amendment:

Amend the report of the Committee of the Whole found on pages 498 and 499 of the House Journal of December 20, 1933, as follows:

1. By striking from lines four (4) and five (5) on said page 499, the words "and a committee".

2. By striking from lines five (5) and six (6) on said page 499, the words "on behalf of said committee".

Donlon of Palo Alto filed the following amendment:

Amend report of the Committee of the Whole by inserting after the word "committee", in line two, of paragraph three, the following:

"of three to be appointed by the Speaker of the House, with full authority to subpoena witnesses and take evidence".

Reed of Mahaska filed the following amendment:

Amend the report of the Committee of the Whole by inserting after the word Committee in line two of paragraph three the words, "Consisting of the one hundred and eight House Members of the 45th General Assembly".

Digitized by Google

Mitchell of Webster filed the following amendment:

Amend House File No. 216 by striking the word "before" in section 4, line 1.

Amend House File No. 216, section 4, by adding after the period (.) in line 6 the following: "Any pipe line company now owning or operating a pipe line in this state shall be issued a permit by the commission upon supplying the information as provided for in section 5."

Goode of Davis filed the following amendment:

Amend Section 1 of Senate File No. 129 by adding the following:

"Section One (1) of Chapter Eighty-three (83), Acts of the Forty-Fifth (45) General Assembly is amended by inserting the words "of the State of Iowa outside cities and towns" immediately following the word "highways" in line two.

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Humboldt Independent, Humboldt, Iowa, of House File No. 84, a bill for an act to make permanent the transfer of county funds in Humboldt County to the poor fund from the Bovine Tuberculosis Eradication Fund, where said transfers were originally made with the approval of the Director of the Budget, June 25, 1932. VIRGIL LEKIN, *Chief Clerk of the House.*

Bonnstetter of Kossuth moved that the House adjourn to 9:30 a. m. tomorrow.

Fabritz of Wapello moved as a substitute motion that the House adjourn until 9:00 a. m. tomorrow.

Roll call was demanded and on the question "Shall the substitute motion prevail?"

The ayes were, 37.

Beath	Fabritz	Lookingbill	Rice
Beswick	Falvey	Malone	Stanzel
Bouska	Fletcher	Mercer	Stimpson
Bowers	Gittinger	Metcalf	Strachan
Casey	Goode	Moore of Harrison	Thies
Davis	Grell	Osborn	Thiessen
Dole	Hanson of Lyon	Paisley	Wieben
Donlon	Hopp	Rawlings	Zylstra
Dreessen	Hough		Mr. Speaker
Durant	Koch		

The nays were, 47.

Alesch	Crouch	Ellsworth	Gissel
Augustine	Cunningham	Felter	Hook
Avery	Dean	Fuester	Hultman
Bonnstetter	Doran	Gallagher	Humeston
Burgess	Elliott	Garner	Jenkins

Digitized by Google

Jensen	Millhone	Sheridan	Teter
Johnson	Mitchell	Smith	Treimer
Lichty	Moore of Benton	Snyder	Weed
McCreery	Peaco	Sours	Wiese
McDermott	Reed	Speidel	Willis
McKinnon	Roe	Stewart	Zipse
Maniece	Schmitz	Swift	

Absent or not voting, 24.

Aldrich	Grau	McFarlane	Ryder
Brady	Hanson of Winnebago	McLean	Schlatter
Bruce	Hartman	Mooty	Schroeder
Craven	Laughlin	Ostby	Stansell
Foster	McCarthy	Peet	Wolf
Frizzell		Porter	Yager
Fuelling			

Motion lost.

The Bonnstetter motion prevailed and the House adjourned until 9:30 a. m. tomorrow.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 22, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. J. A. Alexander, Pastor St. Paul A. M. E. Church, Des Moines, Iowa.

Journal of December 21, corrected and approved.

PETITIONS AND MEMORIALS

Favoring the retention of the present Iowa liquor laws. Cunningham from the citizens of Polk County. Referred to the committee on liquor control.

Opposing the placing of cemetery perpetual care trust funds in the hands of the state. By McDermott from the officers of the Adair Cemetery Association of Adair, Iowa. Referred to the committee on judiciary No. 2.

Opposing an act providing for the regulation of direct buying of livestock. McDermott from the citizens of Adair county; Dean from the citizens of Cerro Gordo County. Referred to committee on agriculture.

Favoring regulation of direct buying of livestock by packers. Alesch from the citizens of Plymouth County. Referred to committee on agriculture.

Opposing gross income tax. Ellsworth from the citizens of Union, Iowa. Referred to the committee on tax revision.

Favoring gross income tax bills introduced in the House and Senate. By Wiese of Scott County from the Board of Supervisors of Scott County. Referred to the committee on tax revision.

Favoring the increase in restaurant license fees. Burgess from citizens of Sioux City, Iowa. Referred to committee on tax revision.

Favoring a tax limitation of ten mills on property. Mitchell

Digitized by Google

of Webster from the citizens of Gowrie and Harcourt. Referred to committee on tax revision.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Grell of Scott for the day on request of Crouch of Greene; Hanson of Winnebago for the day on request of Roe of Allamakee; Smith of Cherokee for the day, on request of Stewart of Calhoun; Stanzel of Sac for the day, on request of Bruce of Pocahontas.

REPORTS OF COMMITTEES

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 203, a bill for an act to meet an emergency, authorizing the County Auditor of Webster County to issue warrents to officers for salaries and expenses of their offices and to authorize such payments beyond the limits of the respective budgets and limiting the scope of Sec. 5258 and 5259, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Strike out sections one (1) and two (2) and in lieu insert the following to wit:

"Section 1. To meet an emergency, the board of supervisors of Webster County, Iowa, any statute of the state to the contrary notwithstanding, is hereby authorized to allow, in addition to the budget allowances for the year 1933, claims not exceeding the following respective amounts and for the following expenditures, and the County Auditor is hereby authorized to issue warrants on such additional allowed claims, to wit:

Expenditures for carrying on the office of County Superintendent of Schools for the year 1933, $100.00.

Expenditures for carrying on the office of County Treasurer for the year 1933, $400.00.

Expenditures for carrying on the office of Clerk of the District Court for the year 1933, $900.00.

Expenditures for carrying on the office of County Sheriff for the year 1933, $2,000.00.

Expenditures for carrying on the office of County Attorney for the year 1933, $500.00.

Expenditures for stationery and for court house purposes for 1933, $7,000.00.

"Sec. 2. In order to meet said emergency, the County Auditor of said County is hereby authorized to enter upon the tax books of said County for collection in 1934, and for the general fund and in addition to that already levied in said fund for collection in 1934, an additional levy sufficient to raise approximately the sum of $10,000.00."

Digitized by Google

2. Insert in the title immediately following the word "the" in the first line of the printed title the following words to wit: "board of supervisors to allow and the".

3. Insert in the title immediately following the word "office" in line three (3) of the printed title, the following words, to wit: "and for certain other unavoidable expenses of the County."

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on emergency legislation, submitted the following report:

MR. SPEAKER: Your committee on emergency legislation to whom was referred House File No. 213, a bill for an act to authorize cities and towns to borrow funds from the United States Reconstruction Finance Corporation for the purpose of constructing self-liquidating projects and public works as herein defined, and to issue "Revenue Bonds" as security therefor, payable solely from revenue to be derived from such projects and public works, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on emergency legislation to whom was referred House File No. 238, a bill for an act providing for the suspension of penalties of taxes on real property due in the year of 1933 and unpaid, providing said taxes are paid prior to April 1st, 1934; and providing for a partial remittance of taxes upon real property due in 1934 and paid for the full year prior to April 1st, 1934, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN H. MITCHELL, *Chairman.*

Passed on file.

INTRODUCTION OF BILLS

House File No. 289 by committee on insurance, a bill for an act amending Section nine thousand fifty-eight (9058), Code of 1931, relative to provisions of bonds of certain Mutual Insurance Companies.

Read first and second times and placed on calendar.

House File No. 290 by committee on insurance, a bill for an act

Digitized by Google

to amend Chapter 148, Acts of the Forty-fifth General Assembly, relating to the investments of funds of insurance companies.

Read first and second times and placed on calendar.

ADDITIONAL COPIES ORDERED PRINTED

Speidel of Washington asked and obtained unanimous consent for the printing of three hundred (300) additional copies of House File No. 112 as amended.

CONSIDERATION OF HOUSE RESOLUTION NO. 5

Felter of Warren called up House Resolution No. 5, found on page 489, of the journal of December 19, and moved its adoption.

Fabritz of Wapello moved that action be deferred on House Resolution No. 5.

Zylstra of Sioux moved to amend by deferring action on House Resolution No. 5 until after consideration of House File No. 176.

A roll call was demanded and on the question, "Shall action on House Resolution No. 5 be deferred until after consideration of House File No. 176?"

The ayes were, 33.

Aldrich	Dreessen	McKinnon	Rice
Alesch	Foster	Maniece	Roe
Augustine	Fuester	Metcalf	Schlatter
Bonnstetter	Garner	Moore of Harrison	Schroeder
Bowers	Gittinger	Ostby	Thiessen
Brady	Hook	Peaco	Yager
Craven	Humeston	Rawlings	Zipse
Davis	Jensen		Zylstra
Donlon	McCarthy		

The nays were, 60.

Avery	Fabritz	Lichty	Schmitz
Beath	Falvey	Lookingbill	Snyder
Beswick	Felter	McCreery	Sours
Bouska	Fletcher	McDermott	Speidel
Bruce	Frizzell	McFarlane	Stansell
Burgess	Gallagher	McLean	Stewart
Casey	Gissel	Malone	Strachan
Crouch	Grau	Mercer	Swift
Cunningham	Hanson of Lyon	Millhone	Teter
Dean	Hopp	Mitchell	Thies
Dole	Hough	Moore of Benton	Treimer
Doran	Hultman	Osborn	Weed
Durant	Jenkins	Paisley	Wiese
Elliott	Johnson	Reed	Willis
Ellsworth	Koch	Ryder	Wolf

Digitized by Google

Absent or not voting, 15.

Fuelling	Hartman	Porter	Stimpson
Goode	Laughlin	Sheridan	Wieben
Grell	Mooty	Smith	Mr. Speaker
Hanson of Winnebago	Peet	Stanzel	

So the motion by Zylstra was lost.

The motion by Fabritz of Wapello prevailed and action on House Resolution No. 5 was deferred.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 83.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 83.

PROGRAM IN HONOR OF OLEY NELSON, SERGEANT-AT-ARMS

The House presented Sergeant-at-Arms Oley Nelson with a leather folder containing holiday greetings in the form of one hundred telegrams in honor of his long service in the House, Speaker pro tem Donlon presiding.

COMMITTEE OF THE WHOLE

The House resolved itself into a committee of the whole as provided in a motion which prevailed yesterday and found on page 506 of the journal, to discuss liquor control legislation.

The Speaker called Garner of Butler to the chair.

Garner of Butler yielded the chair to Malone of Cass.

McKinnon of Henry moved that the committee rise. Motion prevailed.

The House reconvened, Malone of Cass in the chair.

Digitized by Google

INTRODUCTION OF BILLS

House File No. 291 by committee on emergency legislation, a bill for an act to amend section seventy-one hundred ninety-three (7193) of the Code of 1931, relative to carrying forward delinquent real estate tax.

Read first and second times and placed on calendar.

CONSIDERATION OF BILLS

Mitchell of Webster asked and obtained unanimous consent for the immediate consideration of House File No. 291, a bill for an act to amend section seventy-one hundred ninety-three (7193) of the Code of 1931, relative to carrying forward delinquent real estate tax.

Mitchell of Webster moved that the rules prohibiting the second and third reading of a bill on the same day be suspended and House File No. 291 be read a third time now. Motion prevailed, and the bill was read a third time and placed upon its passage.

On the question "Shall the bill pass?"

The ayes were, 67.

Aldrich	Elliott	Lichty	Ryder
Avery	Ellsworth	Lookingbill	Schlatter
Beath	Fabritz	McCarthy	Schmitz
Beswick	Fletcher	McFarlane	Snyder
Bonnstetter	Frizzell	McKinnon	Sours
Bouska	Fuelling	Mercer	Stewart
Brady	Gallagher	Mitchell	Strachan
Bruce	Gissel	Moore of Harrison	Swift
Casey	Gittinger	Mooty	Teter
Craven	Goode	Osborn	Thiessen
Cunningham	Grau	Paisley	Treimer
Davis	Hanson of Lyon	Peaco	Weed
Dean	Hartman	Rawlings	Wieben
Dole	Hough	Reed	Wolf
Donlon	Jenkins	Rice	Yager
Doran	Johnson	Roe	Zipse
Durant	Koch		Zylstra

The nays were, none.

Absent or not voting, 41.

Alesch	Foster	Hultman	Maniece
Augustine	Fuester	Humeston	Metcalf
Bowers	Garner	Jensen	Millhone
Burgess	Grell	Laughlin	Moore of Benton
Crouch	Hanson of Winnebago	McCreery	Ostby
Dreessen	Hook	McDermott	Peet
Falvey	Hopp	McLean	Porter
Felter		Malone	Schroeder

Digitized by Google

Sheridan	Stansell	Thies	Willis
Smith	Stanzel	Wiese	Mr. Speaker
Speidel	Stimpson		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Mitchell of Webster moved that the vote by which House File No. 291 passed the House be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 7 relative to the distribution of copies of the Brookings report to colleges and universities of the state and to the free public libraries. BYRON G. ALLEN, *Secretary.*

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, House Concurrent Resolution No. 5 provided for the printing by the Interim Committee of the report of the Brookings Institution for distribution to the members of the 45th General Assembly in Extraordinary Session and for sale to the citizens of the State of Iowa; and

Whereas, It is deemed advisable to send copies of such report to the Political Science Department and/or library of each of the recognized colleges and universities in the State of Iowa; and to each of the free public libraries, both tax supported and active non-tax supported, in the State of Iowa; now, therefore,

Be It Resolved by the Senate, the House concurring, That said Interim Committee be and they are hereby authorized to print 600 additional copies of said report, said copies to be distributed without expense to said educational institutions and libraries above specified.

Be It Further Resolved, That said Interim Committee pay for the printing of said additional copies out of funds now in its hands.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

McFarlane of Black Hawk asked and obtained unanimous consent for the immediate consideration of Senate concurrent resolution No. 7.

McFarlane of Black Hawk moved that the House adopt Senate

Digitized by Google

concurrent resolution No. 7. Motion prevailed and the House adopted Senate concurrent resolution No. 7.

On motion of Mercer of Johnson, the House adjourned to reconvene Wednesday, December 27, at 10 o'clock a. m., as heretofore provided for in Senate concurrent resolution No. 4.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 27, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. W. L. Ewing, pastor of the Grace M. E. church, Des Moines, Iowa.

Journal of December 22 corrected and approved.

LEAVE OF ABSENCE

Jensen of Audubon for the day, on request of Stimpson of Jones; Hanson of Lyon for the day, on request of Speidel of Washington; Stewart of Calhoun for the day, on request of Garner of Butler; Sheridan of Lee for the day, on request of Ryder of Dubuque; Paisley of Lee for the day, on request of Reed of Mahaska.

PETITIONS AND MEMORIALS

Favoring the gross income tax plan. McFarlane, from the citizens of Black Hawk county; McKinnon, from the citizens of Henry county. Referred to the committee on tax revision.

Opposing the placing of cemetery perpetual care of trust funds in the hands of the state. Reed, from the citizens of Mahaska county. Referred to the committee on judiciary No. 2.

Favoring an increase in restaurant license fees. McCarthy, from the citizens of Woodbury county. Referred to the committee on dairy and food.

Favoring a special tax on chain stores. Johnson, from the business men of Linn county. Referred to the committee on tax revision.

HOUSE FILE NO. 222 PLACED ON CALENDAR

Grell of Scott asked that House File 222 be withdrawn from the committee on public health and placed on the calendar. So ordered by the Speaker.

Digitized by Google

CONSIDERATION OF BILLS

Laughlin of Fremont asked and obtained unanimous consent for the immediate consideration of Senate File No. 226, a bill for an act to enable the State of Iowa to secure the benefit of funds allotted to this State by the Federal Government for street and highway work, to authorize the state highway commission to cooperate with the Federal Government in the expenditure of such funds, and to provide a means for making prompt payment on such work.

Laughlin of Fremont moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Ellsworth	Jenkins	Ryder
Alesch	Felter	Koch	Schlatter
Augustine	Fletcher	Laughlin	Schmitz
Avery	Frizzell	Lichty	Smith
Beath	Fuelling	Lookingbill	Snyder
Beswick	Fuester	McCarthy	Sours
Bonnstetter	Gallagher	McCreery	Speidel
Bouska	Garner	McFarlane	Stanzel
Bowers	Gissel	McKinnon	Strachan
Bruce	Gittinger	Malone	Swift
Burgess	Goode	Maniece	Thies
Casey	Grau	Mercer	Treimer
Craven	Grell	Metcalf	Weed
Crouch	Hanson of Winnebago	Millhone	Wieben
Cunningham	Hartman	Mooty	Wiese
Davis	Hopp	Peet	Willis
Dean	Hough	Rawlings	Wolf
Dole	Hultman	Reed	Yager
Donlon	Humeston	Rice	Zylstra
Doran		Roe	Mr. Speaker
Elliott			

The nays were, none.

Absent or not voting, 28.

Brady	Jensen	Osborn	Stansell
Dreessen	Johnson	Ostby	Stewart
Durant	McDermott	Paisley	Stimpson
Fabritz	McLean	Peaco	Teter
Falvey	Mitchell	Porter	Thiessen
Foster	Moore of Benton	Schroeder	Zipse
Hanson of Lyon	Moore of Harrison	Sheridan	
Hook			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Digitized by Google

Fuelling of Clayton asked and obtained unanimous consent for the immediate consideration of Senate File 122, a bill for an act to legalize the action of the town council of the Town of Guttenberg, Clayton county, Iowa, appropriating and using certain moneys from the electric light fund of said town for the relief of unemployment in said town.

Fuelling of Clayton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Aldrich	Felter	Laughlin	Ryder
Alesch	Fletcher	Lichty	Schlatter
Augustine	Frizzell	Lookingbill	Schmitz
Avery	Fuelling	McCarthy	Smith
Beath	Fuester	McCreery	Snyder
Beswick	Gallagher	McDermott	Sours
Bonnstetter	Garner	McFarlane	Speidel
Bouska	Gissel	McKinnon	Stanzel
Bowers	Gittinger	Malone	Stimpson
Bruce	Goode	Maniece	Strachan
Burgess	Grau	Mercer	Swift
Casey	Grell	Metcalf	Thies
Craven	Hanson of Winnebago	Millhone	Treimer
Crouch	Hartman	Moore of Benton	Weed
Cunningham	Hopp	Mooty	Wieben
Davis	Hultman	Peaco	Wiese
Dean	Humeston	Peet	Willis
Donlon	Jenkins	Rawlings	Wolf
Doran	Johnson	Reed	Yager
Durant	Koch	Rice	Zylstra
Elliott		Roe	Mr. Speaker
Ellsworth			

The nays were, none.

Absent or not voting, 24.

Brady	Hook	Osborn	Stansell
Dole	Hough	Ostby	Stewart
Dreessen	Jensen	Paisley	Teter
Fabritz	McLean	Porter	Thiessen
Falvey	Mitchell	Schroeder	Zipse
Foster	Moore of Harrison	Sheridan	
Hanson of Lyon			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Fuelling of Clayton moved that the vote by which Senate File No. 122 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Digitized by Google

Bonnstetter of Kossuth asked and obtained unanimous consent for the immediate consideration of House File No. 94, a bill for an act to repeal section fifty-one (51) of Chapter one hundred eighty-eight (188) of the laws of the Forty-fifth General Assembly, relating to the compensation of employees in the motor vehicle fuel tax division of the office of the Treasurer of State, with report of committee recommending amendment and passage.

On motion of Roe of Allamakee the amendments proposed by the committee found on page 324 of the journal of December 7, were adopted.

Mercer of Johnson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 68.

Alesch	Ellsworth	Laughlin	Schmitz
Augustine	Falvey	Lichty	Schroeder
Bonnstetter	Frizzell	McCarthy	Smith
Bouska	Fuelling	McCreery	Snyder
Bowers	Fuester	McDermott	Sours
Bruce	Gallagher	McFarlane	Stansell
Burgess	Gissel	Malone	Stanzel
Casey	Gittinger	Maniece	Strachan
Craven	Grell	Mercer	Swift
Cunningham	Hanson of Winnebago	Metcalf	Treimer
Dean	Hopp	Millhone	Weed
Dole	Hultman	Mooty	Wieben
Doran	Jenkins	Peaco	Wiese
Dreessen	Johnson	Peet	Willis
Durant	Koch	Reed	Wolf
Elliott		Ryder	Zylstra

The nays were, 21.

Aldrich	Felter	Hartman	Schlatter
Beath	Fletcher	Hough	Stimpson
Beswick	Garner	Humeston	Teter
Crouch	Goode	McKinnon	Thies
Davis	Grau	Roe	Yager
Donlon			

Absent or not voting, 24.

Avery	Lookingbill	Osborn	Sheridan
Brady	McLean	Ostby	Speidel
Fabritz	Mitchell	Paisley	Stewart
Foster	Moore of Benton	Porter	Thiessen
Hanson of Lyon	Moore of Harrison	Rawlings	Zipse
Hook		Rice	Mr. Speaker
Jensen			

So the bill having received a constitutional majority was declared to have passed the House.

Digitized by Google

Mercer of Johnson asked and obtained unanimous consent to have the Chief Clerk correct the title to House File No. 94, as follows:

Strike the word "repeal" in line one, and insert in lieu thereof the word "amend."

The title as amended was agreed to.

Mercer of Johnson moved that the vote by which House File No. 94 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

The House resumed consideration of House File No. 264, a bill for an act to amend section fifteen forty-six-a one (1546-a1), Code, 1931, by striking out certain provisions relating to the limitation of fee for the furnishing or procurement of employment by an employment agency and enacting a substitute therefor.

Avery of Clay called up the amendment filed by him and found on page 476 of the journal of December 18, and moved its adoption.

McKinnon of Henry moved that action on House File No. 264 be deferred. Motion prevailed.

House File No. 266, a bill for an act to amend section eighty-six hundred sixty-three (8663) Code, 1931, relating to the disposition of securities deposited with the insurance commissioner by insurance companies, was taken up for consideration.

Cunningham of Polk called up the amendment filed by him and found on page 474 of the journal of December 16, and moved its adoption.

Cunningham of Polk asked and obtained unanimous consent to defer action on House File No. 266.

McKinnon of Henry asked and obtained unanimous consent for the immediate consideration of Senate File No. 97, a bill for an act to amend section nineteen hundred ninety (1990), Code, 1931, relative to the condemnation of intoxicating liquors, with report of committee recommending passage.

McKinnon of Henry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 85.

Aldrich	Elliott	Johnson	Ryder
Alesch	Ellsworth	Koch	Schlatter
Augustine	Falvey	Laughlin	Schmitz
Avery	Felter	Lichty	Schroeder
Beath	Fletcher	McCarthy	Smith
Beswick	Frizzell	McCreery	Snyder
Bonnstetter	Fuelling	McDermott	Sours
Bouska	Fuester	McFarlane	Speidel
Bowers	Gallagher	McKinnon	Stansell
Bruce	Garner	Malone	Stimpson
Burgess	Gittinger	Maniece	Strachan
Casey	Goode	Mercer	Swift
Craven	Grau	Metcalf	Teter
Crouch	Grell	Millhone	Thies
Cunningham	Hanson of Winnebago	Moore of Harrison	Treimer
Davis	Hartman	Mooty	Weed
Dean	Hopp	Peaco	Wieben
Dole	Hough	Peet	Wiese
Donlon	Hultman	Rawlings	Yager
Doran	Humeston	Reed	Zylstra
Dreessen	Jenkins	Roe	Mr. Speaker
Durant			

The nays were, none.

Absent or not voting, 23.

Brady	Jensen	Ostby	Stewart
Fabritz	Lookingbill	Paisley	Thiessen
Foster	McLean	Porter	Willis
Gissel	Mitchell	Rice	Wolf
Hanson of Lyon	Moore of Benton	Sheridan	Zipse
Hook	Osborn	Stanzel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

McKinnon of Henry moved that the vote by which Senate File No. 97 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

McCreery of Linn asked and obtained unanimous consent to have Senate File No. 221 recalled from committee on motor vehicles and transportation and placed on calendar. So ordered by the Speaker.

McCreery of Linn asked and obtained unanimous consent for immediate consideration of Senate File No. 221, a bill for an act to amend section forty-nine hundred thirty-one (4931), Code, 1931, as enacted by chapter eighty (80), Acts Forty-fifth (45th) General Assembly, relating to surrendering license plates on motor vehicles.

Digitized by Google

McCreery of Linn offered the following amendment and moved its adoption:

Amend Senate File No. 221 by striking from line two (2) of section one (1) the word "enacted" and substituting the word "amended" Also, insert after the word and numeral one (1) in line four (4) the following: "and from line five (5) of section two (2)"

Amendment adopted.

McCreery of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Felter	Lichty	Schmitz
Alesch	Fletcher	Lookingbill	Schroeder
Avery	Frizzell	McCarthy	Smith
Beath	Fuelling	McCreery	Snyder
Beswick	Fuester	McFarlane	Sours
Bonnstetter	Gallagher	McKinnon	Speidel
Bouska	Garner	Malone	Stansell
Bowers	Gissel	Maniece	Stanzel
Brady	Gittinger	Mercer	Stimpson
Bruce	Goode	Metcalf	Strachan
Burgess	Grau	Millhone	Swift
Craven	Grell	Moore of Benton	Teter
Crouch	Hanson of Winnebago	Moore of Harrison	Thies
Cunningham	Hartman	Mooty	Treimer
Davis	Hopp	Peaco	Weed
Dean	Hough	Peet	Wieben
Dole	Hultman	Rawlings	Wiese
Donlon	Humeston	Reed	Willis
Doran	Jenkins	Rice	Wolf
Durant	Johnson	Roe	Yager
Elliott	Koch	Ryder	Zylstra
Ellsworth	Laughlin	Schlatter	Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 19.

Augustine	Hanson of Lyon	Mitchell	Sheridan
Casey	Hook	Osborn	Stewart
Dreessen	Jensen	Ostby	Thiessen
Fabritz	McDermott	Paisley	Zipse
Foster	McLean	Porter	

So the bill having received a constitutional majority was declared to have passed the House.

McCreery of Linn asked and obtained unanimous consent to have the chief clerk correct the title to Senate File No. 221 as follows:

Digitized by Google

Correct the title by striking the word "enacted" in line two (2) and substituting the word "amended".

The title as amended was agreed to.

Craven of Jasper asked and obtained unanimous consent for immediate consideration of Senate File No. 19, a bill for an act to amend sub-section Five of Section Six Thousand Two Hundred Eleven (6211) of the Code of Iowa, 1931, relating to sewer fund permitting the use of the sewer fund for the construction, reconstruction, and repair of sewage disposal plant, with report of committee recommending passage.

Craven of Jasper moved the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Frizzell	Lookingbill	Schmitz
Alesch	Fuelling	McCarthy	Schroeder
Augustine	Fuester	McCreery	Smith
Avery	Gallagher	McDermott	Snyder
Beath	Garner	McFarlane	Sours
Beswick	Gissel	McKinnon	Speidel
Bouska	Gittinger	Malone	Stansell
Bowers	Goode	Mercer	Stanzel
Bruce	Grau	Metcalf	Stimpson
Burgess	Grell	Millhone	Strachan
Craven	Hanson of Winnebago	Moore of Benton	Swift
Crouch	Hartman	Moore of Harrison	Teter
Cunningham	Hopp	Mooty	Thies
Dean	Hough	Osborn	Treimer
Dole	Hultman	Peaco	Weed
Donlon	Humeston	Peet	Wieben
Doran	Jenkins	Rawlings	Wiese
Durant	Johnson	Reed	Willis
Elliott	Koch	Rice	Wolf
Ellsworth	Laughlin	Roe	Yager
Falvey	Lichty	Schlatter	Zylstra
Felter			Mr. Speaker
Fletcher			

The nays were, none.

Absent or not voting, 21.

Bonnstetter	Foster	Maniece	Ryder
Brady	Hanson of Lyon	Mitchell	Sheridan
Casey	Hook	Ostby	Stewart
Davis	Jensen	Paisley	Thiessen
Dreessen	McLean	Porter	Zipse
Fabritz			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Digitized by Google

Dole of Jefferson asked and obtained unanimous consent for immediate consideration of Senate File No. 71, a bill for an act to enable the United States to acquire state lands for National Forests, with report of committee recommending passage.

Goode of Davis moved to amend Senate File No. 71 by striking all of Section 2 from the bill.

Johnson of Linn moved that action on the bill be deferred and that it retain its place on the calendar. Motion prevailed.

Strachan of Humboldt asked and obtained unanimous consent for the immediate consideration of House File No. 165, a bill for an act to amend section fifty-three hundred thirty-seven (5337), Code, 1931, as amended by Chapter one hundred twenty-one (121), section twenty-eight (28), Acts of the Forty-fifth General Assembly, relating to the levying of a poor tax for the support of the poor, with report of committee recommending passage.

Strachan of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Fletcher	Lichty	Ryder
Alesch	Frizzell	Lookingbill	Schlatter
Augustine	Fuelling	McCreery	Schmitz
Avery	Fuester	McDermott	Schroeder
Beath	Gallagher	McFarlane	Smith
Beswick	Garner	Malone	Snyder
Bonnstetter	Gissel	Maniece	Sours
Bouska	Gittinger	Mercer	Speidel
Bowers	Goode	Metcalf	Stanzel
Bruce	Grau	Millhone	Stimpson
Burgess	Grell	Mitchell	Strachan
Craven	Hanson of Winnebago	Moore of Benton	Swift
Cunningham	Hartman	Moore of Harrison	Thies
Davis	Hopp	Mooty	Treimer
Dean	Hough	Osborn	Weed
Donlon	Humeston	Peaco	Wieben
Doran	Jenkins	Peet	Wiese
Dreessen	Johnson	Rawlings	Willis
Durant	Koch	Reed	Yager
Elliott	Laughlin	Roe	Zylstra
Ellsworth			Mr. Speaker
Felter			

The nays were, 3.

Crouch	Falvey	Teter

Digitized by Google

Absent or not voting, 22.

Brady	Hook	Ostby	Stansell
Casey	Hultman	Paisley	Stewart
Dole	Jensen	Porter	Thiessen
Fabritz	McCarthy	Rice	Wolf
Foster	McKinnon	Sheridan	Zipse
Hanson of Lyon	McLean		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Craven of Jasper asked and obtained unanimous consent for the immediate consideration of Senate File No. 20, a bill for an act to amend Section Six Thousand One Hundred Twenty Five of the Code of Iowa, 1931, relating to sewer bonds and indebtedness by including sewer outlets and/or purifying plants, with report of committee recommending passage.

Craven of Jasper moved to amend Senate File No. 20 by adding after the word "Iowa" in the last line of Section 4 the words "without cost to the state." Amendment adopted.

Craven of Jasper moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Fletcher	Lichty	Schlatter
Alesch	Frizzell	Lookingbill	Schmitz
Augustine	Fuelling	McCarthy	Schroeder
Avery	Fuester	McCreery	Smith
Beath	Gallagher	McDermott	Snyder
Beswick	Garner	McFarlane	Sours
Bonnstetter	Gissel	McKinnon	Speidel
Bouska	Gittinger	Malone	Stanzel
Bowers	Goode	Maniece	Stimpson
Bruce	Grau	Mercer	Strachan
Burgess	Grell	Metcalf	Swift
Casey	Hanson of Winnebago	Millhone	Teter
Craven	Hartman	Mitchell	Thies
Crouch	Hook	Moore of Benton	Treimer
Cunningham	Hopp	Mooty	Weed
Donlon	Hough	Osborn	Wieben
Doran	Hultman	Peaco	Wiese
Dreessen	Humeston	Peet	Willis
Durant	Jenkins	Rawlings	Wolf
Elliott	Johnson	Reed	Yager
Ellsworth	Koch	Roe	Zylstra
Falvey	Laughlin	Ryder	Mr. Speaker
Felter			

The nays were, none.

Digitized by Google

Absent or not voting, 19.

Brady	Hanson of Lyon	Ostby	Stansell
Davis	Jensen	Paisley	Stewart
Dean	McLean	Porter	Thiessen
Dole	Moore of Harrison	Rice	Zipse
Fabritz		Sheridan	
Foster			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that the vote by which Senate File No. 20 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 27, a bill for an act to amend Chapter thirty-seven (37) section twenty-seven (27) acts of the 45th General Assembly, relating to permit fees for beer sale in hotels, inns, and taverns, with report of committee recommending passage, was taken up for consideration.

Beswick of Van Buren called up the amendment filed by him and found on page 492 of the journal of December 19 and moved its adoption.

Swift of Dubuque moved that action on House File No. 27 be deferred. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 69, a bill for an act to amend chapter 137, section 1, acts of the Forty-fifth General Assembly, relating to the location of depository banks.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 106, a bill for an act to legalize the incorporation of the Heiberg Brewing Company, of Waverly, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 118, a bill for an act to make an appropriation for Ed A. Schmidt.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 149, a bill for an act to make an appropriation to Robert A. Turpin.

Digitized by Google

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 238, a bill for an act making an appropriation in the sum of $913.17, for payment of necessary expenses of the special corporation commission authorized by the Forty-fourth, and continued by the Forty-fifth General Assemblies.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 237, a bill for an act to repeal chapter 75, Acts of the Forty-fifth General Assembly, as the same appears in the enrolled bill, Senate File No. 146, and to enact a substitute therefor, relating to a license fee of 1 cent per gallon on all motor vehicle fuel.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 236, a bill for an act to amend section 1, chapter 8, Acts of Forty-fifth General Assembly relating to an examination of the financial transaction of school districts. BYRON G. ALLEN, *Secretary.*

Malone of Cass moved that when the House adjourns it adjourn until 10 o'clock a. m. tomorrow. Motion prevailed.

On the motion of Swift of Dubuque the House recessed until the fall of the gavel.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 291, a bill for an act to amend section seventy-one hundred ninety-three of the Code of 1931 relative to carrying forward delinquent real estate tax.

Also: That the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 221, a bill for an act relating to the surrender of license plates on motor vehicles.

Also: That the Senate has refused to recede from its amendments to House File No. 21 in which the concurrence of the House was asked:

House File No. 21, a bill for an act to amend section seventy-one hundred sixty-four (7164), code, 1931, relating to the computation of tax rates, and requests the naming of a conference committee.

The Senate has named as its conferees Senators Calhoun, McArthur, Carden and Doze.

Also: That the Senate has refused to recede from its amendments to House File No. 17 in which the concurrence of the House was asked:

Digitized by Google

House File No. 17, a bill for an act to repeal section Seventy-two hundred three (7203), code, 1931 and to enact a substitute therefor, relating to the lien of poll taxes and of taxes on personal property, and requests the naming of a concerence committee.

The Senate has named as its conferees Senators Stanley, Tripp, Calhoun and Booth. BYRON G. ALLEN, *Secretary.*

The House recessed until the fall of the gavel.

The House reconvened, Speaker Miller in the chair.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 221; House Files No. 69, 291 and 106.

WM. KOCH, *Chairman House Committee,*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate File No. 221; House Files No. 69, 291 and 106.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 27th day of December, 1933, sent to the governor for his approval: House Files No. 69, 291 and 106.

WM. KOCH, *Chairman.*

Report adopted.

AMENDMENTS FILED

Hanson of Winnebago filed the following amendment:

Amend Senate File No. 232 by inserting after the word "board" in line six (6) of section one (1) the words "or Trustees of Drainage Districts,"

Osborn of Decatur filed the following amendment:

Amend House File No. 235, by striking the word "county" after the word "the" in line three (3), thereof; also, by inserting after the word "treasurer" in line three (3), thereof, the words "of any taxing district or political sub-division."

Digitized by Google

Further amend by striking the words "taxing districts and the period" in line eleven (11), thereof, and adding the words "funds in hands of the treasurers."

Malone of Cass filed the following amendment:

Amend House File No. 281 by striking sub-section four (4) of Section two (2) and inserting in lieu thereof the following: "The name and approximate number per thirty grams of each kind of seed of primary noxious weeds which are present in excess of one seed per thirty grams."

Further amend House File No. 281 by striking sub-section three (3) of Section three (3) and inserting in lieu thereof the following "The name and approximate number per thirty grams of each kind of seed of primary noxious weeds which are present in excess of one seed per thirty grams."

Further amend by striking Section six (6).

Avery of Clay filed the following amendment:

Amend House File 264 by adding thereto the following:

"Sec. 2. Section fifteen hundred fifty-one-c two (1551-2) is amended by adding thereto the following:

'Any person, firm, or corporation applying for a license, as provided in this chapter, to operate an employment agency for the furnishing or procuring of employment shall furnish the commission with its contract form, which form shall distinctly provide that no fee or other thing of value in excess of one dollar ($1.00) shall be collected in advance of the procuring of employment and no license shall be issued unless such contract form contains such provision. Thereafter, any person, firm, or corporation to whom a license has been issued that violates this provision of its contract shall have his license cancelled.' "

Amend the title to House File 264 by striking the period (.) at the end of line four (4) and inserting the following:

"; and to amend section fifteen hundred fifty-one-c two (1551-c2), code 1931, relating to the licensing of certain employment agencies."

CONFERENCE COMMITTEES APPOINTED

The Speaker of the House appointed as conference committees on the part of the House the following members:

On House File No. 17, Brady of Pottawattamie, Johnson of Linn, Cunningham of Polk and Bonnstetter of Kossuth.

On House File No. 21, Moore of Benton, Foster of Cedar, Speidel of Washington and Goode of Davis.

The Speaker announced that the House now stands adjourned to 10 o'clock a. m., December 28, in accordance with the motion of Malone of Cass previously prevailing.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 28, 1933.

The House met pursuant to adjournment, Gallagher of Iowa in the chair, on the request of the Speaker.

Prayer was offered by Rev. Clarence Moore, pastor of the M. E. Church, New Virginia, Iowa.

Journal of December 27, corrected and approved.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Gissel, from the business men of Buchanan county. Referred to the committee on tax revision.

Opposing any effort to legalize hard liquors. Grell, from the citizens of Scott county. Referred to the committee on liquor control.

Favoring a state highway patrol to make highways safer. Wiese, from the citizens of Scott county. Referred to the committee on roads and highways.

Opposing taxation on fraternal societies. Durant, from the citizens of Hancock county. Referred to the committee on insurance.

REPORT OF COMMITTEE

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 151, a bill for an act to provide an appropriation to defray the expenses of the Supreme Court and the judges thereof during the biennium from July 1, 1933 to June 30, 1935, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Digitized by Google

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 28, a bill for an act authorizing the executive council of the state of Iowa to sell certain tracts of land when the same have been acquired by the state for the improvement of its primary highways.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 228, a bill for an act to make permanent the transfer of certain secondary road funds and certain court expense funds to the poor fund of Winneshiek, County, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 84, a bill for an act to make permanent the transfer of county funds to the poor fund of Humboldt County, Iowa, from the Bovine Tubercular Eradication Fund.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 141, a bill for an act to make permanent the transfer of funds in the Washington Consolidated Independent School District, Dallas County, Iowa. BYRON G. ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 118, a bill for an act to make an appropriation for Ed. A. Schmidt.

Read first and second times and referred to committee on appropriations.

Senate File No. 149, a bill for an act to make an appropriation to Robert A. Turpin.

Read first and second times and referred to committee on appropriations.

Senate File No. 236, a bill for an act to amend section one (1), chapter eight (8), acts of the forty-fifth general assembly, relating to an examination of the financial transactions of school districts.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 237, a bill for an act to repeal chapter seventy-five (75), acts of the forty-fifth general assembly, as the same

Digitized by Google

appears in the enrolled bill, Senate File No. 146, and to enact a substitute therefor, relating to a license fee of one (1) cent per gallon on all motor vehicle fuel; and to enact a substitute therefor imposing a license fee of one (1) cent per gallon on all motor vehicle fuel used or otherwise disposed of within the state of Iowa, which shall be in addition to the license fee imposed by chapter two hundred fifty-one-A one, (251-A1), code, 1931, and be for the purpose of providing funds to reimburse the counties of the state for expenditures made by them under the supervision of the highway commission for bridges, culverts and right-of-way on primary roads and paid for by the county out of the county road fund or the county bridge fund; and for the further purpose of providing additional revenue for the primary road fund.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 238, a bill for an act making an appropriation in the sum of Nine Hundred Thirteen dollars and seventeen cents ($913.17) for the payment of the necessary expenses of the special corporation commission authorized by the Forty-fourth General Assembly and continued by the Forty-Fifth General Assembly of the State of Iowa.

Read first and second times and referred to committee on appropriations.

CONSIDERATION OF SENATE AMENDMENTS

On request of Yager of Dickinson, unanimous consent having been given, House File No. 28, a bill for an act authorizing the Executive Council of the State of Iowa to sell certain tracts, parcels, or pieces of land when the fee title thereto has been acquired by the State of Iowa, in or for the improvement of its primary highways, and to prescribe the procedure in pursuance of which such sales may be made, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE NO. 28

Amend House File No. 28 by inserting as Sec. 2 the following:

"Sec. 2. Notice of intention to sell such tracts, parcels, pieces of land or part thereof, must, not less than ten (10) days prior to sale thereof, be sent by registered mail by the Highway Commission to the last known address of the present owner of adjacent land from which said tract,

Digitized by Google

parcels, pieces of land or parts thereof were originally bought or condemned for highway improvement purposes.

"Said notice shall give opportunity to the present owner of adjacent property to be heard and to make offers for the parts, parcels or parts thereof to be sold, and if such offer is equal to or exceeds in amount other offers, it shall be given preference by the highway commission and executive council.

"Neglect or failure for any reason of the owner to comply with the provisions of said notice shall in no way prevent the giving of a clear title to the purchaser of such tracts, parcels, pieces of land or parts thereof."

Further amend by renumbering the remaining sections.

Mr. Yager moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were, 94.

Aldrich	Felter	Lichty	Ryder
Alesch	Fletcher	Lookingbill	Schlatter
Augustine	Foster	McCarthy	Schmitz
Avery	Frizzell	McCreery	Schroeder
Beath	Fuelling	McDermott	Smith
Beswick	Fuester	McFarlane	Snyder
Bonnstetter	Garner	McKinnon	Speidel
Bouska	Gissel	McLean	Stansell
Bowers	Gittinger	Malone	Stanzel
Brady	Goode	Maniece	Stewart
Bruce	Grau	Metcalf	Stimpson
Burgess	Grell	Millhone	Strachan
Casey	Hanson of	Mitchell	Swift
Craven	Winnebago	Moore of	Teter
Crouch	Hartman	Harrison	Thies
Cunningham	Hook	Mooty	Thiessen
Davis	Hopp	Osborn	Treimer
Donlon	Hough	Ostby	Weed
Doran	Hultman	Peaco	Wieben
Dreessen	Humeston	Peet	Willis
Durant	Jenkins	Rawlings	Wolf
Elliott	Jensen	Reed	Yager
Ellsworth	Koch	Rice	Zipse
Falvey	Laughlin	Roe	Zylstra

The nays were, none.

Absent or not voting, 14.

Dean	Hanson of Lyon	Paisley	Sours
Dole	Johnson	Porter	Wiese
Fabritz	Mercer	Sheridan	Mr. Speaker
Gallagher	Moore of Benton		

So the House concurred in Senate amendments to House File No. 28.

Digitized by Google

CONSIDERATION OF BILLS

Humeston of Wayne asked and obtained unanimous consent for the immediate consideration of Senate File No. 24, a bill for an act to require telephone companies to furnish equal service and facilities to each other without discrimination, with report of committee recommending amendment and passage.

Bouska of Howard called up the amendment proposed by the committee, found on page 401 of the journal of December 13, and moved its adoption.

Sours of Floyd moved to amend the committee amendment by striking in line 4 the words "or village", and also strike the comma (,) after the word "city" in the same line, and insert in lieu thereof the word "or".

Hook of Taylor moved the previous question on Senate File No. 24 and all amendments. Motion prevailed.

Alesch of Plymouth moved that the rules be suspended and that McKinnon of Henry be permitted to talk on the bill and the amendment.

A roll call was demanded and on the question "Shall McKinnon of Henry be permitted to talk on Senate File No. 24 and the amendment?"

The ayes were, 77.

Aldrich	Felter	Jensen	Roe
Alesch	Fletcher	Johnson	Ryder
Augustine	Foster	Laughlin	Schlatter
Beath	Frizzell	McCarthy	Schmitz
Beswick	Fuelling	McCreery	Schroeder
Bonnstetter	Fuester	McDermott	Smith
Bouska	Gallagher	McKinnon	Snyder
Brady	Garner	McLean	Stansell
Burgess	Gissel	Malone	Stanzel
Craven	Gittinger	Maniece	Stimpson
Cunningham	Goode	Metcalf	Swift
Davis	Grau	Moore of Harrison	Teter
Dole	Grell	Mooty	Thies
Donlon	Hartman	Ostby	Thiessen
Doran	Hook	Paisley	Weed
Dreessen	Hopp	Peaco	Wieben
Durant	Hough	Peet	Yager
Elliott	Hultman	Rice	Zipse
Ellsworth	Humeston		Zylstra
Falvey	Jenkins		

The nays were, 12.

Crouch	Lookingbill	Osborn	Speidel
Koch	Mercer	Reed	Stewart
Lichty	Mitchell	Sours	Strachan

Digitized by Google

Absent or not voting, 19.

Avery	Fabritz	Millhone	Treimer
Bowers	Hanson of Lyon	Moore of Benton	Wiese
Bruce	Hanson of	Porter	Willis
Casey	Winnebago	Rawlings	Wolf
Dean	McFarlane	Sheridan	Mr. Speaker

Motion prevailed.

A roll call was demanded and on the question, "Shall the amendment to the amendment be adopted?"

The ayes were, 20.

Avery	Goode	Moore of	Strachan
Beswick	Hultman	Harrison	Swift
Bouska	McCarthy	Peet	Treimer
Bruce	McFarlane	Schmitz	Willis
Durant	Moore of Benton	Sours	Wolf
Foster			

The nays were, 71.

Aldrich	Fletcher	Lichty	Schlatter
Alesch	Frizzell	Lookingbill	Schroeder
Augustine	Fuelling	McCreery	Smith
Beath	Fuester	McKinnon	Speidel
Bonnstetter	Gallagher	McLean	Stansell
Burgess	Garner	Malone	Stanzel
Casey	Gissel	Maniece	Stewart
Crouch	Gittinger	Metcalf	Stimpson
Cunningham	Grau	Mitchell	Teter
Davis	Hartman	Mooty	Thies
Dole	Hook	Osborn	Thiessen
Donlon	Hopp	Ostby	Weed
Doran	Hough	Paisley	Wieben
Dreessen	Humeston	Peaco	Wiese
Elliott	Jensen	Reed	Yager
Ellsworth	Johnson	Rice	Zipse
Falvey	Koch	Roe	Zylstra
Felter	Laughlin	Ryder	

Absent or not voting, 17.

Bowers	Grell	McDermott	Rawlings
Brady	Hanson of Lyon	Mercer	Sheridan
Craven	Hanson of	Millhone	Snyder
Dean	Winnebago	Porter	Mr. Speaker
Fabritz	Jenkins		

Amendment to the amendment lost.

A roll call was demanded on the committee amendment and on the question "Shall the committee amendment be adopted?"

The ayes were, 19.

Avery	Durant	Moore of Benton	Swift
Beswick	Frizzell	Peet	Treimer
Bouska	Lichty	Schmitz	Wiese
Bruce	McFarlane	Sours	Wolf
Crouch	Mercer	Strachan	

Digitized by Google

The nays were, 73.

Aldrich	Foster	Koch	Roe
Alesch	Fuelling	Laughlin	Ryder
Augustine	Fuester	Lookingbill	Schlatter
Beath	Gallagher	McCreery	Schroeder
Bonnstetter	Garner	McKinnon	Speidel
Burgess	Gissel	McLean	Stansell
Casey	Gittinger	Malone	Stanzel
Craven	Goode	Maniece	Stewart
Cunningham	Grau	Metcalf	Stimpson
Davis	Grell	Moore of Harrison	Teter
Dean	Hanson of Lyon	Mooty	Thies
Dole	Hartman	Osborn	Thiessen
Donlon	Hook	Ostby	Weed
Doran	Hopp	Paisley	Wieben
Elliott	Hough	Peaco	Willis
Ellsworth	Humeston	Reed	Yager
Falvey	Jenkins	Rice	Zipse
Felter	Jensen		Zylstra
Fletcher	Johnson		

Absent or not voting, 16.

Bowers	Hanson of Winnebago	Millhone	Sheridan
Brady	Hultman	Mitchell	Smith
Dreessen	McCarthy	Porter	Snyder
Fabritz	McDermott	Rawlings	Mr. Speaker

Committee amendment lost.

Humeston of Wayne moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were, 92.

Aldrich	Ellsworth	Hough	Mooty
Alesch	Falvey	Humeston	Osborn
Augustine	Felter	Jenkins	Ostby
Avery	Fletcher	Jensen	Paisley
Beath	Foster	Johnson	Peaco
Beswick	Frizzell	Koch	Peet
Bonnstetter	Fuelling	Laughlin	Rawlings
Bouska	Fuester	Lichty	Reed
Burgess	Gallagher	Lookingbill	Rice
Casey	Garner	McCreery	Roe
Craven	Gissel	McFarlane	Ryder
Crouch	Gittinger	McKinnon	Schlatter
Cunningham	Goode	McLean	Schmitz
Davis	Grau	Malone	Schroeder
Dean	Grell	Maniece	Smith
Dole	Hanson of Lyon	Mercer	Sours
Donlon	Hanson of Winnebago	Metcalf	Speidel
Doran	Hartman	Mitchell	Stansell
Dreessen	Hook	Moore of Benton	Stanzel
Durant	Hopp	Moore of Harrison	Stewart
Elliott			Stimpson

Digitized by Google

Teter	Treimer	Wolf	Zipse
Thies	Weed	Yager	Zylstra
Thiessen	Wieben		

The nays were, 5.

Bowers	McCarthy	Strachan	Wiese
Bruce			

Absent or not voting, 11.

Brady	McDermott	Sheridan	Willis
Fabritz	Millhone	Snyder	Mr. Speaker
Hultman	Porter	Swift	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Humeston of Wayne moved that the vote by which Senate File No. 24 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MOTION TO RECONSIDER

Bouska of Howard called up his motion to reconsider the vote by which House File No. 180 was rereferred to the committee on agriculture, filed by him and found on page 491 of the journal of December 19.

Foster of Cedar moved the previous question. Motion prevailed.

A roll call was demanded and on the question "Shall the vote by which House File No. 180 was rereferred to the committee on agriculture be reconsidered?"

The ayes were, 54.

Aldrich	Fabritz	Jensen	Schmitz
Alesch	Falvey	McCarthy	Smith
Augustine	Foster	McDermott	Stanzel
Bonnstetter	Frizzell	McKinnon	Stewart
Bouska	Fuester	Malone	Stimpson
Brady	Gallagher	Maniece	Thiessen
Burgess	Garner	Metcalf	Weed
Craven	Gittinger	Moore of Harrison	Wiese
Cunningham	Goode	Osborn	Willis
Davis	Grell	Ostby	Wolf
Dean	Hartman	Peaco	Yager
Donlon	Hook	Rice	Zipse
Dreessen	Hough	Roe	Zylstra
Elliott	Humeston		

The nays were, 44.

Avery	Bowers	Doran	Felter
Beath	Bruce	Durant	Fletcher
Beswick	Dole	Ellsworth	Fuelling

Digitized by Google

Gissel	Laughlin	Mooty	Sours
Grau	Lichty	Paisley	Speidel
Hanson of Lyon	Lookingbill	Peet	Stansell
Hanson of Winnebago	McCreery	Rawlings	Strachan
Hopp	McLean	Reed	Swift
Hultman	Mercer	Ryder	Thies
Jenkins	Millhone	Schroeder	Treimer
Johnson	Moore of Benton	Snyder	Wieben

Absent or not voting, 10.

Casey	McFarlane	Schlatter	Teter
Crouch	Mitchell	Sheridan	Mr. Speaker
Koch	Porter		

Motion to reconsider prevailed.

Speidel of Washington raised the point of order that the motion to reconsider had lost because the motion required a constitutional majority in order to prevail.

Acting Speaker Gallagher ruled the point of order not well taken and gave the following reason for such a ruling:

The fact that it only takes a majority vote of those voting to rerefer a bill, therefore it only takes a majority of those voting to reconsider the vote.

CONSIDERATION OF BILLS

Ellsworth of Hardin asked and obtained unanimous consent for the immediate consideration of House File No. 278, a bill for an act to amend Chapter Three Hundred Fifty-two a-1 (352-a1), Code, 1931, relating to limitation of claims now filed or hereafter filed against the State Sinking Fund for public deposits and providing for assignment and reassignment of such claims and barring claims not so assigned, and repealing all acts in conflict.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The ayes were, 94.

Aldrich	Bowers	Cunningham	Durant
Alesch	Brady	Davis	Elliott
Augustine	Bruce	Dean	Ellsworth
Avery	Burgess	Dole	Falvey
Beath	Casey	Donlon	Felter
Beswick	Craven	Doran	Fletcher
Bouska	Crouch	Dreessen	Foster

Digitized by Google

Frizzell	Humeston	Osborn	Stanzel
Fuelling	Jensen	Paisley	Stewart
Fuester	Johnson	Peaco	Stimpson
Gallagher	Lichty	Peet	Swift
Gissel	McCarthy	Rawlings	Teter
Gittinger	McCreery	Reed	Thies
Goode	McDermott	Roe	Thiessen
Grau	McFarlane	Ryder	Treimer
Grell	McKinnon	Schlatter	Weed
Hanson of Lyon	McLean	Schmitz	Wieben
Hanson of Winnebago	Maniece	Schroeder	Wiese
	Mercer	Sheridan	Willis
Hartman	Metcalf	Smith	Wolf
Hook	Millhone	Snyder	Yager
Hopp	Mitchell	Sours	Zipse
Hough	Moore of Benton	Speidel	Zylstra
Hultman	Mooty	Stansell	

The nays were, none.

Absent or not voting, 14.

Bonnstetter	Koch	Moore of Harrison	Rice
Fabritz	Laughlin	Ostby	Strachan
Garner	Lookingbill	Porter	Mr. Speaker
Jenkins	Malone		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Ellsworth of Hardin moved that the vote by which House File No. 278 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 264, a bill for an act to amend section fifteen forty-six-a one (1546-a1), Code, 1931, by striking out certain provisions relating to the limitation of fee for the furnishing or procurement of employment by an employment agency and enacting a substitute therefor, was taken up for consideration.

Avery of Clay asked and obtained unanimous consent to withdraw the amendment offered by him and found on page 476 in the journal of December 18.

Avery of Clay called up the amendment filed by him and found on page 544 of the journal of December 27 and moved its adoption. Amendment adopted.

Ellsworth of Hardin offered the following amendment and moved its adoption:

Strike the period in line 8 and add the following: "Nor to the furnishing or procurement of vaudeville acts, circus acts, theatrical, stage or platform attractions or amusement enterprises."

Amendment adopted.

Digitized by Google

McKinnon of Henry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 98.

Aldrich	Falvey	Laughlin	Roe
Alesch	Felter	Lichty	Ryder
Augustine	Fletcher	McCreery	Schlatter
Avery	Foster	McDermott	Schmitz
Beath	Frizzell	McFarlane	Schroeder
Beswick	Fuelling	McKinnon	Sheridan
Bonnstetter	Fuester	McLean	Smith
Bouska	Gallagher	Malone	Snyder
Bowers	Garner	Maniece	Sours
Brady	Gissel	Mercer	Speidel
Bruce	Gittinger	Metcalf	Stewart
Burgess	Goode	Millhone	Stimpson
Casey	Grau	Mitchell	Strachan
Craven	Grell	Moore of Benton	Swift
Crouch	Hanson of Lyon	Moore of Harrison	Teter
Cunningham	Hanson of Winnebago	Mooty	Thies
Davis	Hartman	Osborn	Thiessen
Dean	Hook	Ostby	Treimer
Dole	Hough	Paisley	Weed
Donlon	Hultman	Peaco	Wieben
Doran	Humeston	Peet	Wiese
Dreessen	Jenkins	Rawlings	Willis
Durant	Jensen	Reed	Yager
Elliott	Johnson	Rice	Zipse
Ellsworth			Zylstra

The nays were, none.

Absent or not voting, 10.

Fabritz	Lookingbill	Stansell	Wolf
Hopp	McCarthy	Stanzel	Mr. Speaker
Koch	Porter		

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

McKinnon of Henry moved that the vote by which House File No. 264 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Dole of Jefferson asked and obtained unanimous consent for the immediate consideration of Senate File No. 71, a bill for an act to enable the United States to acquire state lands for National Forests, with report of committee recommending passage.

Goode of Davis called up his motion to amend Senate File No.

Digitized by Google

71 by striking Section 2 from the bill found on page 539 of the journal of December 27.

Millhone of Page moved the previous question on the main bill and amendment. Motion prevailed.

A roll call was demanded on the Goode amendment and on the question, "Shall the Goode amendment be adopted?"

The ayes were, 16.

Beath	Foster	Grell	Stanzel
Crouch	Fuester	McFarlane	Teter
Davis	Goode	McKinnon	Yager
Felter	Grau	Sours	Zipse

The nays were, 77.

Aldrich	Ellsworth	McDermott	Ryder
Alesch	Falvey	McLean	Schmitz
Augustine	Frizzell	Malone	Schroeder
Avery	Fuelling	Maniece	Sheridan
Beswick	Gallagher	Metcalf	Smith
Bonnstetter	Garner	Millhone	Snyder
Bouska	Gissel	Mitchell	Speidel
Bowers	Gittinger	Moore of Benton	Stansell
Bruce	Hanson of Lyon	Moore of Harrison	Stewart
Burgess	Hartman	Mooty	Stimpson
Casey	Hook	Osborn	Swift
Craven	Hopp	Ostby	Thies
Cunningham	Hough	Paisley	Thiessen
Dean	Humeston	Peaco	Treimer
Dole	Jenkins	Peet	Weed
Donlon	Jensen	Rawlings	Wieben
Doran	Johnson	Reed	Wiese
Dreessen	Laughlin	Roe	Willis
Durant	Lichty		Zylstra
Elliott	McCreery		

Absent or not voting, 15.

Brady	Hanson of Winnebago	McCarthy	Schlatter
Fabritz	Hultman	Mercer	Strachan
Fletcher	Koch	Porter	Wolf
	Lookingbill	Rice	Mr. Speaker

Amendment lost.

Dole of Jefferson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Aldrich	Avery	Bonnstetter	Bruce
Alesch	Beath	Bouska	Burgess
Augustine	Beswick	Bowers	Casey

Digitized by Google

Craven	Gittinger	Malone	Schroeder
Crouch	Grau	Maniece	Sheridan
Cunningham	Grell	Metcalf	Snyder
Davis	Hanson of Lyon	Millhone	Sours
Dean	Hartman	Mitchell	Speidel
Dole	Hook	Moore of Benton	Stansell
Donlon	Hopp	Moore of	Stanzel
Doran	Hough	Harrison	Stewart
Dreessen	Hultman	Mooty	Stimpson
Durant	Humeston	Osborn	Swift
Elliott	Jenkins	Paisley	Thies
Ellsworth	Jensen	Peaco	Thiessen
Falvey	Johnson	Peet	Treimer
Felter	Laughlin	Rawlings	Weed
Fletcher	Lichty	Reed	Wieben
Foster	McCarthy	Rice	Wiese
Frizzell	McCreery	Roe	Willis
Fuelling	McDermott	Ryder	Yager
Gallagher	McKinnon	Schlatter	Zylstra
Gissel	McLean	Schmitz	

The nays were, 5.

Fuester	Ostby	Teter	Zipse
Goode			

Absent or not voting, 13.

Brady	Hanson of	McFarlane	Strachan
Fabritz	Winnebago	Mercer	Wolf
Garner	Koch	Porter	Mr. Speaker
	Lookingbill	Smith	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 235, a bill for an act to make an emergency appropriation to the state department of agriculture for the purpose of defraying the necessary expenses now being incurred upon said department by the provisions of chapter four hundred twenty-seven (427), code, 1931, the unbonded agricultural warehouse act.

Also: That the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 20, a bill for an act to amend section six thousand one hundred twenty-five (6125), code, 1931, relating to sewer bonds.

BYRON G. ALLEN, *Secretary.*

Digitized by Google

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. SPEAKER: Your House committee on committee clerks begs leave to report the following clerk assigned to Schmitz of Winneshiek: Doris Ping, to take effect December 27.

LEROY MERCER, *Chairman.*
OVE T. ROE.
F. D. AUGUSTINE, *Committee.*

Report adopted.

ADDITIONAL COPIES ORDERED PRINTED

McKinnon of Henry asked and obtained unanimous consent for the printing of 600 additional copies of House File No. 176.

On motion of Rice of Keokuk the House adjourned until 9:30 o'clock a. m. Friday, December 29.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 29, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. William McClerg, pastor of the First Christian Church, Corning, Iowa.

Journal of December 28, corrected and approved.

PETITIONS AND MEMORIALS

Opposing direct buying of livestock by packers. Zylstra, from the citizens of Sioux county. Referred to the committee on agriculture.

Opposing taxation of fraternal societies. Ryder, from the members and friends of the Lutheran Mutual Aid Society of Waverly, Iowa. Referred to the committee on insurance.

Opposing any action to legalize hard liquors. Cunningham, from the citizens of Polk county. Referred to the committee on liquor control.

Favoring a special tax on chain stores. Cunningham, from the business men of Polk county. Referred to the committee on tax revision.

Favoring House File No. 242 pertaining to street railways. Cunningham, from the citizens of Polk county. Referred to the committee on cities and towns.

Opposing taxation on religious, charitable, and educational organizations. Cunningham, from the voters of Polk county. Referred to the committee on tax revision.

REPORTS OF COMMITTEES

Durant of Hancock, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health to whom was referred

Digitized by Google

House File No. 220, a bill for an act to amend the law as it appears in section twenty-five hundred eleven (2511), and section twenty-five hundred sixteen (2516), Code, 1931, relating to itinerants so as to provide for a license and fee for dentists who practice their profession as itinerants, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

S. B. DURANT, *Chairman.*

Passed on file.

Ellsworth of Hardin, from the committee on banks and banking, submitted the following report:

MR. SPEAKER: Your committee on banks and banking to whom was referred House File No. 257, a bill for an act to amend sections 7420-a9, 7420-b1 and 7420-a18, Code, 1931, relating to proof, certification, amount and manner of filing claims against the State Sinking Fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. E. O. ELLSWORTH, *Chairman.*

Report adopted.

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 271, a bill for an act to accept the provisions of the Act of Congress of the United States of America approved June 6, 1933 entitled, "An Act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system, and for other purposes", and making an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 292, by committee on liquor control, a bill for an act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa; to provide for the licensing and revenue thereof; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation

Digitized by Google

of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly, Chapters ninety-four (94) to one hundred four (104) inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any or all laws or parts of laws inconsistent with this Act.

Read first and second times and placed on calendar.

House File No. 293, by committee on agriculture, a bill for an act to regulate the sale of substitutes for lard as defined herein, by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the Secretary of Agriculture.

Read first and second times and placed on calendar.

House File No. 294 by committee on agriculture, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expense incurred in carrying out the Provisions under the unbonded Agriculture Warehouse Act, imposed on the State Department of Agriculture by the National Corn Loan Provisions.

Read first and second times and referred to committee on appropriations.

House File No. 295 by committee on drainage, a bill for an act to repeal section seven thousand seven hundred fourteen b-one (7714-b1), Code, 1931, relating to drainage refunding bonds, and to enact a substitute therefor, to amend section seven thousand seven hundred fourteen b-ten (7714-b10), Code, 1931, relating to drainage refunding bonds, and to amend Chapter three hundred fifty-eight b-one (358-b1), Code, 1931, relating to drainage refunding bonds, by adding thereto section seven thousand seven hundred fourteen c-one (7714-c1) relating to the redemption of land sold for failure to pay drainage assessments.

Read first and second times and placed on calendar.

Digitized by Google

SENATE MESSAGES CONSIDERED

Senate File No. 228, a bill for an act to make permanent the transfer, in Winneshiek County, Iowa, of certain funds in the secondary road construction fund, and of certain funds in the court expense fund, to the poor fund.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 235, a bill for an act to make an emergency appropriation to the state department of agriculture for the purpose of defraying the necessary expenses now being incurred and imposed upon said department by the provisions of chapter four hundred twenty-seven (427), code, 1931, the unbonded agricultural warehouse act.

Read first and second times and referred to committee on appropriations.

HOUSE FILE NO. 182 REREFERRED

McFarlane of Black Hawk asked and obtained unanimous consent to have House File No. 182 rereferred to the committee on printing.

CONSIDERATION OF COMMITTEE REPORT ON HOUSE FILE NO. 230

Mercer of Johnson moved that the report of the committee on cities and towns recommending indefinite postponement of House File No. 230 be taken up at this time and that the report of the committee be rejected.

McKinnon of Henry moved that action be deferred on the committee report until after tax revision bills have been considered.

A roll call was demanded and on the question, "Shall action be deferred on the report of the committee on cities and towns recommending indefinite postponement of House File No. 230?"

The ayes were, 79.

Aldrich	Bouska	Cunningham	Durant
Alesch	Bowers	Davis	Elliott
Avery	Burgess	Dole	Ellsworth
Beath	Casey	Donlon	Fabritz
Beswick	Craven	Doran	Falvey
Bonnstetter	Crouch	Dreessen	Felter

Digitized by Google

Fletcher	Hopp	Maniece	Stanzel
Foster	Hough	Metcalf	Stewart
Frizzell	Hultman	Millhone	Stimpson
Fuelling	Jensen	Mooty	Teter
Fuester	Johnson	Paisley	Thies
Gallagher	Koch	Peaco	Weed
Garner	Lookingbill	Rawlings	Wieben
Gissel	McCarthy	Reed	Wiese
Goode	McCreery	Rice	Willis
Grau	McDermott	Roe	Wolf
Grell	McFarlane	Schlatter	Yager
Hanson of Winnebago	McKinnon	Schroeder	Zipse
Hartman	McLean	Smith	Zylstra
	Malone	Sours	Mr. Speaker

The nays were, 17.

Augustine	Humeston	Osborn	Strachan
Brady	Lichty	Peet	Swift
Gittinger	Mercer	Ryder	Thiessen
Hanson of Lyon	Moore of Harrison	Schmitz	Treimer
Hook		Speidel	

Absent or not voting, 12.

Bruce	Laughlin	Ostby	Snyder
Dean	Mitchell	Porter	Stansell
Jenkins	Moore of Benton	Sheridan	

Motion prevailed and action was deferred on the committee report.

McFarlane of Black Hawk moved that when the House adjourns tomorrow it reconvene at 1 o'clock p. m. January 2, and that the liquor control bill, House File No. 292, be made a special order at 1:30 o'clock p. m., on the same day.

Speidel of Washington moved to amend the motion by striking the words "1:00 o'clock" and inserting the words "10 o'clock."

A roll call was demanded and on the question "Shall the Speidel amendment be adopted?"

The ayes were, 36.

Avery	Fletcher	Hook	Speidel
Beswick	Foster	Hough	Stanzel
Bonnstetter	Frizzell	Koch	Thies
Brady	Fuester	Lookingbill	Thiessen
Davis	Gallagher	Malone	Treimer
Dole	Gissel	Metcalf	Weed
Durant	Gittinger	Millhone	Wolf
Ellsworth	Grau	Roe	Yager
Felter	Hanson of Lyon	Smith	Zylstra

The nays were, 56.

Aldrich	Beath	Burgess	Crouch
Alesch	Bowers	Casey	Cunningham
Augustine	Bruce	Craven	Dean

Digitized by Google

Donlon	Jensen	Moore of Harrison	Schroeder
Doran	Johnson	Mooty	Snyder
Dreessen	Lichty	Osborn	Sours
Elliott	McCarthy	Paisley	Stewart
Falvey	McCreery	Peaco	Stimpson
Fuelling	McFarlane	Peet	Strachan
Goode	McLean	Rawlings	Swift
Hanson of Winnebago	Maniecee	Reed	Wieben
Hartman	Mercer	Rice	Willis
Hopp	Mitchell	Ryder	Zipse
Hultman	Moore of Benton	Schmitz	Mr. Speaker

Absent or not voting, 16.

Bouska	Humeston	McKinnon	Sheridan
Fabritz	Jenkins	Ostby	Stansell
Garner	Laughlin	Porter	Teter
Grell	McDermott	Schlatter	Wiese

Amendment lost.

A roll call was demanded on the McFarlane motion and on the question, "Shall the motion by McFarlane of Black Hawk prevail?"

The ayes were, 92.

Aldrich	Falvey	Lichty	Ryder
Alesch	Felter	Lookingbill	Schlatter
Augustine	Fletcher	McCarthy	Schmitz
Avery	Foster	McCreery	Schroeder
Beath	Frizzell	McFarlane	Smith
Beswick	Fuelling	McLean	Snyder
Bonnstetter	Garner	Maniece	Sours
Bouska	Gissel	Mercer	Stanzel
Bowers	Gittinger	Metcalf	Stewart
Brady	Goode	Millhone	Stimpson
Bruce	Grau	Mitchell	Swift
Burgess	Grell	Moore of Benton	Teter
Casey	Hanson of Lyon	Moore of Harrison	Thies
Craven	Hanson of Winnebago	Mooty	Thiessen
Crouch	Hartman	Osborn	Treimer
Cunningham	Hook	Paisley	Weed
Davis	Hopp	Peaco	Wieben
Dean	Hough	Peet	Wiese
Dole	Humeston	Rawlings	Willis
Donlon	Jenkins	Reed	Wolf
Doran	Jensen	Rice	Yager
Dreessen	Johnson	Roe	Zipse
Elliott	Koch		Mr. Speaker
Ellsworth			

The nays were, 3.

Durant	Fuester	Zylstra

Absent or not voting, 13.

Fabritz	McDermott	Ostby	Speidel
Gallagher	McKinnon	Porter	Stansell
Hultman	Malone	Sheridan	Strachan
Laughlin			

Motion prevailed.

Digitized by Google

HOUSE FILES REREFERRED

Moore of Harrison asked and obtained unanimous consent to have House File No. 286 rereferred to the committee on motor vehicles and transportation.

Ryder of Dubuque asked and obtained unanimous consent to have House File No. 213 rereferred to the committee on emergency legislation.

Treimer of O'Brien asked and obtained unanimous consent to have House File No. 266 rereferred to the committee on insurance.

SENATE FILE NO. 63 PLACED ON CALENDAR

Doran of Boone asked and obtained unanimous consent to have Senate File No. 63 withdrawn from the committee on county and township affairs and placed on calendar.

MOTION FOR COMMITTEE OF THE WHOLE

Rice of Keokuk moved that the House resolve itself into a committee of the whole at 2 p. m. to-day, to discuss House File No. 292, and that the floor be denied to all except members of the House, the press and the desk force. Motion prevailed.

CONSIDERATION OF BILLS

Rawlings of Monona asked and obtained unanimous consent for the immediate consideration of Senate File No. 85, a bill for an act to repeal sections three thousand eighty-nine (3089), three thousand ninety (3090), three thousand ninety-one (3091), and three thousand ninety-two (3092), Code, 1931, and to enact substitutes therefor, relating to the Iowa Butter Trademark; and to create the Iowa Butter Control Board, to define its powers and duties, and to vest title to the Iowa State Butter Trademark in the Iowa Trademark Butter Association, with report of committee recommending amendment and passage.

On motion of Rawlings of Monona the amendments proposed by the committee, found on pages 423, 424 and 425, of the journal of December 14, were adopted.

Gallagher of Iowa asked and obtained unanimous consent to have the chief clerk hyphenate the word "trade-mark" wherever it appears in the amendment.

Digitized by Google

Zylstra of Sioux moved to amend the committee amendment as adopted by striking lines 44 and 45 of Section 1 which strikes the following:

"The Iowa Butter Control Board shall retain all supervision and control over the manufacture and sale of all butter to be sold under said trademark."

Speidel of Washington moved the previous question on the main bill and pending amendment. Motion lost.

Teter of Marion moved as a substitute amendment to strike the words "and sale" from line 45 of section 1 of the committee amendment as adopted.

Maniece of Emmet moved the previous question on the main bill and amendments. Motion prevailed.

A roll call was demanded on the Teter substitute and on the question "Shall the substitute amendment by Teter of Marion be adopted?"

The ayes were, 23.

Alesch	Fuester	McKinnon	Thiessen
Augustine	Garner	McLean	Willis
Beswick	Gittinger	Metcalf	Yager
Bowers	Goode	Stanzel	Zipse
Craven	Hook	Stewart	Zylstra
Davis	Jensen	Teter	

The nays were, 70.

Aldrich	Felter	Koch	Peet
Avery	Fletcher	Lichty	Rawlings
Beath	Frizzell	Lookingbill	Reed
Bonnstetter	Fuelling	McCarthy	Roe
Bouska	Gallagher	McCreery	Ryder
Bruce	Gissel	McDermott	Schmitz
Burgess	Grau	McFarlane	Schroeder
Casey	Grell	Maniece	Smith
Crouch	Hanson of Lyon	Mercer	Snyder
Cunningham	Hanson of Winnebago	Millhone	Sours
Dean	Hartman	Mitchell	Speidel
Dole	Hopp	Moore of Benton	Stimpson
Donlon	Hough	Moore of Harrison	Thies
Doran	Hultman	Mooty	Treimer
Dreessen	Humeston	Osborn	Weed
Durant	Jenkins	Ostby	Wieben
Elliott	Johnson	Paisley	Wiese
Ellsworth			Wolf

Absent or not voting, 15.

Brady	Laughlin	Rice	Strachan
Fabritz	Malone	Schlatter	Swift
Falvey	Peaco	Sheridan	Mr. Speaker
Foster	Porter	Stansell	

Substitute amendment lost.

Digitized by Google

A roll call was demanded on the Zylstra amendment and on the question, "Shall the Zylstra amendment be adopted?"

The ayes were, 23.

Beswick	Gittinger	McLean	Thiessen
Bowers	Goode	Peaco	Willis
Craven	Grell	Smith	Yager
Davis	Hook	Stanzel	Zipse
Fuester	Jensen	Stewart	Zylstra
Garner	McKinnon	Teter	

The nays were, 71.

Aldrich	Ellsworth	Koch	Paisley
Alesch	Felter	Lichty	Peet
Augustine	Fletcher	Lookingbill	Rawlings
Avery	Frizzell	McCarthy	Reed
Beath	Fuelling	McCreery	Roe
Bonnstetter	Gallagher	McDermott	Ryder
Bouska	Gissel	McFarlane	Schmitz
Bruce	Grau	Maniece	Schroeder
Burgess	Hanson of Lyon	Mercer	Snyder
Casey	Hanson of Winnebago	Metcalf	Sours
Crouch	Hartman	Millhone	Speidel
Cunningham	Hopp	Mitchell	Stimpson
Dean	Hough	Moore of Benton	Strachan
Dole	Hultman	Moore of Harrison	Treimer
Donlon	Humeston	Mooty	Weed
Doran	Jenkins	Osborn	Wieben
Dreessen	Johnson	Ostby	Wiese
Durant			Wolf
Elliott			

Absent or not voting, 14.

Brady	Laughlin	Schlatter	Swift
Fabritz	Malone	Sheridan	Thies
Falvey	Porter	Stansell	Mr. Speaker
Foster	Rice		

Amendment lost.

Sours of Floyd moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Burgess	Elliott	Grau
Alesch	Casey	Ellsworth	Hanson of Lyon
Augustine	Craven	Fabritz	Hanson of Winnebago
Avery	Crouch	Falvey	Hartman
Beath	Cunningham	Felter	Hook
Beswick	Dean	Fletcher	Hopp
Bonnstetter	Dole	Frizzell	Hough
Bouska	Donlon	Fuelling	Hultman
Bowers	Doran	Gallagher	Humeston
Brady	Dreessen	Garner	Jenkins
Bruce	Durant	Gissel	

Digitized by Google

Jensen	Mercer	Peet	Speidel
Johnson	Metcalf	Porter	Stewart
Koch	Millhone	Rawlings	Stimpson
Lichty	Mitchell	Reed	Strachan
Lookingbill	Moore of Benton	Roe	Swift
McCarthy	Moore of	Ryder	Thies
McCreery	Harrison	Schlatter	Thiessen
McDermott	Mooty	Schmitz	Treimer
McFarlane	Osborn	Schroeder	Wieben
McLean	Ostby	Smith	Wiese
Malone	Paisley	Snyder	Willis
Maniece	Peaco	Sours	Wolf

The nays were, 9.

Fuester	Grell	Stanzel	Zipse
Gittinger	McKinnon	Yager	Zylstra
Goode			

Absent or not voting, 10.

Davis	Porter	Stansell	Weed
Foster	Rice	Teter	Mr. Speaker
Laughlin	Sheridan		

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, agreed to.

Bonnstetter of Kossuth moved that the vote by which Senate File No. 85 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 226, 122, 97, 19, and 20; House Files No. 28, 84 and 141.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills:

House Files No. 28, 84, and 141.

Senate Files No. 226, 122, 97, 19 and 20.

Digitized by Google

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 29th day of December, 1933, sent to the Governor for his approval: House Files No. 28, 84, and 141.

WM. KOCH, *Chairman.*

Report adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 88, a bill for an act to make permanent the transfer of funds from the secondary road fund of Buchanan county to the poor fund of said county.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

Senate File No. 169, a bill for an act to prohibit "marathon dances", "walkathons", "skatathons", or and endurance contest in the State of Iowa, and providing penalties for any person, firm or corporation participating in, attending or promoting such contests.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 165, a bill for an act to amend section fifty-three hundred thirty-seven (5337), Code, 1931, as amended by Chapter one hundred twenty-one (121), section twenty-eight (28), Acts of the Forty-fifth General Assembly, relating to the levying of a poor tax for the support of the poor.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 165

Amend House File 165 by adding the following:

"Sec. 2. Amend Section Three Hundred Eighty-eight (388) of the Code of Iowa, 1931, by striking the period (.) at the end of said section and by adding the following: ', and provided further that after December 31, 1934 no transfer shall be made to a poor fund unless there is a shortage in said fund after the maximum permissible levy has been made for said fund.' "

Further amend House File 165 by adding the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Kossuth County Advance, a newspaper published at Algona, Iowa, and the Milton Herald, a newspaper published at Milton, Iowa."

Further amend House File 165 by striking the period (.) at the end of the title and inserting in lieu thereof the following: "; to amend Sec-

Digitized by Google

tion Three Hundred Eighty-eight (388) of the Code of Iowa, 1931, relating to the authority to make transfers from one fund to another fund, and limiting the authority to make such transfers."

ADDITIONAL COPIES ORDERED PRINTED

Fabritz of Wapello asked and obtained unanimous consent for the printing of 900 additional copies of House File No. 292.

On motion of Brady of Pottawattamie the House recessed until 2 o'clock today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

COMMITTEE OF THE WHOLE

The time for the House to resolve itself into a committee of the whole to discuss House File No. 292 having arrived, the Speaker called Bruce of Pocahontas to the chair, and the floor was cleared in accordance with the motion by Rice of Keokuk, which prevailed this morning.

Sours of Floyd moved that the committee of the whole rise. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 24 and 71.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 24 and 71.

Digitized by Google

AMENDMENTS FILED

McFarlane of Black Hawk filed the following substitute amendment:

Amend House File No. 27 by striking all after the enacting clause and substituting therefor the following:

"Section 1. Chapter thirty-seven (37) section twenty-seven (27), Acts of the Forty-fifth (45th) General Assembly, is amended as follows:

1. Strike from line twenty-five (25), the period (1), and insert in lieu thereof the following:

'; hotels, inns or taverns who secured a permit in the year 1933 having more than one hundred (100) and less than two hundred fifty (250) guest rooms, operated as summer resorts for not more than six months (6), of any calendar year, shall pay a permit fee of seventy-five dollars ($75.00).

2. Strike from line twenty-seven (27), the period (.), and insert in lieu thereof the following:

'; hotels, inns or taverns who secured a permit in the year 1933 having one hundred (100) guest rooms or less, operated as summer resorts for not more than six (6) months, of any calendar year, shall pay a permit fee of fifty dollars ($50.00).

Amend the substitute amendment by adding thereto the following:

Amend Chapter 37 in the Laws of the Forty-fifth General Assembly, Section seven (7), line six, (6), by striking the second "s" in the word "causes," and all thereafter, and inserting in lieu thereof a period, (.).

Ellsworth of Hardin filed the following amendment:

Amend House File No. 257 as follows:

1. Strike all of Section one (1) and insert in lieu thereof the following:

"Section 1. That section seventy-four hundred twenty-a9 (7420-a9), Code, 1931, is hereby amended by inserting the following after the word "bankruptcy" in line four (4) thereof: "or has been heretofore or is hereafter reorganized, either by reopening, sale to another bank of all or part of its assets with assumption of all or part of deposit liability, consolidation with another bank, purchase of part or all of assets of another bank, merger with another bank or banks, or in any manner authorized by Chapters 156, 159 and 160 of the Acts of the Forty-Fifth General Assembly, as amended, or by the National Bank Conservation Act, and especially Section 207 of Title II thereof, and trust certificates have issued pursuant to depositors agreements; or whenever any bank that has assumed all or part of the deposit liability of a depository bank, has heretofore or is hereafter reorganized in any manner authorized by Chapters 156, 159 and 160 of the Acts of the Forty-fifth General Assembly, as amended, or by the National Bank Conservation Act and especially Section 207 of Title II thereof, and trust certificates have issued pursuant to depositors agreements."

2. Further amend by striking from Section three (3) all of lines eight (8) to twenty-seven (27) inclusive and inserting in lieu thereof the following:

Digitized by Google

"Whenever or wherever any depository bank or any bank which has assumed the whole or any part of the deposit liability of a depository bank, has been heretofore or is hereafter closed and placed in the hands of a receiver or trustee in bankruptcy, or has been heretofore or is hereafter reorganized, either by re-opening, sale to another bank of a part or all of its assets with the assumption of all or part of deposit liability, consolidation with another bank, purchase of part or all of the assets of another bank, merger with another bank or banks or in any manner authorized by Chapters 156, 159 and 160 of the Acts of the Forty-fifth General Assembly, as amended, or the National Bank Conservation Act and especially Section 207 of Title II thereof, and trust certificates have issued pursuant to provisions of depositors agreements, the State of Iowa or any county, city, town, school district or township, having public funds on deposit therein, may by its governing board at such board's discretion, by written resolution or order, entered of record in the minutes of such board, or Executive Council, as the case may be, order and direct its treasurer or other officer to file with and"

3. Further amend by striking from Section four (4) lines ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14) and fifteen (15) and inserting in lieu thereof the following:

"Unless either the bank liable therefor, or claimant has paid all interest due the State Sinking Fund for public deposits to the date of its reorganization, both on that part of claimant's deposit left in the bank and that part represented by the trust certificate, the Treasurer of State may refuse to file the claim of such claimant."

4. Further amend by striking the quotation marks at the end of Section six (6) and adding the following:

"Until the depositor has been paid in full from the Sinking Fund, it may share in the distribution of the assets of the bank or trust fund."

5. Amend the title to read:

"An Act to amend Sections seventy-hour hundred twenty-a9 (7420-a9), seventy-four hundred twenty-b1 (7420-b1) and seventy-four hundred twenty-a18 (7420-a18), Code, 1931, relating to proof, certification, amount and manner of filing claims against the State Sinking Fund for public deposits where a bank or trust company has reorganized and trust certificates have issued; and also relating to payment, interest, presentation of objections regarding such claims, distribution by trustees, rights of Treasurer of State and rights of public depositor; and providing rules for construction."

Speidel of Washington filed the following amendment:

Amend the substitute for House File 280, Section two (2), line one (1), by striking the word "may" and inserting in lieu thereof the word "shall".

On the motion of Sours of Floyd the House adjourned until 10 o'clock a. m. Saturday, December 30.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, DECEMBER 30, 1933.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven, Pastor of the A. M. E. Church, Des Moines, Iowa.

Journal of December 29, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: McCarthy of Woodbury for the day, on request of Swift of Dubuque; Johnson of Linn for the day, on request of Dole of Jefferson; Laughlin of Fremont for the day, on request of Roe of Allamakee; Moore of Harrison for the day, on request of Maniece of Emmet; Willis of Dallas for the day, on request of Wolf of Franklin; Rawlings of Monona for the day, on request of McLean of Marshall; Paisley and Sheridan of Lee for the day, on request of Casey of Mitchell.

PETITIONS AND MEMORIALS

Opposing the Brookings Institute Bill. Wiese, from the Farmers Educational and Co-operative Union of Scott county. Referred to the committee on tax revision.

Opposing the creating of a hydro-electric power commission. Wiese, from the Farmers Educational and Co-operative Union of Scott county. Referred to the committee on public utilities.

Opposing direct buying of livestock by packers. Wiese, from the Farmers Educational and Co-operative Union of Scott county. Referred to the committee on agriculture.

Opposing certain provisions of the liquor control bill. Wiese, from the W. C. T. U. Referred to the committee on liquor control.

HOUSE FILE 228 PLACED ON THE CALENDAR

Smith of Cherokee asked that House File No. 228 be recalled

Digitized by Google

from the committee on public utilities and placed on calendar. So ordered by the Speaker.

ADDITIONAL COPIES ORDERED PRINTED

Malone of Cass asked and obtained unanimous consent to have 600 additional copies of House File No. 180 printed with the proposed amendments incorporated.

Schmitz of Winneshiek asked and obtained unanimous consent to have 300 additional copies of House File No. 253 printed.

REPORTS OF COMMITTEES

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 20, a bill for an act to repeal section twelve (12), chapter eighty-nine (89), Acts 45th General Assembly, and to enact a substitute therefor, relating to the salary of the superintendent of the Hospital for Epileptics and School for Feebleminded, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 171, a bill for an act to amend section sixty-nine hundred fifty-three (6953), Code, 1931, so as to provide for the taxation of annuity contracts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

By striking all of section two (2), the publication clause.

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 194, a bill for an act to amend paragraph four (4) of section one (1), chapter one hundred twenty-five (125), Acts of the 45th General Assembly, relating to the reimbursement of school districts because of tax-free land within such districts, beg leave to report they have had the same under consideration and have instructed me to report

Digitized by Google

the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1, to whom was referred House File No. 200, a bill for an act to amend sections thirty-five hundred fifty-two (3552), thirty-five hundred sixty-seven (3567), and thirty-five hundred eighty-one (3581), Code, 1931, relating to the commitment of persons found to be insane to state or private hospitals and to provide for the payment of costs, care and support of such insane persons, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. BRADY, *Chairman.*

Passed on file.

Burgess of Woodbury, from the committee on aeronautics, submitted the following report:

MR. SPEAKER: Your committee on aeronautics to whom was referred House File No. 223, a bill for an act to create a commission of aeronautics; to prescribe the powers and duties thereof; to provide for investigations and hearings by said commission; to provide for certain law enforcement duties thereof, and for appeal from the orders of said commission, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JAS. BURGESS, *Chairman.*

Report adopted.

Swift of Dubuque, from the committee on building and loan, submitted the following report:

MR. SPEAKER: Your committee on building and loan to whom was referred House File No. 236, a bill for an act to provide for increasing annual fees to be paid to the Auditor of State by building and loan associations; to provide for appointment by the Auditor of State of a chief examiner of building and loan associations; to fix the maximum salary of such chief examiner; to make appropriation for the same and to repeal sections ninety-three hundred twenty-three (9323) to ninety-three hundred twenty-seven (9327) both inclusive, ninety-three hundred thirty-two (9332), ninety-three hundred thirty-five (9335), ninety-three hundred thirty-seven (9337), ninety-three hundred thirty-eight (9338), ninety-three hundred forty-five (9345) and ninety-three hundred fifty-nine (9359) and ninety-three hundred eighty-one (9381), Code, 1931, together with amendments thereto, and to amend section ninety-three hundred and eighty (9380) Code, 1931, beg leave to report they have had the same

Digitized by Google

under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

SAM SWIFT, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 249, a bill for an act to amend section seventy-four hundred twenty-d one (7420-d1), Code of Iowa, 1931, relating to deposits of public funds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section seventy-four hundred twenty-d one (7420-d1), Code of Iowa, 1931, is amended by inserting after the word 'funds' at the end of line six (6), the following: 'and all trust or other funds'."

JOHN F. BRADY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 252, a bill for an act to amend section sixty-nine hundred forty-four (6944), Code, 1931, by striking therefrom sub-section five (5); to amend section forty-seven hundred fifty-three-a thirteen (4753-a13), Code, 1931; relating to exemption from taxation of bonds and certificates issued by municipalities, school districts, drainage and levy districts, and counties within the State of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. BRADY, *Chairman.*

Passed on file.

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 268, a bill for an act to amend Chapter Six Hundred Sixteen-D-One (616-D1) Code 1931, relating to the Police Radio Broadcasting System and to provide an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Digitized by Google

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 118, a bill for an act to make an appropriation for Ed. A. Schmidt, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 149, a bill for an act to make an appropriation to Robert A. Turpin, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred Senate File No. 184, a bill for an act to amend chapter seven (7), section six (6), acts of the forty-fifth general assembly, relating to reports on the auditing of financial records of counties, schools, cities and towns, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 296 by committee on appropriations, a bill for an act to amend Section thirty-four (34), Chapter One hundred eighty-eight (188), laws of the forty-fifth General Assembly, relating to payments to the State Printing Board, for work and supplies furnished to certain state departments.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 88, a bill for an act to make permanent the transfer of funds from the secondary road construction fund of Buchanan county to the poor fund of said county.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 169, a bill for an act to prohibit "marathon dances," "walkathons," "skatathons", or any endurance contest in the State of Iowa, and providing penalties for any person, firm or corporation participating in attending or promoting such contests.

Read first and second times and referred to committee on judiciary No. 2.

CONSIDERATION OF SENATE AMENDMENTS

On request of Strachan of Humboldt, unanimous consent having been given, House File No. 165, a bill for an act to amend section fifty-three hundred thirty-seven (5337), Code, 1931, as amended by Chapter one hundred twenty-one (121), section twenty-eight (28), Acts of the Forty-fifth General Assembly, relating to the levying of a poor tax for the support of the poor, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE NO. 165

Amend House File 165 by adding the following:

"Sec. 2. Amend Section Three Hundred Eighty-eight (388) of the Code of Iowa, 1931, by striking the period (.) at the end of said section and by adding the following: ', and provided further that after December 31, 1934, no transfer shall be made to a poor fund unless there is a shortage in said fund after the maximum permissible levy has been made for said fund.'"

Further amend House File 165 by adding the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Kossuth County Advance, a newspaper published at Algona, Iowa, and the Milton Herald, a newspaper published at Milton, Iowa."

Further amend House File 165 by striking the period (.) at the end of the title and inserting in lieu thereof the following: "; to amend Section Three Hundred Eighty-eight (388) of the Code of Iowa, 1931, relating to the authority to make transfers from one fund to another fund, and limiting the authority to make such transfers."

Reed of Mahaska offered the following amendment to the Senate amendment and moved its adoption.

Amend the Senate amendment to House File No. 165 by inserting after the word "no" in the fourth line thereof the word "permanent".

Amendment lost.

Digitized by Google

Mr. Strachan moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 83.

Aldrich	Elliott	Humeston	Schroeder
Alesch	Ellsworth	Jenkins	Smith
Augustine	Fabritz	Jensen	Snyder
Avery	Felter	Koch	Sours
Beath	Fletcher	Lookingbill	Speidel
Beswick	Foster	McCreery	Stanzel
Bonnstetter	Frizzell	McDermott	Stewart
Bouska	Fuelling	McKinnon	Strachan
Bowers	Fuester	McLean	Swift
Bruce	Gallagher	Malone	Teter
Burgess	Garner	Maniece	Thies
Casey	Gissel	Mercer	Thiessen
Craven	Gittinger	Metcalf	Treimer
Crouch	Grell	Millhone	Weed
Cunningham	Hanson of Lyon	Osborn	Wieben
Davis	Hanson of Winnebago	Reed	Wiese
Dean	Hartman	Rice	Wolf
Dole	Hook	Roe	Yager
Donlon	Hopp	Ryder	Zipse
Dreessen	Hough	Schlatter	Zylstra
Durant		Schmitz	Mr. Speaker

The nays were, 5.

Goode	Ostby	Peaco	Stimpson
Grau			

Absent or not voting, 20.

Brady	Lichty	Moore of Harrison	Porter
Doran	McCarthy	Mooty	Rawlings
Falvey	McFarlane	Paisley	Sheridan
Hultman	Mitchell	Peet	Stansell
Johnson	Moore of Benton		Willis
Laughlin			

So the House concurred in the Senate amendments to House File No. 165.

HOUSE FILE NO. 162 REREFERRED

Rice of Keokuk asked and obtained unanimous consent to have House File No. 162 rereferred to the committee on judiciary No. 1.

CONSIDERATION OF BILLS

Grau of Buena Vista asked and obtained unanimous consent for the immediate consideration of House File No. 289, a bill for an act amending Section nine thousand fifty-eight (9058), Code of 1931, relative to provisions of bonds of certain Mutual Insurance Companies.

Digitized by Google

Grau of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Aldrich	Durant	Hough	Schmitz
Alesch	Elliott	Jenkins	Schroeder
Augustine	Ellsworth	Jensen	Smith
Avery	Fabritz	Koch	Snyder
Beath	Falvey	Lookingbill	Sours
Beswick	Felter	McCreery	Speidel
Bouska	Fletcher	McDermott	Stanzel
Bowers	Foster	McKinnon	Stewart
Brady	Frizzell	McLean	Stimpson
Bruce	Fuelling	Malone	Strachan
Burgess	Fuester	Maniece	Swift
Casey	Gallagher	Mercer	Thies
Craven	Garner	Metcalf	Thiessen
Crouch	Gissel	Millhone	Treimer
Cunningham	Gittinger	Osborn	Weed
Davis	Grau	Peaco	Wieben
Dean	Grell	Reed	Wiese
Dole	Hanson of Lyon	Roe	Zylstra
Donlon	Hook	Ryder	Mr. Speaker
Dreessen	Hopp	Schlatter	

The nays were, 3.

Hartman	Humeston	Zipse

Absent or not voting, 26.

Bonnstetter	Laughlin	Mooty	Sheridan
Doran	Lichty	Ostby	Stansell
Goode	McCarthy	Paisley	Teter
Hanson of Winnebago	McFarlane	Peet	Willis
Hultman	Mitchell	Porter	Wolf
Johnson	Moore of Benton	Rawlings	Yager
	Moore of Harrison	Rice	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Grau of Buena Vista moved that the vote by which House File No. 289 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Ellsworth of Hardin asked and obtained unanimous consent for the immediate consideration of Senate File No. 157, a bill for an act in reference to private banks and their examination and regulation by the superintendent of banks and to amend section ninety-one hundred forty-three (9143), Code, 1931, relating to fees for examination.

Digitized by Google

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Ellsworth	Humeston	Schroeder
Alesch	Fabritz	Jenkins	Smith
Augustine	Falvey	Jensen	Snyder
Avery	Felter	Koch	Sours
Beath	Fletcher	Lookingbill	Speidel
Beswick	Foster	McCreery	Stanzel
Bouska	Frizzell	McDermott	Stewart
Bowers	Fuelling	McKinnon	Stimpson
Brady	Fuester	McLean	Strachan
Bruce	Gallagher	Maniece	Swift
Burgess	Garner	Mercer	Teter
Casey	Gissel	Metcalf	Thies
Craven	Gittinger	Millhone	Thiessen
Crouch	Goode	Osborn	Treimer
Cunningham	Grell	Ostby	Weed
Davis	Hanson of Lyon	Peaco	Wieben
Dean	Hanson of Winnebago	Reed	Wiese
Dole	Hartman	Rice	Wolf
Donlon	Hook	Roe	Yager
Dreessen	Hopp	Ryder	Zipse
Durant	Hough	Schlatter	Zylstra
Elliott		Schmitz	Mr. Speaker

The nays were, none.

Absent or not voting, 21.

Bonnstetter	Lichty	Moore of Harrison	Porter
Doran	McCarthy	Mooty	Rawlings
Grau	McFarlane	Paisley	Sheridan
Hultman	Malone	Peet	Stansell
Johnson	Mitchell		Willis
Laughlin	Moore of Benton		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Ellsworth of Hardin moved that the vote by which Senate File No. 157 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Stanzel of Sac asked and obtained unanimous consent for the immediate consideration of House File No. 96, a bill for an act to amend section sixty-nine hundred fifty-six (6956) code, 1931, relating to the responsibility for listing moneys and credits for tax purposes; and to amend chapter three hundred thirty (330), code, 1931, by adding a section relating to a five mill reduction in the tax levy on real estate and/or personal property, with report of committee recommending passage.

Digitized by Google

Goode of Davis called up the amendment filed by him and found on page 465 of the journal of December 14 and moved its adoption.

Amendment adopted.

Fabritz of Wapello moved to defer action on House File No. 96. Motion lost.

Jensen of Audubon moved the previous question. Motion prevailed.

Stanzel of Sac moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 75.

Aldrich	Falvey	Koch	Schmitz
Alesch	Felter	Lookingbill	Schroeder
Avery	Fletcher	McCreery	Snyder
Beath	Foster	McDermott	Speidel
Bonnstetter	Fuester	McKinnon	Stanzel
Bouska	Garner	McLean	Stewart
Bowers	Gissel	Malone	Stimpson
Brady	Gittinger	Maniece	Strachan
Bruce	Goode	Mercer	Swift
Casey	Grau	Metcalf	Teter
Craven	Hanson of Lyon	Millhone	Thies
Cunningham	Hanson of Winnebago	Moore of Benton	Thiessen
Davis	Hartman	Osborn	Treimer
Dean	Hook	Ostby	Weed
Dole	Hough	Reed	Wiese
Donlon	Humeston	Rice	Wolf
Dreessen	Jenkins	Roe	Yager
Ellsworth	Jensen	Ryder	Zipse
Fabritz		Schlatter	Zylstra

The nays were, 8.

Burgess	Frizzell	Gallagher	Peaco
Durant	Fuelling	Grell	Sours

Absent or not voting, 25.

Augustine	Johnson	Moore of Harrison	Sheridan
Beswick	Laughlin	Mooty	Smith
Crouch	Lichty	Paisley	Stansell
Doran	McCarthy	Peet	Wieben
Elliott	McFarlane	Porter	Willis
Hopp	Mitchell	Rawlings	Mr. Speaker
Hultman			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

McKinnon of Henry moved that the vote by which House File No. 96 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Digitized by Google

Osborn of Decatur asked and obtained unanimous consent for the immediate consideration of House File No. 235, a bill for an act to invest the Auditor of State with power to authorize county treasurers in certain instances to discontinue the carrying of certain items of account on the books of his office, and to apportion certain losses in public revenues among taxing districts, with report of committee recommending amendment and passage.

Osborn of Decatur called up the amendment filed by him and found on page 543 of the journal of December 27, and moved its adoption. Amendment adopted.

Jensen of Audubon asked and obtained unanimous consent to withdraw the committee amendment found on page 401 of the journal of December 13.

Osborn of Decatur moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Fabritz	Jenkins	Schmitz
Alesch	Falvey	Jensen	Schroeder
Augustine	Felter	Koch	Snyder
Avery	Fletcher	Lookingbill	Sours
Beath	Foster	McCreery	Speidel
Beswick	Frizzell	McDermott	Stanzel
Bonnstetter	Fuelling	McKinnon	Stewart
Bouska	Fuester	McLean	Stimpson
Bowers	Gallagher	Malone	Strachan
Bruce	Garner	Maniece	Swift
Burgess	Gissel	Mercer	Teter
Casey	Gittinger	Metcalf	Thies
Craven	Goode	Millhone	Thiessen
Crouch	Grau	Mitchell	Treimer
Cunningham	Grell	Moore of Benton	Weed
Davis	Hanson of Winnebago	Osborn	Wieben
Dole	Hartman	Ostby	Wiese
Donlon	Hook	Peaco	Wolf
Dreessen	Hopp	Reed	Yager
Durant	Hough	Roe	Zipse
Elliott	Humeston	Ryder	Zylstra
Ellsworth		Schlatter	Mr. Speaker

The nays were, none.

Absent or not voting, 21.

Brady	Laughlin	Mooty	Rice
Dean	Liehty	Paisley	Sheridan
Doran	McCarthy	Peet	Smith
Hanson of Lyon	McFarlane	Porter	Stansell
Hultman	Moore of Harrison	Rawlings	Willis
Johnson			

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House.

Osborn of Decatur asked and obtained unanimous consent to have the Chief Clerk amend the title to House File 235 as follows:

Amend the title by striking the word "county" from line 2; also amend line 2 by inserting following the word "treasurers", the words "of any taxing district or political subdivision."

Amend lines 4 and 5 by striking the words "taxing districts", and inserting in lieu thereof the words "funds in hands of the treasurers."

The title as amended was agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 153, a bill for an act to authorize and provide a method for the discontinuance of the "Stamp-Note Plan" as authorized by Section 103, laws of the Forty-fifth General Assembly, and to authorize the retirement and redemption by counties that have adopted the Stamp-Note Plan.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 265, a bill for an act relating to license fees for the operation of an employment agency, and to enact a substitute therefore.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 6, a bill for an act to amend section seven thousand two hundred thirty-seven (7237), Code 1931, relating to remission of taxes in case of loss.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked: :

Senate File No. 141, a bill for an act to legalize the proceedings of the board of directors of The Elgin-Brainard Farmers Cooperative Company of Elgin, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 126, a bill for an act authorizing courts to enter rule for mental examination of persons who affirmatively plead their own mental disability in any legal proceedings to which they are parties.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 109, a bill for an act relating to the limitation on expenditures of certain municipalities. BYRON G. ALLEN, *Secretary.*

Digitized by Google

SENATE AMENDMENTS TO HOUSE FILE 265

Amend the title of House File 265 by striking the word "therefore" and inserting in lieu thereof the word "therefor".

Amend House File 265 by striking the word "liew" from line three of section one (1) and inserting in lieu thereof the word "lieu".

COMMITTEE OF THE WHOLE

Rice of Keokuk moved that the House resolve itself into a Committee of the Whole for the further discussion of House File No. 292. Motion prevailed.

The Speaker called McKinnon of Henry to the chair.

Reed of Mahaska moved that the Committee of the Whole rise. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as Committee Clerk of the House for T. G. Jensen to take effect January 1, 1934. ARCHIE SHAFER.

Reed of Mahaska moved that the House adjourn. Motion prevailed, and the House stands adjourned to 1 o'clock p. m., Tuesday, January 2, 1934, in accordance with the motion by McFarlane of Black Hawk and found on page 563 in the journal of December 29.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 2, 1934.

The House met pursuant to adjournment, Gallagher of Iowa in the chair at the request of the Speaker.

Prayer was offered by the Rev. R. L. L. Barnstable, pastor Asbury M. E. Church, Des Moines, Iowa.

Journal of December 30, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Mercer of Johnson for the day, on request of Koch of Bremer; Hartman of Des Moines for the day, on request of Hough of Fayette.

SENATE MESSAGES CONSIDERED

Senate File No. 109, a bill for an act to amend section three hundred eighty (380), Code, 1931, as amended by chapter fourteen (14), Acts Forty-fifth (45th) General Assembly, relating to the limitation on expenditures of certain municipalities.

Read first and second times and referred to committee on cities and towns.

Senate File No. 126, a bill for an act authorizing courts to enter rule for mental examination of persons who affirmatively plead their own mental disability in any legal proceedings to which they are parties.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 141, a bill for an act to legalize the proceedings of the board of directors of The Elgin-Brainard Farmers Cooperative Company of Elgin, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 153, a bill for an act to authorize, and provide a

Digitized by Google

method for the discontinuance of the "Stamp-Note Plan" as authorized by Section 103, Laws of the Forty-fifth General Assembly, and to authorize the retirement and redemption by counties that have adopted the Stamp-Note Plan, of stamp-notes issued in the name of the county.

Read first and second times and referred to committee on banks and banking.

ADDITIONAL COPIES ORDERED PRINTED

Strachan of Humboldt asked and obtained unanimous consent for the printing of 600 additional copies of House File No. 131.

CONSIDERATION OF BILLS

Doran of Boone asked and obtained unanimous consent for the immediate consideration of Senate File No. 63, a bill for an act to amend sections four hundred eighty-four (484) and four hundred ninety-two (492) of the Code, 1931, relating to memorial buildings and monuments, petitions and qualifications, and method of appointing commissioners.

Doran of Boone moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Fuester	McDermott	Schmitz
Alesch	Gallagher	McFarlane	Sheridan
Augustine	Garner	McKinnon	Smith
Avery	Gissel	McLean	Snyder
Beswick	Gittinger	Malone	Sours
Bonnstetter	Goode	Metcalf	Speidel
Bowers	Grau	Millhone	Stansell
Bruce	Grell	Mitchell	Stanzel
Burgess	Hanson of Lyon	Moore of Benton	Stewart
Casey	Hanson of Winnebago	Moore of Harrison	Strachan
Craven	Hopp	Mooty	Swift
Davis	Hough	Osborn	Teter
Dole	Hultman	Ostby	Thies
Donlon	Humeston	Paisley	Thiessen
Doran	Jensen	Peaco	Treimer
Durant	Johnson	Peet	Weed
Ellsworth	Koch	Reed	Wiese
Falvey	Lookingbill	Roe	Wolf
Felter	McCarthy	Ryder	Yager
Fletcher	McCreery	Schlatter	Zipse
Frizzell			Zylstra
Fuelling			

Digitized by Google

The nays were, none.

Absent or not voting, 25.

Beath	Elliott	Laughlin	Rice
Bouska	Fabritz	Lichty	Schroeder
Brady	Foster	Maniece	Stimpson
Crouch	Hartman	Mercer	Wieben
Cunningham	Hook	Porter	Willis
Dean	Jenkins	Rawlings	Mr. Speaker
Dreessen			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Doran of Boone moved that the vote by which Senate File No. 63 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

CONSIDERATION OF SENATE AMENDMENTS

On request of Davis of Appanoose unanimous consent having been given, House File No. 265, a bill for an act to repeal section fifteen fifty-one-c four (1551-c4), Code, 1931, relating to license fees for the operation of an employment agency, and to enact a substitute therefor, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 265

Amend the title of House File 265 by striking the word "therefore" and inserting in lieu thereof the word "therefor".

Amend Houes File 265 by striking the word "liew" from line three of section one (1) and inserting in lieu thereof the word "lieu".

Mr. Davis moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 74.

Aldrich	Doran	Grau	Lookingbill
Alesch	Durant	Grell	McDermott
Augustine	Ellsworth	Hanson of Lyon	McKinnon
Avery	Falvey	Hanson of Winnebago	McLean
Beswick	Fletcher	Hook	Malone
Bonnstetter	Frizzell	Hopp	Metcalf
Bruce	Fuelling	Hough	Millhone
Burgess	Fuester	Hultman	Mitchell
Casey	Gallagher	Humeston	Moore of Benton
Craven	Garner	Jensen	Moore of Harrison
Davis	Gissel	Johnson	Mooty
Dole	Gittinger	Koch	Osborn
Donlon	Goode		

Digitized by Google

Ostby	Schlatter	Stanzel	Treimer
Paisley	Schmitz	Stewart	Weed
Peet	Sheridan	Swift	Wiese
Reed	Sours	Teter	Wolf
Roe	Speidel	Thies	Yager
Ryder	Stansell	Thiessen	Zylstra

The nays were, none.

Absent or not voting, 34.

Beath	Fabritz	McFarlane	Smith
Bouska	Felter	Maniece	Snyder
Bowers	Foster	Mercer	Stimpson
Brady	Hartman	Peaco	Strachan
Crouch	Jenkins	Porter	Wieben
Cunningham	Laughlin	Rawlings	Willis
Dean	Lichty	Rice	Zipse
Dreessen	McCarthy	Schroeder	Mr. Speaker
Elliott	McCreery		

So the House concurred in Senate amendments to House File No. 265.

SENATE FILE NO. 115 SUBSTITUTED FOR HOUSE FILE NO. 167

Schmitz of Winneshiek asked and obtained unanimous consent to have Senate File No. 115 substituted for House File No. 167.

CONSIDERATION OF BILLS

Schmitz of Winneshiek asked and obtained unanimous consent for the immediate consideration of Senate File No. 115, a bill for an act to amend sections fifty-eight hundred seventy-five (5875) and sixty-two hundred nine (6209), Code, 1931, relating to cities which control their own tax levies for bridge purposes.

Schmitz of Winneshiek moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Aldrich	Davis	Fuester	Hook
Alesch	Dole	Gallagher	Hopp
Augustine	Donlon	Garner	Hough
Avery	Doran	Gissel	Hultman
Beswick	Durant	Gittinger	Humeston
Bonnstetter	Ellsworth	Goode	Jensen
Bowers	Fabritz	Grau	Johnson
Bruce	Felter	Grell	Koch
Burgess	Fletcher	Hanson of Lyon	Lookingbill
Craven	Frizzell	Hanson of Winnebago	McCarthy
Cunningham	Fuelling		McCreery

Digitized by Google

McDermott	Mooty	Sheridan	Teter
McFarlane	Osborn	Smith	Thies
McKinnon	Ostby	Snyder	Thiessen
McLean	Paisley	Sours	Treimer
Malone	Peaco	Speidel	Weed
Maniece	Peet	Stansell	Wiese
Metcalf	Reed	Stanzel	Wolf
Mitchell	Roe	Stewart	Yager
Moore of Benton	Ryder	Strachan	Zipse
Moore of Harrison	Schlatter	Swift	Zylstra
	Schmitz		

The nays were, none.

Absent or not voting, 24.

Beath	Dreessen	Laughlin	Rice
Bouska	Elliott	Lichty	Schroeder
Brady	Falvey	Mercer	Stimpson
Casey	Foster	Millhone	Wieben
Crouch	Hartman	Porter	Willis
Dean	Jenkins	Rawlings	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Schmitz of Winneshiek moved that the vote by which Senate File No. 115 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

The time for special order having arrived the House proceeded to consider House File No. 292, a bill for an act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa; to provide for the licensing and revenue thereof; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly, Chapters ninety-four (94) to one hundred four (104) inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any or all laws or parts of laws inconsistent with this Act.

Digitized by Google

McLean of Marshall moved that the bill be read at this time by the clerk for information. Motion prevailed and the clerk read.

Bowers of Union offered the following amendment and moved its adoption:

Amend House File No. 292 as follows:

By striking from line fine (5) of Section fourteen (14) the following words: "the seal of Iowa and".

McKinnon of Henry moved the previous question on the amendment.

A roll call was demanded and on the question "Shall the main question be now put?"

The ayes were, 39.

Avery	Ellsworth	Hook	Schlatter
Beath	Felter	Hough	Snyder
Bonnstetter	Fletcher	Hultman	Stansell
Bruce	Frizzell	McCreery	Stanzel
Burgess	Fuester	McFarlane	Strachan
Cunningham	Gallagher	Millhone	Weed
Dean	Gissel	Mooty	Yager
Dole	Grau	Osborne	Zipse
Doran	Hanson of Lyon	Peet	Zylstra
Durant	Hanson of Winnebago	Roe	

The nays were, 41.

Aldrich	Gittinger	Mitchell	Schroeder
Alesch	Grell	Moore of Benton	Sheridan
Beswick	Hopp	Moore of Harrison	Smith
Bouska	Humeston	Ostby	Speidel
Craven	Jensen	Paisley	Stewart
Davis	Koch	Reed	Swift
Dreessen	Lookingbill	Rice	Thies
Fabritz	McCarthy	Ryder	Thiessen
Falvey	Malone	Schmitz	Treimer
Fuelling	Maniece		Wolf
Garner	Metcalf		

Absent or not voting, 28.

Augustine	Foster	McDermott	Sours
Bowers	Goode	McKinnon	Stimpson
Brady	Hartman	McLean	Teter
Casey	Jenkins	Mercer	Wieben
Crouch	Johnson	Peaco	Wiese
Donlon	Laughlin	Porter	Willis
Elliott	Lichty	Rawlings	Mr. Speaker

Motion lost.

Goode of Davis moved as a substitute for the Bowers amendment to House File No. 292 the following:

Amend Sec. 14 by striking the words "this Act" in line three (3), and

Digitized by Google

inserting in lieu thereof the words "the commission", also by striking the word "Iowa" in line five (5) and inserting in lieu thereof the words "the commission".

A roll call was demanded and on the question "Shall the substitute amendment be adopted?"

The ayes were, 82.

Alesch	Fletcher	McCreery	Schmitz
Augustine	Frizzell	McKinnon	Schroeder
Avery	Fuelling	McLean	Smith
Beswick	Gallagher	Malone	Snyder
Bonnstetter	Garner	Maniece	Sours
Bouska	Gittinger	Metcalf	Speidel
Bruce	Goode	Millhone	Stanzel
Burgess	Grau	Mitchell	Stewart
Casey	Grell	Moore of	Strachan
Craven	Hanson of Lyon	Harrison	Swift
Cunningham	Hanson of	Mooty	Teter
Davis	Winnebago	Osborn	Thies
Dean	Hook	Ostby	Thiessen
Dole	Hopp	Peaco	Treimer
Donlon	Hough	Peet	Weed
Doran	Hultman	Rawlings	Wiese
Dreessen	Humeston	Reed	Wolf
Ellsworth	Johnson	Rice	Yager
Fabritz	Koch	Roe	Zipse
Falvey	Lichty	Ryder	Zylstra
Felter	McCarthy	Schlatter	

The nays were, 7.

Aldrich	Bowers	Gissel	Sheridan
Beath	Durant	Paisley	

Absent or not voting, 19.

Brady	Jenkins	McFarlane	Stimpson
Crouch	Jensen	Mercer	Wieben
Elliott	Laughlin	Moore of Benton	Willis
Foster	Lookingbill	Porter	Mr. Speaker
Hartman	McDermott	Stansell	

Amendment adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 185, a bill for an act to authorize and provide for assessments on mercantile businesses established in a county after January first (1st) and prior to September first (1st) of any year, to declare the effect thereof, and to provide the procedure for the making of such assessments and for the collection of the taxes levied thereon.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Digitized by Google

Senate File No. 239, a bill for an act to amend the provisions of chapter two hundred eighty-two (282) of the 1931, Code of Iowa, relating to limitation of the boundaries of a benefited water district, creating a board of trustees to supervise and manage such district and by changing the method of taxing property for establishing and maintaining said district.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 240, a bill for an act to amend section seven (7) Chapter one hundred fifty-nine (159) of the Acts of the Forty-fifth General Assembly relating to Public Funds in the bank whose deposit liabilities have been assumed by another bank.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 56, a bill for an act to provide for a refund on road poll taxes.

BYRON G. ALLEN, *Secretary.*

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. SPEAKER: Your House committee on committee clerks beg leave to report that there has been a vacancy created by the resignation of Archie Shafer and we hereby name Cyrena Belle Jackson to fill said vacancy, to take effect January 1, 1934.

LEROY S. MERCER, *Chairman,*
OVE T. ROE,
F. D. AUGUSTINE, *Committee.*

Report adopted.

AMENDMENTS FILED

McFarlane of Black Hawk filed the following amendment:

Amend House File No. 292 by inserting a comma after the word "therein" in Section 19, line 32, and adding the following "or any club established prior to January 1st, 1934, which has a bona fide paid up membership of not less than one hundred (100) members,".

Speidel of Washington filed the following amendment:

Amend House File No. 292 by striking therefrom all parts having to do with the administration of said act by a commission of nine members, and substituting therefor provisions for the administration of the act by a Liquor Control Administrator. To this end, I move the adoption of the following amendments:

1. Section one (1), line eleven (11), strike the word "Commission" and insert in lieu thereof the word "Administrator"; also in the same line strike the word "which" and insert in lieu thereof the word "whom".

2. Section four (4), strike lines three (3) and four (4) and substitute therefor the following:

"1. "Administrator" means the Administrator created by this Act under the name of the "Iowa Liquor Control Administrator."

Digitized by Google

Section four (4), paragraph sixteen (16), line sixty-three (63) strike the word "commission" and substitute in lieu thereof the word "Administrator".

Section four (4), paragraph eighteen (18), line sixty-nine (69) strike the word "commission" and substitute in lieu thereof the word "Administrator"; also make the same amendment apply to line seventy-three (73) of the same section, paragraph nineteen (19).

3. Strike Section five (5) and substitute in lieu thereof the following:

"Sec. 5. To administer this Act and upon its going into effect, the Governor, with the consent of two-thirds of the Senate, shall appoint a Liquor Control Administrator, whose salary shall be four thousand five hundred dollars ($4,500.00) per year, and whose term of office shall be until June 30, 1937. Thereafter the Governor, with the consent of two-thirds of the Senate shall appoint the Administrator for a four year term and he shall serve until the appointment and qualification of his successor.

"The Administrator shall be removable from office for any of the causes and in the manner provided by Chapter fifty-six (56) of the Code of Iowa, 1931, as amended relating to the removal from office."

4. Strike Section six (6) and substitute in lieu thereof the following:

"Sec. 6. The principal place of business of the Iowa Liquor Control Administrator shall be in the city of Des Moines, Iowa, and the Executive Council of the State of Iowa shall provide suitable quarters or offices for him in the State Capitol at Des Moines, Iowa."

5. Section seven (7), line one (1), strike the word "commission" and substitute therefor "Administrator". Also strike from this line the word "functions".

Section seven (7), line twelve (12) strike the word "it" and substitute therefor the word "he"; in line thirty (30), same section, strike the word "its" and substitute in lieu thereof the word "his".

6. Strike the word "commission" and substitute in lieu thereof the word "Administrator" in the following lines of Section eight (8): Lines one (1), six (6), twenty (20), fifty-six (56), and seventy-eight (78). Also, Section eight (8), line two (2), strike the words "the commission" and substitute in lieu thereof the word "him". Also, Section eight (8), line seven (7) strike the words "the commission may and it" and substitute in lieu thereof the word "he". Also, line twelve (12), same section, strike "the commission" and substitute in lieu thereof the words "his office".

7. Strike the word "commission" and substitute in lieu thereof the word "Administrator" in the following lines of Section nine (9): Lines one (1), seven (7), and eleven (11). Further amend this section, line eight (8) by striking the word "it" and substituting in lieu thereof the word "him".

8. Strike the word "commission" and substitute in lieu thereof the word "Administrator" in the following lines of Section ten (10): Lines one (1), four (4), four and five, eight (8), and ten (10).

9. Section eleven, line two, strike the word "commission" and substitute in lieu thereof the word "Administrator".

10. Strike the word "commission" and substitute in lieu thereof the

Digitized by Google

word "Administrator" in the following sections and lines: Section twelve (12), lines five (5), twelve (12) and sixteen (16); Section thirteen (13), line two (2); Section fifteen (15), line seven (7); Section seventeen (17), line four (4); Section eighteen (18) line ten (10); Section nineteen (19) twice in line six (6), line seven (7), line eight (8), ten (10), eleven (11), sixteen (16), twenty-eight (28), thirty-five (35), and thirty-seven (37); Section twenty-one (21), line three; Section twenty-two (22), lines three (3), and five and six; Section twenty-four (24), lines five (5) and nine (9); Section twenty-five (25), lines three (3), six (6), eight (8), twice in line twenty (20), and line twenty-three (23); Section twenty-six (26), lines two (2) and four (4); Section twenty-eight (28), lines three (3) and seven (7); Section twenty-nine (29), lines three (3), six (6), and ten (10); Section thirty-nine (39), lines ten (10), thirteen (13) and seventeen (17); Section forty-one (41), line six (6); Section forty-two (42), lines two (2), ten (10), thirteen (13), twice in line sixteen (16), twenty-one (21), twenty-four (24), twenty-seven (27), and twice in line thirty-two (32). Section forty-three (43), lines one (1) and four (4); Section forty-four (44), lines one (1) and six (6); Section forty-five (45), lines two (2) and three (3); Section forty-six (46), lines one (1), fifteen (15), twenty-seven (27), and thirty-one (31); Section forty-seven (47), lines one (1) and seven (7); and Section fifty-one (51), lines four (4) and six (6).

11. Section fourteen (14), lines (6) and seven (7), strike the words "chairman of the Liquor Control Commission" and substitute in lieu thereof the word "Administrator".

12. Section fifteen (15), line one (1), strike the following: "The commissioners and". Same section, line eight (8), strike the following: "of the commission". Same section, line nine (9), strike the word "commission" and substitute in lieu thereof the words, "Executive Council".

13. Strike Section sixteen (16) and renumber the following sections.

14. Section thirty-one (31), line one (1), strike the following: "member or employee of the commission," and substitute in lieu thereof, "person appointed or employed under the provisions of this Act shall". Same section, line three (3), strike the word "shall". Same section, line eight (8), strike the word "commissioner" and substitute in lieu thereof the word "appointee".

15. Section thirty-nine (39), line seventeen (17), strike the word "its" and substitute in lieu thereof the word "his".

16. Section forty-four (44), line one (1), strike the word "its" and substitute in lieu thereof the word "his".

17. Section forty-six (46), line four (4), strike the words "the Commission" and substitute in lieu thereof the words "this Act".

18. Section fifty-two (52), line five (5), strike the word "Board" and substitute in lieu thereof the word "office".

Moore of Benton filed the following amendment:

Amend House File No. 292 Section forty-six (46) by striking from line three (3) the words "even-numbered"

Digitized by Google

Ostby of Worth filed the following amendment:

Amend House File 292 by striking the words "Six Thousand" in line three of section six (6) and inserting in lieu thereof the words "Four Thousand".

Teter of Marion and Reed of Mahaska filed the following amendment:

Amend House File No. 292 by striking therefrom all of "Sec. 5," beginning on page six (6) and ending on page eight (8) of the printed bill, and by substituting in lieu thereof the following:

Sec. 5. (1) There is hereby created a commission composed of three electors of this state to be known and designated as the Iowa Liquor Control Commission, not more than two of whom shall belong to the same political party, and no two of whom shall, at the time of appointment, reside in the same congressional district. The commission shall be held strictly accountable for the enforcement of the provisions of this act.

(2) No member, officer or employee of said commission shall, while holding such office or position, hold any other office or position under the laws of this state or of any other state or of the United States, and shall not engage in any occupation or business inconsistent and/or interferring with the duties of said commission; and no such member, officer or employee shall, while holding such office or position, serve on or under or be a member of any committee of any political party, and shall not, directly or indirectly, use his influence to induce any other officer or officers, employee or employees, elector or electors of this state to adopt his political views or to favor any particular candidate for office, nor shall any such member, officer or employee contribute in any manner, directly or indirectly, any money or other things of value to or for any person or persons, committee or committees, for campaign or election purposes. Any such member, officer or employee who violates any of the terms and/or provisions of this sub-section (2) shall be deemed guilty of corruption.

(3) Any member, secretary, officer or employee of said commission shall be removable for any of the causes and in the manner provided by chapter fifty-six (56) of the Code of 1931, as amended, relating to removal from office; and if any such member, secretary, officer or employee is so removed, he shall be punished as provided by section eighty-five (85) of this act.

(4) The commission shall, on July first of each year, select one of its members as chairman, who shall serve in such capacity for the succeeding year. Each member of the commission shall devote his entire time to the duties of his office, and his salary shall be three thousand six hundred dollars a year. Said commission may employ a secretary and such other assistants and-or employees as may reasonably be necessary, and at such salary each as may be fixed by said commission, subject to approval of the executive council.

Members of the commission and said secretary, assistants and/or employees each shall be allowed his actual and necessary expenses while

Digitized by Google

traveling on business of the commission outside of the city of Des Moines; provided, however, that an itemized account of such expenses shall be verified by the member, secretary, assistant and/or employee making claim for payment and shall be approved by a majority of the members of the commission and by the executive council, as a condition precedent to payment. If such account is paid, the same shall be filed in the office of said commission and be and remain a part of its permanent records. All of said salaries and expenses shall be payable out of the revolving fund created by this act.

(5) The members of the first commission shall be appointed by the governor, subject to approval of the executive council, as follows: one for a term to expire July 1, 1935; one for a term to expire July 1, 1937; and one for a term to expire July 1, 1939. Said terms shall begin immediately upon the appointment, approval and qualification.

Thereafter, the term of each member of said commission shall be six years; and the governor shall, within sixty days following the organization of each regular session of the general assembly, appoint, with the approval of two-thirds of the members of the senate in executive session, a successor to the member of said commission whose term of office will expire July first next following.

(6) Any vacancy or vacancies on said commission which may occur when the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days following the organization of the next general assembly. Prior to the expiration of said period of thirty days, the governor shall transmit to the senate for its approval an appointment for the unexpired portion of the regular term. Any vacancy or vacancies occurring when the general assembly is in session shall be filled in the same manner as regular appointments are made, and before the end of such session, and for the unexpired portion of the regular term.

Further amend House File No. 292 by striking lines 1, 2, 3, 4, 5 and 6 of "Sec. 6," on page eight (8) of the printed bill; also by striking the word, "Administrator," from line 11 of "Sec. 8," on page ten (10) of the printed bill.

Ellsworth of Hardin made the following motion:

Whereas, News has come to this House of the sudden accidental death of the son of Senator Irving H. Knudson this afternoon; Be it

Resolved, That out of courtesy to Senator and Mrs. Knudson this House now adjourn until 9:30 tomorrow morning.

Motion prevailed and the House stood adjourned until 9:30 tomorrow morning.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 3, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. R. Weed, pastor West Star and Worthington M. E. Churches, Winterset, Iowa.

Journal of January 2 corrected and approved.

PETITIONS AND MEMORIALS

Opposing taxation of Fraternal Societies. Grau of Buena Vista, from the Aid Association for Lutherans of Newell, Iowa; Wiese of Scott, from the Aid Association for Lutherans of Davenport, Iowa. Referred to the committee on insurance.

Favoring the direct buying of livestock. Grell, from the livestock producers of Scott county. Referred to the committee on agriculture.

Opposing the placing of cemetery perpetual care of trust funds in the hands of the state. Treimer of O'Brien, from the officers of the Waterman cemetery. Referred to the committee on judiciary No. 2.

Opposing the regulation and licensing of livestock buyers in the state of Iowa. Bonnstetter, from the citizens of Kossuth county. Referred to the committee on agriculture.

Requesting the legalizing of the sale of liquors in the clubs and club rooms. McFarlane of Black Hawk, from the Orders of the Elks, Eagles and Moose of Waterloo, Iowa. Referred to the committee on liquor control.

Favoring more liberal laws on the sale of beer and other liquors. Johnson of Linn, from the citizens of Cedar Rapids, Iowa. Referred to the committee on liquor control.

Digitized by Google

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

December 27: House Files No. 106, 291, 69.

December 30: House Files No. 141, 28, 84.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 6, 165, 56, and 265.

WM. KOCH, *Chairman House Committee.*
GEO. M. HOPKINS, *Member of Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills:

House Files No. 6, 165, 56, and 265.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 3rd day of January, 1934, sent to the Governor for his approval: House Files No. 6, 165, 56, and 265.

WM. KOCH, *Chairman.*

Report adopted.

SENATE MESSAGES CONSIDERED

Senate File No. 185, a bill for an act to authorize and provide for assessments on mercantile businesses established in a county after January first (1st) and prior to September first (1st) of any year, to declare the effect thereof, and to provide the procedure for the making of such assessments and for the collection of the taxes levied thereon.

Digitized by Google

Read first and second times and referred to committee on ways and means.

Senate File No. 239, a bill for an act to amend the provisions of chapter two hundred eighty-two (282) of the 1931 Code of Iowa, relating to limitation of the boundaries of a benefited water district, creating a board of trustees to supervise and manage such district, and by changing the method of taxing property for establishing and maintaining said district.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 240, a bill for an act to amend Section seven (7), Chapter one hundred fifty-nine (159) of the Acts of the 45th General Assembly relating to Public Funds in any bank whose deposit liabilities have been assumed by another bank.

Read first and second times and referred to committee on banks and banking.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Lookingbill of Story for the balance of the day, on request of Durant of Hancock.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 292, a bill for an act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa; to provide for the licensing and revenue thereof; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45th) General Assembly, Chapters ninety-four (94) to one hundred four (104) inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty

Digitized by Google

(2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any or all laws or parts of laws inconsistent with this Act.

Cunningham of Polk offered the following substitute amendment and moved its adoption:

Amend House File No. 292 by striking all after the enacting clause and substitute therefor the following:

Section 1. Title. This act shall be known and designated as the Iowa Liquor Dispensary Act.

Sec. 2. Declaration of Policy. It is hereby declared to be the public policy of this state that traffic in and the manufacture and sale of liquors and wines, as defined in this act, are so effected with the public interest that the same should be strictly regulated by the State of Iowa, and that no liquors or wines should be manufactured or sold within the State of Iowa except under licenses issued by the State and under strict regulation by the State, for the purpose of protecting the health and morals of the people.

Sec. 3. Repeal. That chapters ninety-four (94), ninety-five (95), ninety-six (96), ninety-seven (97), ninety-eight (98), ninety-nine (99), one hundred (100), one hundred one (101), one hundred two (102), one hundred three (103), and one hundred four (104) of Title VI of the Code of Iowa, 1931, be repealed.

Sec. 4. Definitions. "Liquors" shall mean and include any and all distilled or rectified spirits, alcohol, brandy, whisky, rum, gin or similar distilled alcoholic beverages, including all blending, dilutions, or mixtures of one or more of the foregoing, but shall not be construed to include beer, ale, porter, stout or any other malt liquor containing not more than three and two-tenths per centum (3.2%) of alcohol by weight.

"Wines" shall mean and include any alcoholic beverage obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar and shall include fruit juices containing one-half of one per centum or more of alcohol by volume.

"Distillery" shall mean and include any place or places wherein any liquors or wines are manufactured for sale.

"Distiller" shall mean and include any person who owns, occupies, carries on, conducts or operates any distillery either by himself or by his agent.

"Wholesaler" shall mean any person who shall sell, barter, exchange, offer for sale, have in possession with intent to sell, deal or traffic in liquors and wines at wholesale.

"Dealer" shall mean any person who shall sell, barter, exchange, offer for sale or have in possession with intent to sell liquors or wines at retail.

"Retailer" shall mean any person who shall sell, barter, exchange, offer for sale or have in possession with the intent to sell liquors or wines containing not more than fourteen per centum (14%) of alcohol by volume at retail.

"Person" shall mean and include any corporation, firm, copartnership or association.

Digitized by Google

"Board" shall mean the Iowa Liquor Dispensary Board.

Sec. 5. Board. There is hereby created a board of nine members to be designated as the Iowa Liquor Dispensary Board.

Sec. 6. Appointment. The members of said board shall be appointed, one from each Congressional District of Iowa, by the Governor with the consent of two-thirds of the Senate in executive session.

Sec. 7. Qualifications. The persons appointed as members of said board shall have no financial interest in any establishment which engages in the manufacture or sale of liquors or wines. Not more than five members of the board shall belong to the same political party.

Sec. 8. Removal from Office. Members of the board shall be removable for any of the causes in the manner provided in Chapter Fifty-six (56), Code of Iowa, 1931, as amended, relating to removal from office.

Sec. 9. Prohibitions. No person appointed as a member of said board while holding such office shall hold any other office under the laws of the United States or of this State or of any other state, nor shall any member of said board serve on or under any committee of any political party, or contribute to the campaign fund of any person or political party.

Sec. 10. Tenure of Office. Each full-time member shall serve for four years from the first day of July of the year of appointment.

Sec. 11. Full Time Appointments. Within sixty (60) days after the convening of the General Assembly in regular session in 1935, and each two years thereafter, the governor shall appoint with the approval of two-thirds of the Senate in executive session, a successor or successors to the member or members of said board whose terms expire on July first following.

Sec. 12. Vacancies. Vacancies occurring while the General Assembly is in session shall be filled for the unexpired portion of the term as full-term appointments are filled. Vacancies occuring while the General Assembly is not in session shall be filled by the Governor, but such appointments shall terminate at the end of thirty (30) days after the convening of the next General Assembly. Vacancies shall be filled from the same political party from which the vacancy occurs.

Sec. 13. Compensation. Each member of the board shall receive as compensation a per diem of ten dollars ($10.00) for each day served in the actual performance of his duties, together with his actual traveling expenses, provided that the maximum compensation for any twelve (12) month period shall not exceed the sum of six hundred dollars ($600.00).

Sec. 14. Organization. The board shall elect one of its members to serve as chairman for a period of one year, who shall sign on behalf of the board all orders and documents issued by the board. The board may elect a vice-chairman who shall act in the absence or inability of the chairman to act.

Sec. 15. Office—Quorum—Sessions. Said board shall have its principal office at the seat of government of this state. A majority of said board shall constitute a quorum for the transaction of business.

Sec. 16. Administrator. The board shall appoint an Administrator at a salary to be fixed by the board, not exceeding seven thousand five hundred dollars ($7,500.00) per annum, who shall be the executive officer

Digitized by Google

of the board and be responsible to the board for the administration of the provisions of this act and the rules and regulations promulgated by the board. The board may employ such other assistants and employees as may be authorized by the executive council, and fix their compensation, which shall be paid as the compensation of other state employees.

Sec. 17. Counsel. It shall be the duty of the Attorney General and of county attorneys in their respective counties to commence and prosecute actions, prosecutions and complaints, when so directed by the board, and to represent the board in any litigation in which it may become involved in the discharge of its duties.

Sec. 18. Seal. The board shall have an official seal, and orders or other papers executed by it may, under its direction, be attested, with its seal affixed, by the administrator.

Sec. 19. Powers and Duties. The board shall be vested with the powers hereinafter enumerated, and with such additional powers as may be necessary to effectuate the same, including the power to establish and promulgate such rules and regulations consistent with the provisions of this act as in its discretion may be deemed necessary under changing conditions, to the end that the provisions of this act may be enforced and that the cause of temperance and sobriety may be advanced.

The board shall have and assume the following powers and duties:

1. To have and exercise general supervision and administration of the provisions of this act.

2. To prescribe and furnish all forms and blanks, including forms of applications, licenses and permits, and to prescribe and promulgate books of rules and regulations, and memoranda of instructions, which it deems necessary and expedient for the carrying out of the provisions of this act.

3. To institute and direct proceedings, actions and prosecutions for the enforcement of the provisions of this act relating to the penalties, liabilities and punishment of officers or agents of corporations and other persons for refusal or neglect to comply with or for violations of the provisions of this act.

4. To issue or refuse licenses under the provisions of this act, and in the exercise of this authority to receive applications for such licenses, and to examine into the character and fitness of all applicants to engage in the sale of liquors or wines after having complied with all of the provisions of this act relative thereto.

5. To revoke, cancel, or suspend licenses when the holder thereof has refused or neglected to comply with all of the provisions or has violated any of the provisions of this act, or any regulation promulgated by the board, or has been found guilty of the violation of any of the liquor laws of this state, the United States, or of any other state, within a period of three (3) years prior to the taking effect of this act.

6. To transmit biennially to the Governor and to each member and member-elect of the legislature thirty (30) days before the meeting of the legislature the report of the board and the rules and regulations promulgated by the board.

Digitized by Google

8. To prescribe uniform cost accounting systems for wholesale and retail licenses; and to carry on a study of the cost of wholesale and retail operations.

9. To establish from time to time the wholesale and retail prices of the various kinds and grades of liquors and wines, and the same shall be uniform throughout the state; and the price of each kind or grade of liquors or wines, at wholesale or retail, shall be so regulated that the rate of net return therefrom shall be in inverse ratio to the amount of the gross sales thereof.

Sec. 20. Limitations. No liquors or wines shall be manufactured, sold or kept for sale or possessed within the state by anyone except those holding licenses or permits therefor under the provisions of this act.

Sec. 21. Licenses prohibited. The following classes of persons shall be prohibited from receiving licenses under the provisions of this act:

1. A person who has been convicted of a felony.
2. A person under the age of twenty-one years.
3. A person who is not a citizen of the United States.
4. A person who shall have had a license issued under the provisions of this act revoked by the board, or who has been convicted of a violation of this act.
5. A corporation, if an officer thereof, or a co-partnership, if a member thereof, has been convicted of a violation of this act, or if such corporation or co-partnership has had a license issued under this act revoked by the board.

Sec. 22. Revocation on Premises. Where a license issued under the provisions of this act for the sale of liquors or wines on any premises has been revoked, no license shall be thereafter issued for a period of two (2) years after such revocation for the sale of liquors or wines on such premises, provided the licensee is the owner of such premises or the owner thereof was a party to the violation or knowingly permitted the violation for which the license was revoked.

Sec. 23. Applications. Before any license herein provided for may be issued by the board, the applicant therefor shall:

1. Submit a written application for such license, which application shall be in a form to be prescribed by the board, and shall state under oath, in addition to such information as shall be required by the board, the following:

a. The name and place of residence of the applicant and the length of time he has lived at such place of residence.

b. That he is a citizen of the State of Iowa.

c. The place of birth of the applicant and if the applicant is a naturalized citizen, the time and place of such naturalization.

d. The location of the place or building where the applicant intends to operate.

e. The name of the owner of the building, and if such owner is not the applicant, that such applicant is the actual lessee of the premises under a written lease for a period which will not terminate prior to the period for which the license is applied for.

Digitized by Google

2. Establish, in addition to such requirements as may be made by the board:

a. That he is a person of good moral character.

b. That the place or building where he intends to operate conforms to all laws, health, and fire regulations applicable thereto, and is a safe and proper place or building.

3. Furnish a bond in a form to be prescribed and furnished by the board, with good and sufficient sureties to be approved by the board, conditioned upon the faithful observance of the provisions of this act, and upon conviction of a violation of the provisions of this act, the payment of any fine imposed upon the applicant and all costs resulting from such prosecutions; which bond, for the issuance of a distiller's or wholesaler's license, shall be in the sum of five thousand dollars ($5,000.00), and for the issuance of a dealer's or retailer's license, shall be in the sum of one thousand dollars ($1,000.00). Said bond shall be in favor of the State of Iowa for the benefit of any person who may be injured as a result of a violation by the licensee of any of the provisions of this act or the rules and regulations promulgated by the board. Said bond shall also include the further condition that any such licensee will not, directly or indirectly, by himself, his clerk, agent or servant, sell, furnish, give, or deliver any liquors or wines to a minor nor to any person to whom the sale of liquors or wines is prohibited by the provisions of this act or the regulations of the board, and that said licensee will pay all damages that may be adjudged in favor of any person, or persons, for injuries suffered, either in person or in property, or means of support, or otherwise by reason of such violation.

Sec. 24. Limitations on Licensee. It shall be unlawful for any person or persons to be either directly or indirectly interested in more than one class of license.

Sec. 25. Tenure of License. All licenses provided for in this act shall expire on December 31st of the year in which they are issued, and may be renewed from year to year under rules and regulations of the board. License fees herein provided for shall be pro-rated so that licenses issued subsequent to April first and prior to July first of each year shall be subject to three-fourths of the annual fee. Licenses issued subsequent to July first and prior to October first of each year shall be subject to one-half of the annual license fee, and licenses issued subsequent to October first shall be subject to one-fourth of the annual license fee.

Sec. 26. Investigation by Board. In the issuance of licenses herein provided for, the board shall make a thorough investigation concerning the character and integrity of the applicant, and shall make a thorough investigation of the conditions existing in the community wherein are located the premises for which the license is sought; to the end that no license shall be granted where the issuance thereof may result in the impairment of the public health or morals of any community.

Sec. 27. Licenses. Licenses for the manufacture and sale of liquors and wines shall be divided into four (4) classes, and shall be known and designated as "Distiller's License", "Wholesaler's License", "Dealers' License", and "Retailer's License".

Digitized by Google

Sec. 28. Distiller's License. A distiller's license shall authorize the holder thereof to manufacture liquors and/or wines, but such liquors and wines, if sold within the state, shall be sold only to subsisting holders of wholesaler's licenses.

Sec. 29. Wholesaler's License. A wholesaler's license shall authorize the holder thereof to sell liquors and/or wines at wholesale, but such liquors and wines, if sold within the state or for delivery within the state, shall be sold only to subsisting holders of dealer's or retailer's licenses.

Sec. 30. Dealer's License. A dealer's license shall authorize the holder thereof to sell liquors and wines for consumption off the premises only, and only to persons holding permits to purchase the same issued in accordance with the provisions of this act as hereinafter provided.

Sec. 31. Retailer's License. A retailer's license shall authorize the holder thereof to sell liquors and wines containing not more than fourteen per centum (14%) of alcohol by volume for consumption on the premises only.

Sec. 32. Fees. The annual license fee for a distiller's license or wholesaler's license shall be one thousand dollars ($1,000.00); for a dealer's license, for premises located in a city or town having a population of fifteen thousand (15,000) or over, three hundred dollars ($300.00), and for premises in a city or town with a population of less than fifteen thousand (15,000), one hundred dollars ($100.00); for a retailer's license for premises located in a city or town having a population of over fifteen thousand (15,000) one hundred fifty dollars ($150.00), and for premises located in a city or town having a population of less than fifteen thousand (15,000) fifty dollars ($50.00). The license fee for a retailer's license issued to a sleeping car company, dining car company, railroad company or railway company for its dining cars shall be one hundred and fifty dollars ($150.00), and two dollars ($2.00) for each duplicate thereof. The board shall issue duplicates of such licenses from time to time as applied for by each such company.

Sec. 33. Tax. In addition to the annual license fee to be paid by the holder of each wholesaler's license, there shall be levied and collected by the board from such licensees, on all liquors and wines sold in this state at wholesale, a tax of one dollars ($1.00) for each gallon of liquors sold, and a tax of twenty-five cents (25c) for each gallon of wines sold.

Sec. 34. Reports. Every person holding a wholesaler's license shall, on or before the tenth day of each calendar month, commencing on the tenth day of the calendar month following the month in which such person is issued a license, make a report under oath to the board upon forms to be furnished by the board for such purpose, showing the exact number of gallons of liquors and wines sold by such licensee during the preceding calendar month. Such report shall also state the name and address of the several purchasers of such liquors and wines, and the date and amount of each purchase, and such licensee shall at the time of filing said report pay to the board the amount of tax due at the rate fixed in accordance with the provisions of this act.

Sec. 35. Books and Records—Uniform Systems of Accounting. The holder of each wholesaler's license shall keep proper books of accounts

Digitized by Google

and records in such manner as the board shall prescribe, showing the amount of liquors and wines sold by him, which books of account shall be at all times open to inspection by the board or its authorized representatives. Each holder of a dealer's license and of a retailer's license shall keep proper books of accounts and records, showing each purchase of liquors and wines made by him, the date and amount of each purchase, and the name of the person from whom each purchase was made, which books of accounts and records shall be at all times open to inspection by the board or its authorized representatives. Each licensed dealer shall keep a record of all sales made, including the name and address of the purchaser.

The holder of each wholesale or dealer's license shall establish and maintain such a cost accounting system as the board shall direct, in order that the board may ascertain from time to time the costs of handling liquors and wines.

Sec. 36. Prohibition against on-premises consumption. The sale of liquors and of wines containing more than fourteen per centum (14%) of alcohol by volume, for consumption on the premises, is hereby prohibited, and it shall be unlawful for any person to consume any such liquors or wines on the premises where the same were purchased.

Sec. 37. Additional Licenses. Every distiller or wholesaler having more than one place of business shall be required to have a separate license for each separate place of business maintained by such distiller or wholesaler wherein liquors or wines are stored, warehoused or sold.

Sec. 38. Additional Licenses. Every dealer and retailer licensee having more than one place of business wherein liquors or wines are sold shall be required to have a separate license for each separate place of business.

Sec. 39. Prohibition outside cities and towns. No license, except a distiller's license and a retailer's license for a railroad dining car, shall be granted to any person under the provisions of this act unless the premises occupied by such licensee are wholly within the corporate limits of a city, incorporated town or special chartered city of the State of Iowa.

Sec. 40. Subsidies. No distiller or wholesaler shall supply, furnish, give, loan money for the purchase of, or pay for any furniture, fixtures, furnishings or equipment used in or about any place wherein liquors or wines are sold under a dealer's or retailer's license. No distiller or wholesaler shall advance, furnish money for, loan money for, or pay for any license or tax which may be required to be paid by any dealer or retailer. No distiller or wholesaler shall be financially interested either directly or indirectly in the conduct or operation of the business of any dealer or retailer licensee.

Sec. 41. Purchase for resale. It shall be unlawful for the holder of any dealer's license or retailer's license issued under the provisions of this act to purchase for resale any liquors or wines from any person other than a person holding a subsisting wholesaler's license issued in accordance with the provisions of this act.

Sec. 42. Retailer's License,—Hotel—Restaurant—Club—Dining Cars. No retailer's license shall be granted for any premises except where such

Digitized by Google

premises, in the judgment of the board, are being conducted as a bona-fide hotel, restaurant, club, or railroad dining car.

Sec. 43. Hotels. "Hotel" as herein referred to shall mean a building which, in the judgment of the board, has been regularly used and kept open as such in a bona fide manner for the feeding and lodging of guests, where all who conduct themselves properly and who are able and ready to pay for such services are received if there be accommodations for them. Such applicant must be prepared to show that the major portion of its receipts is derived from the renting of rooms and the sale of food. The board may require that said hotel shall have been maintained as such under the same ownership for a period of one year prior to the date of issuing a license therefor.

Sec. 44. Restaurants. "Restaurant" as herein referred to shall mean a place which, in the judgment of the board, shall have been regularly and in a bona-fide manner used and kept open for the serving of meals to guests for compensation. Said applicant must be prepared to show that the major portion of its receipts is derived from the sale of food. Such restaurant shall have suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals. The board may require that said restaurant shall have been maintained as such under the same ownership for a period of one year prior to the date of issuing a license therefor.

Sec. 45. Clubs. "Club" as herein referred to shall mean an organization of persons, organized or operating under the laws of the State of Iowa, operated for non-profit to members, with a membership of not less than fifty (50) members, which is the owner, lessee, or occupant of premises used exclusively for club purposes and which, in the judgment of the board, is operated solely for a recreational, social, patriotic, political, benevolent, or athletic purposes, and equipped as a restaurant for the cooking and serving of meals. Such applicant must prove that the trafficking in liquors and wines is not for profit and not the object of its being. The board may require that such club shall have been maintained as such and have occupied the same premises for a period of one year prior to the date of issuing a license.

Sec. 46. Dining Cars. Subject to the provisions of this act, any dining car company, sleeping car company, railroad company or railway company may make application to the board for a retailer's license, and the board may issue a retailer's license to any such company, which shall authorize the holder thereof to keep for sale or sell on any dining car operated by such applicant in, through or across the State of Iowa, liquors and wines containing not more than fourteen per centum (14%) of alcohol by volume, for consumption in such dining car. Each such company shall keep a duplicate of such license posted in each dining car in which such beverages are served. Only one such license shall be required for all dining cars operated in this state by such applicant. The application for such license shall be in such form and contain such information as may be required by the board.

Sec. 47. Meals. Liquors and wines containing not more than fourteen per centum (14%) of alcohol by volume, authorized to be sold by the

Digitized by Google

holder of a retailer's license for on-premise consumption, shall be sold in connection with and as a part of regular meals. The service of such food and victuals as sandwiches, salads, etc. shall not be regarded as a compliance with this requirement.

Sec. 48. Containers. No holder of a dealer's license shall sell or keep upon the licensed premises any liquors or wines in any cask, barrel, keg, hogshead or other container except in the original sealed package containing quantities not to exceed one quart each as received from the distiller or wholesaler. Such package shall have affixed thereto a label stating the name, address and the Iowa State license number of the distiller in conspicuous type, except where the liquors or wines shall have been manufactured outside of the State of Iowa, in which case the name and address and Iowa State license number of the wholesaler shall appear thereon, the brand of liquor or wine and the number of fluid ounces contained therein, the date when the contents were manufactured and bottled, whether it is a straight, blended or imitation product, and the alcoholic content thereof by proof.

Sec. 49. License Exposed. Every licensee shall keep such license in a suitable frame of permanent construction with a clear glass front in some conspicuous place in the licensed premises where it can be seen at all times. The holder of every dealer's license shall have painted on the front window of the licensed premises the name of the licensee, together with the Iowa State license number.

Sec. 50. Schools and Churches. No license shall be granted for any premises which shall be on the same street or avenue and within seven hundred and fifty (750) feet of a building occupied exclusively as a school, and within three hundred feet of any church, synagog or other place of worship; the measurements to be taken in a straight line from the center of the nearest entrance to such building to the center of the nearest entrance of the premises to be licensd.

Sec. 51. Signs. No sign of any kind, printed or electric, advertising any brand of liquors or wines shall be permitted on the exterior or interior of any licensed premises. No other sign shall be permitted on the licensed premises except by rule or regulation of the board.

Sec. 52. Advertising. No advertising about or concerning any liquors or wines shall be permitted within the boundaries of the state.

Sec. 53. Price Lists. Every holder of a dealer's license shall have conspicuously displayed within the interior of the licensed premises, a printed price list of the liquors and/or wines offered for sale.

Sec. 54. Credit. No wholesale licensee or dealer licensee shall sell any liquors or wines except for cash.

Sec. 55. Minors—Intoxicated Persons. No licensee shall sell or deliver, or cause or permit to be sold or delivered, any liquors or wines to:

1. Any minor under the age of twenty-one years.
2. Any intoxicated person; or to any person, actually or apparently, under the influence of liquor.
3. Any habitual drunkard.

Sec. 56. Limitations on Sale—Sunday. No liquors and/or wines shall be sold or delivered:

Digitized by Google

1. On Sunday or a legal holiday.
2. On any other day before eight (8) o'clock A. M. or after nine (9) o'clock P. M.
3. On any day of a general, special, or primary election.

Sec. 57. Prices. It shall be unlawful for any dealer or wholesaler licensed under the provisions of this act, to sell or offer for sale any liquors and/or wines at a price higher than the prices fixed by the board for the sale of liquors and/or wines at wholesale or retail as herein provided.

Sec. 58. Pure Food Law. No liquors and/or wines shall be sold or offered for sale within the State of Iowa unless the same shall comply with the Pure Food Laws of the United States and of the State of Iowa; and the provisions of Title X of the Code of Iowa, 1931, relating to the regulation and inspection of foods, drugs, and other articles, in so far as the same are applicable, are hereby made applicable thereto.

Sec. 59. Federal Tax. It shall be unlawful for any licensed wholesaler or dealer to sell or offer for sale any liquors and/or wines within the State of Iowa, unless the same are in the original sealed package bearing the necessary federal revenue stamps.

Sec. 60. Permits. Permits in such form it shall prescribe shall be issued by the board to such persons as shall apply therefor in accordance with the provisions of this act. Such permits shall entitle the holders thereof to purchase liquors and/or wines from licensed dealers in the original sealed containers. The board is hereby authorized to designate as its agents county auditors or to appoint other persons within this state to act for the board for the purpose of receiving applications for such permits. No permit shall be issued to the following classes of persons:

1. Any minor.
2. Any person known to be an habitual drunkard or addicted to the use of narcotics.
3. Any person known to be of unsound mind.
4. Any former inmate of any institution for feeble-minded, or any person on parole from any penal institution.

Sec. 61. Entry on Permit. Upon the sale of any liquors and/or wines to any such permit holder by any holder of a dealer's license such license shall enter on such permit the kind and amount of liquors and/or wines sold, and shall identify the entry with his name or initials.

Sec. 62. Signature of Permit Holder. Each such permit shall contain a space for the signature of and shall be signed by the holder thereof. Upon the purchase of any liquors and/or wines from any dealer, such permit holder shall sign a receipt therefor, showing the amount and kinds of liquors and/or wines purchased, and the price paid therefor, which receipts shall be kept in an orderly record by such dealer for a period of three years, and shall be subject at all times to inspection by the board or its representatives. Such receipts shall be on forms prescribed by the board.

Sec. 63. Permit Fees. The fee for each such permit shall be one dollar ($1.00), payable to the board.

Digitized by Google

Sec. 64. Tenure of Permit. Such permits shall be valid for a period of two (2) years from the date issued.

Sec. 65. Special Permits. Special permits may be issued by the board to the following classes of persons:

1. Ministers, priests and rabbis of any church, sect, denomination or creed for wines for use in sacrificial ceremonies or sacraments.

2. Manufacturers of patent and proprietary medicines, tinctures, extracts, toilet articles, and perfumes, and other like commodities, none of which are suspectible for use as a beverage.

3. Pharmacists, whether or not licensed as dealers, for compounding medicines.

4. Hospitals, asylums, sanitariums, and other similar institutions.

Sec. 66. Permits to Clergy. Any minister, priest or rabbi of any church, sect, denomination or creed, which uses wines in its sacrificial ceremonies or sacraments, may obtain a permit from the board which permit shall expire five (5) years from the date issued. The application for such permit shall be in such form as the board shall prescribe.

Sec. 67. Sacrificial Wines. Such permit shall authorize the holder thereof to purchase wines for use in sacrificial ceremonies or sacraments from wholesalers. Such wines shall not be subject to the tax herein provided. In making such purchases such minister, priest or rabbi shall execute a receipt therefor, in a form to be prescribed by the board, giving his permit number, which receipt shall be in triplicate, one copy to be retained by such minister, priest or rabbi, one copy to be furnished by such minister, priest or rabbi to the board within ten (10) days from the date of purchase, and one copy to be retained by the wholesaler.

Sec. 68. Manufacturers. Patent and proprietary medicines, tinctures, extracts, toilet articles, and perfumes, and other like commodities, none of which are susceptible of use as a beverage, but which require as one of their ingredients alcohol or vinous liquors, may be manufactured within this state, provided a permit so to manufacture is first obtained as herein provided.

Sec. 69. Manufacturers—Application. Any person desiring such permit shall apply to the board, furnishing an affidavit signed by the person, member of the firm, or secretary or other managing officer of the corporation, as the case may be, stating therein the following facts:

1. The name, place of business, and post office address of the person, firm, or corporation desiring such permit.

2. The business in which said person, firm, or corporation is engaged and the articles manufactured by them which require in their manufacture the use of alcohol or vinous liquors, and approximately the amount required during a calendar month.

3. That neither the applicant nor any member of the firm nor officer of the corporation has been convicted of any violation of the laws of this state with reference to the sale of liquors and/or wines within three (3) years last prior to the date of said affidavit.

Sec. 70. Hearing. If after a hearing and investigation the board is satisfied that the facts stated in said affidavit are true, and that the applicant is a person fit and proper to be intrusted with the permit applied for, the same shall be issued upon the filing by the applicant of a bond in the

Digitized by Google

penal sum of two thousand dollars ($2,000.00), with sureties to be approved by the board, conditioned upon the observance of the provisions and intentions of this act.

Sec. 71. Manufacturer's Permit—Duration. Such permit, unless revoked for cause, shall remain in force for a period of five (5) years from the date issued.

Sec. 72. Manufacturer's Permit—Rights. Such permit shall authorize the holder thereof to purchase alcohol and vinous liquors from wholesalers for use in manufacturing articles enumerated in Section 68 of this act, and any holder of a wholesaler's license is hereby authorized to sell alcohol and vinous liquors to the holders of such permits. Such alcohol and vinous liquors shall not be subject to the tax herein provided. In making such purchases, such manufacturer shall execute a receipt therefor, in a form to be prescribed by the board, giving his permit number, which receipt shall be in triplicate, one copy to be retained by such manufacturer, one copy to be furnished by such manufacturer to the board within ten (10) days from the date of purchase, and one copy to be retained by the wholesaler.

Sec. 73. Manufacturers—Books and Records. Each holder of such permit shall keep proper books of accounts and records, showing each purchase of alcohol and vinous liquors made by him, the date and amount of each purchase, and the name of the persons from whom each purchase was made, which books of accounts and records shall be at all times open to inspection by the board or its authorized representative.

Sec. 74. Pharmacists. Licensed pharmacists, as defined in Chapter 123 of the Code of Iowa, 1931, and persons operating drug stores wherein a licensed pharmacist is regularly employed, may obtain a permit from the board as hereinafter provided.

Sec. 75. Pharmacists—Application. Any person desiring such permit shall apply to the board, furnishing an affidavit signed by the person, member of the firm, or secretary or other managing officer of the corporation, as the case may be, stating therein the following facts:

1. The name, place of business, and post office address of the person, firm, or corporation desiring such permit.

2. Whether or not such applicant is the holder of a dealer's license as defined in this act.

3. That neither the applicant nor any member of the firm nor officer of the corporation has been convicted of any violation of the laws of this state with reference to the sale of liquors and/or wines within three (3) years last past prior to the date of said affidavit.

Sec. 76. Pharmacists—Investigation. If after an investigation the board is satisfied that the facts stated in said affidavits are true, and that the applicant is a person fit and proper to be intrusted with the permit applied for, the same shall be issued upon the filing by the applicant of a bond in the penal sum of one thousand dollars ($1,000.00), with sureties to be approved by the board, conditioned upon the observance of the provisions and intentions of this act.

Sec. 77. Pharmacist's permit—Duration. Such permit, unless revoked for cause, shall remain in force for a period of five (5) years from the date issued.

Digitized by Google

Sec. 78. Pharmacist's permit—Rights. Such permit shall authorize the holder thereof to purchase alcohol and vinous liquors from the wholesalers for use only in compounding medicinal prescriptions as prescribed by regularly licensed physicians under the laws of this state. Any holder of a wholesaler's license is hereby authorized to sell alcohol and vinous liquors to the holders of such permits.

Sec. 79. Pharmacists—Books and Records. Each holder of such permit shall keep proper books of accounts and records, showing each purchase of alcohol and vinous liquors made by him, the date and amount of each purchase, and the name of the person from whom each purchase was made, which books of accounts and records shall be at all times open to inspection by the board or its authorized representatives. If the holder of such a permit is also the holder of a dealer's license he shall keep separate books of accounts covering purchases made under such permit and subdealer's license.

Sec. 80. Hospitals, asylums and sanitariums. Hospitals, asylums and sanitariums may obtain a permit from the board, which permit shall expire five (5) years from the date issued. The application for such permit shall be in such form as the board shall prescribe.

Before issuing such a permit the board shall make a thorough investigation of the applicant, and if in the judgment of the board the applicant is a bona fide hospital, asylum or sanitarium which requires the use of liquors and/or wines in the treatment of patients, the board may issue such permit.

Sec. 81. Hospitals, asylums and sanitariums—Rights. Such permit shall authorize the holder thereof to purchase liquors and/or wines from the wholesalers for use only in the treatment of patients confined therein. Any holder of a wholesaler's license is hereby authorized to sell liquors and/or wines to the holders of such permits.

Sec. 82. Hospitals, asylums and sanitariums—Books and Records. Each holder of such permit shall keep proper books of accounts and records, showing each purchase of liquors and/or wines, and the name of the person from whom each purchase was made, which books of accounts and records shall be at all times open to inspection by the board or its authorized representative.

Sec. 83. Purchase by holders of special permits. It shall be unlawful for the holder of any of the special permits provided for in Sections 65 to 83 of this act to purchase or obtain any liquors and/or wines, alcohol or vinous liquors, from any person other than the holder of a subsisting wholesaler's license as defined in this act.

Sec. 84. Diversion under special permits. It shall be unlawful for the holder of any special permit provided for in Sections 65 to 83 of this act to in any way use, dispose of, or sell any liquors or wines, alcohol or vinous liquors except as specifically provided in this act.

Sec. 85. Revocation and cancellation of special permits. The board is hereby empowered to revoke or cancel any special permit herein provided for upon satisfactory evidence to the board that the holder thereof has refused or neglected to comply with all, or violated any, of the provisions of this act.

Sec. 86. Shipments into State. No liquors or wines shall be shipped into this state unless the same shall be consigned to a person holding a

Digitized by Google

wholesaler's license under the provisions of this act; and no common carrier or other person shall bring or carry into this state any liquors or wines, unless the same shall be consigned to a person holding a wholesaler's license under the provisions of this act.

Sec. 87. Intrastate shipments. All transportation of liquors or wines within the State of Iowa shall be subject to such rules and regulations as the board may prescribe.

Sec. 88. Allocation of revenue. All permit fees collected by the board under the provisions of this act shall be credited to the General Fund of the State and become a part thereof. All license fees and taxes collected under the provisions of this act shall be distributed as follows:

1. On-half to the General Fund of the State.

2. The balance shall be allocated and paid each month by the board to the various cities and towns in proportion to the amount of license fees and taxes collected from the licensees located in such cities and towns during the preceding month.

Sec. 89. Violations—Penalties. Any person who violates any of the provisions of this act, or who manufactures or sells liquors and/or wines contrary to the provisions of this act, or who makes a false statement concerning any material fact in submitting any application for a license, or for a renewal of a license, or in any hearing concerning the revocation thereof, or who makes any false statement or keeps any false records in connection with the books and records required to be kept by the provisions of this act, shall be punished by a fine of not less than three hundred dollars ($300.00), nor more than one thousand dollars ($1000.00), or by imprisonment in the county jail for not less than three (3) months nor more than one (1) year, or by both such fine and imprisonment.

It is hereby made unlawful for any person to use or consume any liquors or wines upon the public streets or highways, or in automobiles or other vehicles on said streets or highways, or at any place other than a place of abode or a guest room of a hotel, except for the consumption of liquors or wines containing not more than fourteen per centum (14%) of alcohol by volume on the premises of a holder of a retailer's license, as provided in this act; and any person violating this provision shall be fined not to exceed one hundred dollars ($100.00) or sentenced to thirty (30) days in the county jail, or both such fine and jail sentence.

Sec. 90. Nothing in this act contained shall be construed to make it unlawful for any person to manufacture and sell to a licensed wholesaler, under such regulations as the board may prescribe, wine with an alcoholic content not in excess of fourteen per centum (14%) from grapes or other fruit produced by such person upon his own premises within this state.

TEMPORARY PROVISIONS

Sec. 91. Original board. The Governor shall appoint the first nine members of said board, which appointments shall be subject to the approval of a majority of the executive council, and shall, in the separate appointments, so designate the term of office of each appointee that four will serve until July 1, 1935, two belonging to each of the two major political parties; and five will serve until July 1, 1937, not more than three of whom shall belong to either of the two major political parties.

Digitized by Google

Sec. 92. Original board powers. The said first board shall possess and exercise all the rights, powers and duties of a regular full-time board.

Sec. 93. Appropriations. There is hereby appropriated from any money in the state treasury not otherwise appropriated such sum as may be necessary to pay the salaries and expenses resulting from the carrying out of the provisions of this act until June 30, 1935.

Sec. 94. Construction. If any section, subsection, sentence, clause, phrase, or requirement of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The legislature hereby declares that it would have passed this act, and each section, sub-section, sentence, clause, phrase and requirement thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, or requirements be declared unconstitutional.

Sec. 95. Local option. Any city or town in the state may prohibit the issuance of either dealer's license or retailer's licenses within its corporate limits in the manner hereinafter provided.

Sec. 96. Referendum. Any city or town council by resolution may, or upon petitions of qualified voters representing twenty-five per cent (25%) of the total vote cast in such city or town at the last general election, shall submit to the voters of such city or town at the next regular election, or special election called for that purpose, the following questions:

"Shall the issuance of retailers or dealers licenses providing for the sale of liquors and/or wines (as defined in this act) be prohibited within the corporate limits of the city (or town) of (naming it)?"

Sec. 97. Local option-prohibition. If, at such election, a majority of the votes cast favor the question submitted, the issuance of such licenses within the corporate limits of such city or town shall thereafter be prohibited, and any such licenses theretofore issued within the corporate limits of such city or town shall be forthwith cancelled by the commission.

Fabritz of Wapello asked for a division of the question.

Mitchell of Webster raised a point of order that the question is not subject to division. Speaker ruled that the point of order was not well taken.

Dole of Jefferson moved to amend the Cunningham substitute amendment by striking paragraphs 95, 96 and 97 thereof, and that the subject matter be considered later.

Fabritz of Wapello asked and obtained unanimous consent to withdraw his motion for division of the question.

Willis of Dallas moved to defer action until 10 o'clock Friday, January 5, on the Cunningham substitute amendment.

Roll call was demanded and on the question "Shall action on the

Digitized by Google

Cunningham substitute amendment be deferred until 10 o'clock a. m. Friday, January 5?''

The ayes were, 15.

Beswick	Elliott	Snyder	Weed
Cunningham	Hultman	Sours	Willis
Doran	Humeston	Speidel	Zylstra
Durant	McCarthy	Stanzel	

The nays were, 81.

Aldrich	Fletcher	Laughlin	Reed
Alesch	Foster	McCreery	Rice
Augustine	Frizzell	McDermott	Roe
Avery	Fuelling	McFarlane	Ryder
Beath	Fuester	McKinnon	Schlatter
Bonnstetter	Gallagher	McLean	Schmitz
Bouska	Garner	Malone	Schroeder
Bowers	Gissel	Maniece	Smith
Bruce	Gittinger	Mercer	Stewart
Burgess	Goode	Metcalf	Stimpson
Casey	Grau	Millhone	Swift
Craven	Grell	Mitchell	Teter
Davis	Hanson of Lyon	Moore of Benton	Thies
Dean	Hartman	Moore of Harrison	Thiessen
Dole	Hook	Mooty	Treimer
Donlon	Hopp	Ostby	Wiese
Dreessen	Hough	Paisley	Wolf
Ellsworth	Jenkins	Peaco	Yager
Fabritz	Jensen	Rawlings	Zipse
Falvey	Johnson		Mr. Speaker
Felter	Koch		

Absent or not voting, 12.

Brady	Lichty	Peet	Stansell
Crouch	Lookingbill	Porter	Strachan
Hanson of Winnebago	Osborn	Sheridan	Wieben

Motion lost.

The Dole amendment was adopted.

A roll call was demanded on the adoption of the Cunningham substitute amendment and on the question ''Shall the Cunningham substitute amendment as amended be adopted?''

The ayes were, 18.

Beath	Elliott	Hultman	Weed
Beswick	Felter	Humeston	Wiese
Bowers	Hartman	McCarthy	Willis
Cunningham	Hook	McFarlane	Yager
Doran		Millhone	

The nays were, 85.

Aldrich	Bonnstetter	Casey	Dean
Alesch	Bouska	Craven	Dole
Augustine	Bruce	Crouch	Donlon
Avery	Burgess	Davis	Dreessen

Digitized by Google

Durant	Hopp	Mitchell	Smith
Ellsworth	Hough	Moore of Benton	Snyder
Fabritz	Jenkins	Moore of Harrison	Sours
Falvey	Jensen	Osborn	Speidel
Fletcher	Johnson	Ostby	Stansell
Foster	Koch	Paisley	Stanzel
Frizzell	Laughlin	Peaco	Stewart
Fuelling	Lichty	Peet	Stimpson
Fuester	Lookingbill	Rawlings	Swift
Gallagher	McCreery	Reed	Teter
Garner	McDermott	Rice	Thies
Gissel	McKinnon	Roe	Thiessen
Gittinger	McLean	Ryder	Treimer
Goode	Malone	Schlatter	Wolf
Grau	Maniece	Schmitz	Zipse
Grell	Mercer	Schroeder	Zylstra
Hanson of Lyon	Metcalf	Sheridan	Mr. Speaker
Hanson of Winnebago			

Absent or not voting, 5.

Brady	Porter	Strachan	Wieben
Mooty			

Substitute amendment as amended lost.

Speidel of Washington called up the amendment filed by him and found on pages 593, 594 and 595 in the journal of January 2, and moved its adoption.

Teter of Marion moved that the amendments filed by him and Reed of Mahaska and found on pages 596 and 597 in the journal of January 2, be substituted for the amendment offered by Speidel of Washington.

Hanson of Lyon moved that the House recess to 1:30 this afternoon.

Bonnstetter moved as a substitute, that the House recess until 2 o'clock this afternoon.

Substitute motion prevailed and the House recessed to 2:00 o'clock today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

QUESTION OF PERSONAL PRIVILEGE

Alesch of Plymouth rose to a question of personal privilege regarding statement placed on desks of the members last Friday

Digitized by Google

and submitted his remarks in reply, and asked unanimous consent to have the same printed in the journal. Objections offered.

Jensen of Audubon moved that the remarks of Alesch of Plymouth be printed in the journal of the House.

A roll call was demanded and on the question "Shall the statement by Mr. Alesch be printed in the journal of the House?"

The ayes were, 57.

Aldrich	Fuester	Maniece	Sheridan
Alesch	Garner	Metcalf	Smith
Augustine	Gittinger	Mitchell	Stanzel
Beswick	Goode	Osborn	Stewart
Bonnstetter	Grell	Ostby	Stimpson
Burgess	Hook	Paisley	Swift
Craven	Hough	Peaco	Teter
Cunningham	Humeston	Rawlings	Thies
Davis	Jensen	Rice	Thiessen
Dean	Koch	Roe	Treimer
Donlon	McCarthy	Ryder	Wolf
Dreessen	McDermott	Schlatter	Zipse
Fabritz	McKinnon	Schmitz	Zylstra
Foster	Malone	Schroeder	Mr. Speaker
Fuelling			

The nays were, 43.

Avery	Falvey	Hopp	Moore of
Beath	Felter	Hultman	Harrison
Bouska	Fletcher	Jenkins	Mooty
Bowers	Frizzell	Johnson	Peet
Bruce	Gallagher	Laughlin	Reed
Casey	Gissel	Lichty	Snyder
Crouch	Grau	McCreery	Sours
Dole	Hanson of Lyon	McFarlane	Strachan
Doran	Hanson of	McLean	Weed
Durant	Winnebago	Mercer	Wiese
Elliott	Hartman	Millhone	Willis
Ellsworth			

Absent or not voting, 8.

Brady	Moore of Benton	Speidel	Wieben
Lookingbill	Porter	Stansell	Yager

Motion prevailed and the remarks were ordered published in the journal of the House.

(See page 621 for remarks by Mr. Alesch.)

The House resumed consideration of House File No. 292.

Hanson of Lyon moved to defer action on the substitute amendment by Teter and Reed until reconvening tomorrow morning.

A roll call was demanded and on the question "Shall action be deferred?"

Digitized by Google

The ayes were, 13.

Craven	McLean	Rawlings	Speidel
Gissel	Metcalf	Roe	Stimpson
Hanson of Lyon	Paisley	Schroeder	Yager
Jensen			

The nays were, 83.

Aldrich	Fabritz	Johnson	Schlatter
Alesch	Felter	Koch	Schmitz
Augustine	Foster	Lichty	Sheridan
Avery	Frizzell	McCarthy	Smith
Beath	Fuelling	McCreery	Snyder
Beswick	Fuester	McFarlane	Sours
Bonnstetter	Gallagher	Malone	Stanzel
Bouska	Garner	Maniece	Stewart
Bowers	Gittinger	Mercer	Strachan
Bruce	Goode	Millhone	Swift
Burgess	Grau	Mitchell	Teter
Casey	Grell	Moore of Benton	Thies
Cunningham	Hanson of	Moore of	Thiessen
Davis	Winnebago	Harrison	Treimer
Dean	Hartman	Mooty	Weed
Dole	Hook	Osborn	Wiese
Donlon	Hopp	Peaco	Willis
Doran	Hough	Peet	Wolf
Dreessen	Hultman	Reed	Zipse
Durant	Humeston	Rice	Zylstra
Elliott	Jenkins	Ryder	Mr. Speaker
Ellsworth			

Absent or not voting, 12.

Brady	Fletcher	McDermott	Porter
Crouch	Laughlin	McKinnon	Stansell
Falvey	Lookingbill	Ostby	Wieben

Motion lost.

On the question "Shall the Teter and Reed amendment be substituted for the Speidel amendment?" A roll call was demanded.

The ayes were, 74.

Aldrich	Felter	Lichty	Schmitz
Augustine	Fletcher	McCarthy	Schroeder
Avery	Frizzell	McDermott	Sheridan
Beath	Fuelling	McFarlane	Snyder
Beswick	Fuester	McKinnon	Sours
Bouska	Gallagher	Malone	Stanzel
Bowers	Garner	Maniece	Stewart
Burgess	Gittinger	Mercer	Strachan
Casey	Goode	Metcalf	Swift
Crouch	Hanson of	Millhone	Teter
Cunningham	Winnebago	Mooty	Thies
Dean	Hartman	Peaco	Thiessen
Dole	Hook	Peet	Treimer
Donlon	Hopp	Rawlings	Weed
Doran	Hough	Reed	Wiese
Dreessen	Humeston	Rice	Wolf
Durant	Jenkins	Roe	Zylstra
Elliott	Johnson	Ryder	Mr. Speaker
Fabritz	Koch	Schlatter	

Digitized by Google

The nays were, 25.

Alesch	Gissel	McLean	Paisley
Bonnstetter	Grau	Mitchell	Speidel
Bruce	Grell	Moore of Benton	Stimpson
Craven	Hanson of Lyon	Moore of Harrison	Willis
Davis	Hultman	Osborn	Yager
Ellsworth	Jensen		Zipse
Foster	McCreery		

Absent or not voting, 9.

Brady	Lookingbill	Porter	Stansell
Falvey	Ostby	Smith	Wieben
Laughlin			

Motion prevailed and the Teter amendment was substituted.

Zylstra of Sioux moved that the substituted amendment be adopted.

A roll call was demanded and on the question "Shall the substituted amendment be adopted?"

The ayes were, 67.

Aldrich	Durant	Hopp	Schlatter
Augustine	Elliott	Hough	Schmitz
Avery	Falvey	Humeston	Snyder
Beath	Felter	Jenkins	Sours
Beswick	Fletcher	Johnson	Speidel
Bouska	Frizzell	Lichty	Stanzel
Bowers	Fuelling	McCarthy	Stewart
Bruce	Fuester	McFarlane	Strachan
Burgess	Gallagher	McLean	Swift
Casey	Garner	Metcalf	Teter
Crouch	Gittinger	Mooty	Thies
Cunningham	Goode	Peaco	Thiessen
Dean	Hanson of Lyon	Peet	Treimer
Dole	Hanson of Winnebago	Rawlings	Weed
Donlon	Hartman	Reed	Wiese
Doran	Hook	Roe	Zylstra
Dreessen		Ryder	Mr. Speaker

The nays were, 31.

Alesch	Grell	Mitchell	Schroeder
Bonnstetter	Hultman	Moore of Benton	Sheridan
Craven	Jensen	Moore of Harrison	Smith
Davis	Koch	Osborn	Stimpson
Ellsworth	McCreery	Ostby	Willis
Foster	McKinnon	Paisley	Wolf
Gissel	Maniece	Rice	Yager
Grau	Mercer		Zipse

Absent or not voting, 10.

Brady	Lookingbill	Millhone	Stansell
Fabritz	McDermott	Porter	Wieben
Laughlin	Malone		

Substituted amendment adopted.

Goode of Davis moved to amend House File No. 292 by striking

Digitized by Google

from line one of Section 15 the words, "and the administrator". Amendment adopted.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 21

MR. PRESIDENT AND MR. SPEAKER: Your conference committee appointed to consider the differences between the Senate and the House on House File No. 21, a bill for an act to amend Section seventy-one hundred sixty-four (7164), Code 1931, by repealing lines nine (9) to nineteen (19), inclusive, of said section, relating to the computation of tax rates, begs leave to report it has had the same under consideration and recommends the bill be passed in the following form:

"A bill for an act to amend Section seventy-one hundred sixty-four (7164), Code 1931, by striking lines twenty (20), to thirty-one (31), inclusive, relating to the computation of tax rates.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. Section seventy-one hundred sixty-four (7164), Code 1931, is amended by striking therefrom lines twenty (20) to thirty-one (31), inclusive".

Respectfully submitted,

JOHN N. CALHOUN	CHARLES D. MOORE
WM. MCARTHUR	LAMAR P. FOSTER
WM. CARDEN	JOHN SPEIDEL
J. E. DOZE	DEWEY E. GOODE
On the part of the Senate.	*On the part of the House.*

REMARKS BY ALESCH OF PLYMOUTH

MR. SPEAKER: I rise to a question of personal privilege.

Last Friday morning there was placed on the desk of each member of this House a pamphlet called the Central Constructor in Iowa.

Whether the rules of this House were complied with in distributing this pamphlet, I do not know. This I know. The first editorial in this January 1934 issue, attempts to hold me up to ridicule. The article tries to convey the thought that my mind is just enough troubled to imagine that I am a knight of old, that I am going about riding a decrepit old steed and attacking windmills. I admit the steed I ride is the truth, if the Iowa Highway Commission and Fred White, chief engineer and the cement trust are windmills then I am guilty as charged.

I resent this attack, for it is low, mean, vulgar, personal and false.

I am a member of this House, elected by the people of my county and entitled to the respect which this position merits.

The press may comment as it will on the news. But when it makes an attack, personal as this one is, and then places it on the desks of the members of this House, they are going beyond all reason and decency.

May I quote the truth referred to a moment ago. Don Gus's vision has failed to date to prove convincing either to the Legislature or to the Attorney General. The cold fact is that to date, the House has sustained every position I have taken before this body in reference to the damnable

Digitized by Google

cement trust and their apparent domineering position over the Highway Commission.

Even the Attorney General admits the gravel pit deal in Guthrie county is real, and not a vision. It stinks and ought to be further probed.

Is the author of this personal attack sincere, or is he a tool? Is he the skunk in the wood pile? Is he the go-between of the higher up, and the cement trust? Is he doing the dirty work, is he afraid of his high paid position?

Personally, I do not care what they say about me as long as they are lying, but I do care when they attempt to laugh or lie our case out of court. This is the thing I resent. The thing is dastardly.

Members of the House is it a wonder that the people of our state are losing their confidence in our government and governmental officials. This sheet, the Central Constructor, published monthly by the Associated General Contractors, an Iowa Corporation, what is their purpose? It must be very useful and powerful to the contractors when the dues of some of the members amounts to one thousand dollars per year. They are getting bold. They come into this House with their scoffing publication and make a personal attack upon one of its members. One who differs with them on fundamental principles.

They say I am fighting windmills. The cold fact is that I am fighting windbags, and before I quit I am going to puncture at least one of them. This fight is on to the finish. This fight is going to be carried to the public. A public that is too honest and too numerous to be bribed with jobs and roads.

I know when newspapers are called upon to write to members of the Legislature, that it is just another method of buying influence and votes.

I know that the people of Iowa do not sanction such methods and I know that finally when the issue is brought to their attention, what the people will do.

I rise to the question of personal privilege, and I am now sending a copy of what I have said to the desk and asking to have it printed in the record, and I do this Mr. Speaker, in order to make the record permanent and in order to protect myself against slanderous remarks.

GUSTAVE ALESCH, *Chairman of Cement Investigation.*

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 98, a bill for an act to amend section nineteen hundred five-c twenty-six (1905-c26) code, 1931, relating to real estate brokers.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 98

Amend House File 98 by striking the words "who shall be employed to sell" from line four (4) of section one (1) and inserting in lieu thereof the words "while selling".

Digitized by Google

AMENDMENTS FILED

Fuester of Ida filed the following amendment:

Amend House File No. 292, Sec. 4, by striking all of paragraph five (5);

Further amend Sec. 4, by striking from lines 23 and 28, paragraph 6, the word "four" and insert in lieu thereof the word "three";

Also amend Sec. 4, paragraph 6, by striking from line 24, the words "and beer";

Also strike from line 26 of the same section the words "or beer";

Further amend Sec. 4, by striking all of paragraph twelve (12);

Further amend Sec. 4, paragraph 14, line 53, by striking the following: "or "beer" is brewed".

Amend Sec. 41, line 2, by striking the words, "or beer".

Amend Sec. 47, line 11, by striking the words, "except beer".

Teter of Marion filed the following amendment:

Amend House File No. 292, as follows:

By striking the words, "One Million Dollars," from Sec. 7, where said words appear in line 33 on page 9 of the printed bill, and by substituting in lieu thereof the words, twenty-five thousand dollars.

Also by striking the words, "One Dollar," from Sec. 19, where said words appear in line 24 on page 18 of the printed bill, and by substituting in lieu thereof the words, two dollars.

Also by striking the words, "Three Dollars," from Sec. 20, where said words appear in line 2 on page 18 of the printed bill, and by substituting in lieu thereof the words, two dollars.

Also by striking the words, "One Dollar," from said Sec. 20, where said words appear in line 4 on page 19 of the printed bill, and by substituting in lieu thereof the words, two dollars.

The committee on liquor control filed the following amendments to House File No. 292:

1. Amend line one of Section one by striking the word "Temperance" and inserting the words "Liquor Control".

2. Amend Section four by striking the word "said" in line 39 and inserting the word "a".

3. Amend Section four by striking from line 48 the words "of two hundred thirty one cubic inches". Also by placing a period after the word "gallons".

4. Amend Section 5 by striking from line 32 the word "confined" and inserting the word "confirmed".

5. Amend Sec. 6 by striking the words "of Iowa" from line 8.

6. Amend Sec. 4 by striking all of Sub-section 19 and substituting in lieu thereof the following:

"19. "Special Distributor" means a person especially designated by the Commission to dispense alcoholic liquors, subject to the provisions of this Act, in such towns as in the opinion of the Commission there is not sufficient demand for a State Liquor Store."

Digitized by Google

Further amend the bill by changing the words "specially designated distributor" wherever they appear to "special Distributor".

7. Amend Sec. 4 by striking from line 9 the word "contain" and inserting the word "contains".

8. Strike from line 14 of Sec. 5 the word "expenes" and insert the word "expenses".

9. Amend Sec. 8 by striking from line 17 the word "manufactured".

10. Amend Sec. 8 by adding at the end of line 26 the words "by any".

11. Amend Sec. 8 by striking the word "or" in line 48 and inserting the word "of".

12. Amend Sec. 3 by striking from line 3 the word "vinuous" and inserting in lieu thereof the word "vinous".

13. Amend Sec. 4 by adding after the word "being" in line 27 the following: "for beverage purposes".

14. Amend Sec. 4 by striking the comma (,) after the word "means" in line 41 and insert the word "to".

15. Amend Sec. 4 by striking from line 44 the word "cent" and inserting in lieu thereof the word "centum".

16. Amend Sec. 8 by striking the word "or" in line 38 and inserting the word "of".

17. Amend Sec. 9 by striking from line 2 the word "specially" and inserting the word "especially".

18. Amend Sec. 9 by striking the word and figure "eleven (11)" in line 5 and inserting the word and figure "ten (10)".

19. Amend Sec. 20 by striking the numeral "(1)" in line 2 and inserting the numeral "(2)". Further amend same line by striking the words "three dollars" and inserting the words "one dollar". Amend line 3 of Sec. 20 by striking the numeral "(1)" and inserting the numeral "(2)". Further amend said section by inserting between lines two and three the following:

"For a "Special Permit" under clause (b) of Sub-section (2) of Sec. 19 the fee shall be three dollars per year."

20. Amend Sec. 28 by adding at the end of line 4 the word "a".

21. Amend Sec. 29 by striking from line 12 the word "act" and inserting the word "Act".

22. Amend Sec. 42 by striking from line 5 the words "or special license". Further amend said section by striking from line 30 the word "the" and inserting the word "this".

23. Amend Sec. 39 by striking the word "Staute" in line one and inserting the word "Statute".

24. Amend Sec. 10 by inserting after the word "by" in line 7 the word "a". Strike the word "distributors" from the same line and insert the word "distributor".

25. Amend Sec. 9 by striking the word "distributor" in line 13 and inserting the word "distributors".

26. Amend Sec. 37 by striking sub-section three.

27. Amend Sec. 42 by striking from line 5 the words "special license".

28. Amend Sec. 52 by striking from line 5 the word "Board" and inserting the word "Commission".

Digitized by Google

29. Amend Sec. 53 by striking from line 15 the word "and" and inserting the word "an".

30. Amend the bill placing Sec. 48 immediately preceding the last section of the bill and renumbering the sections to correspond.

31. Amend Sec. 67 by inserting after the comma following the word "Iowa" in line 5 the following: "and in case a vehicle or other means of conveyance is abated, the sale thereof as hereinafter provided,"

32. Amend Sec. 33 by striking from line 7 the word "hunderd" and inserting the word "hundred".

Hanson of Lyon filed the following amendment:

Amend House File No. 292, Section fifty-three (53), following line fifteen (15) by adding the following:

"In order to further promote the enforcement of this Act, any person or persons furnishing the evidence on which conviction of any bootlegger is had, shall be entitled to a reward of fifty dollars ($50.00), payable by said commission out of the revolving fund created by this Act, upon receipt of a copy of such judgment of conviction, duly certified by the clerk of the district court in which said judgment of conviction is entered of record."

Humeston of Wayne filed the following amendment:

1. Amend House File 292, Section three, line four by striking the words and figures "three and five-tenths" and insert the words "the natural fermentation". Also strike from Section Three, line five, the words and figures "four and thirty-eight hundredths" and insert the words "the natural fermentation".

2. Also amend House File No. 292, Section Four, in lines 19 and 20 the words and figures "three and five-tenths" and inserting the words "the natural fermentation". Also in lines 20 and 21 amend by striking the words and figures "four and thirty-eight hundredths" and inserting the words "the natural fermentation".

3. Amend Section Five, line fourteen, by striking the words and figures "ten dollars" and inserting the words and figures "five dollars".

4. Also amend House File 292, Section Six, line three, by striking the word "six" and insert the word "thirty-six hundred".

5. Also in Section 7, line 28, by inserting after the word "chemist" the following: "at a salary not to exceed fifteen hundred dollars per annum".

6. Amend House File 292, Section 9, line 15, by striking all words in said line after "Sunday".

7. Amend Section 17, by striking line 5, line 7 and line 8.

8. Amend Section 20, line 2, by striking the words "three dollars" and inserting the words "twenty-five cents". Also in line four of Section 20, strike the words "one dollar" and insert the words "twenty-five cents".

9. Also amend Section 23, line 7, by striking the words "fifty cents" and insert the words "twenty-five cents".

10. Amend Section 52, line 7, by inserting after the word "depots" the following: "The Commission governing this act shall ascertain as

Digitized by Google

near as possible the average per cent of cost in administering this act and may add not over 10% profit to the sales of the various liquors above average cost enumerated in this act."

Gallagher of Iowa and Durant of Hancock filed the following amendment:

Amend House File No. 292 by inserting the following as a separate section at whatever point in the bill it will best fit, the section to read as follows:

Enforcement Agencies. In every county in Iowa the county attorney will constitute the head of the enforcement provision for the Iowa liquor control commission. As supplementary aids to such attorney the sheriff and his deputy, or deputies, and the police department of every city, this to include the day and night marshal of every incorporated town.

Any neglect or indifferentism shown by any peace officer included in this section will be sufficient cause for his removal from office; and the conclusive evidence of his guilt when presented before a judge of the district court will be full and complete warrant for such court to issue the decree of removal.

Mitchell of Webster filed the following amendment:

Amend House File 292 as follows:

I. By inserting in Section 18, Line 16, after the comma following the word, "possess", the words, "sell, use".

II. By striking from Subsection (2) of Section 19 the whole of Subparagraph (b), being lines 27 to 35, both inclusive, and inserting in lieu thereof the following:

"A 'special permit' of a form to be prescribed by the Commission, and subject in its issuance and/or use to such rules and regulations as the Commission may adopt, may be issued, notwithstanding the other provisions of this Act, (a) to a physician, druggist or dentist, which will entitle the holder to purchase liquor for use medicinally and in compounding prescriptions and will permit the druggist also to resell the same upon prescription; (b) to a soldiers' home, sanitarium, hospital or home for the aged, which will entitle the holder to purchase liquor for use for medicinal purposes only. Such special permit shall plainly specify the exact purpose for which issued and the limitations upon its use."

Zylstra of Sioux filed the following amendment:

Amend House File No. 292, Section nine (9) by adding thereto the following:

The State Liquor Stores so arranged for shall be classified and the vendors operating the same shall be paid by the state as follows:

Class A, in cities over ten thousand (10,000) population, annual salary $2000.00.

Class B, in cities or towns over five thousand (5,000) population, but under ten thousand (10,000), annual salary $1500.00.

Class C, in towns over two thousand (2,000) population, but under five thousand (5,000), annual salary $900.00.

Digitized by Google

Class D, in towns over two hundred (200) population, but under two thousand (2,000), annual salary $600.00.

Every operator of a State Liquor Store shall furnish bond to the Commission for faithful performance to the amount of twice his yearly salary, which shall be forfeited in case of violation of the provision of this Act.

No operator of a State Liquor Store shall be allowed to engage in, or be interested in, any other business and the period of his appointment shall be for two (2) years.

Zylstra of Sioux filed the following amendment:

Amend House File No. 292, Section nine (9) by striking lines one (1) to seven (7) up to the period after the word "thereunder" and inserting the following:

The commission shall establish as many State Liquor Stores as may appear necessary or advisable to them, but not to exceed one (1) to each ten thousand (10,000) of population. These Stores shall be established or discontinued only upon the application of the local city council, which council may demand a popular vote on the question of whether a State Liquor Store shall be established or discontinued, provided that after establishment of such a Store the question of discontinuance shall not be submitted to the people of such locality within two years of date of such establishment.

Durant of Hancock filed the following amendment:

Amend House File 292, section 39, subsection 1, line 9 by changing the comma (,) to a period (.) after the word "obtained" and by striking the rest of the section.

The committee on liquor control filed the following amendment:

Amend House File Two Hundred Ninety-two (292) as follows:

By inserting at the end of Section Nineteen (19) as sub-division (d) of said Section the following:

"Notwithstanding any of the provisions of this Act, patent and proprietary medicines, tinctures, food products, extracts, toilet articles and perfumes, and other like commodities, none of which are susceptible of use as a beverage, but which require as one of their ingredients alcohol or vinous liquors, may be manufactured and sold within this State, provided a 'special permit' so to do is first obtained, as in this sub-section provided.

Any person, firm or corporation desiring such permit shall file with the Liquor Commission the affidavit of such person, member of the firm, secretary or other managing officer of the corporation, as the case may be, stating therein the following facts:

1. The name, place of business and post office address of the person, firm or corporation desiring such permit.

2. The business in which said person, firm or corporation is engaged and the articles manufactured by them which require in their manufacture the use of alcohol or vinous liquors.

3. That neither the applicant, nor any member of the firm, nor officer

Digitized by Google

of the corporation has been convicted of any violation of the laws of this State with reference to the sale of intoxicating liquors within three (3) years last past prior to the date of said affidavit.

If the Liquor Commission is satisfied that the facts stated in said affidavit are true and that the applicant is a person fit and proper to be entrusted with the permit applied for, the same shall be issued upon the filing by the applicant of a bond in the sum of Two Thousand ($2,000.00) Dollars, with approved sureties, conditioned that the applicant will faithfully observe the provisions of this Act and the rules and regulations of the Commission.

Such 'special permit' when so issued shall entitle the holder thereof to import into the State, or purchase from licensed distillers within the State, alcohol or vinous liquors for use in manufacture, in accordance with the terms of said permit, and to sell the product of such manufacture, regardless of any of the other provisions of this Act with respect to purchase and sale of alcohol or vinous liquors.

It shall be the duty of every manufacturer holding such 'special permit' under the provisions of this sub-section whenever such manufacturer shall purchase any intoxicating liquor from any person, firm or corporation, other than the Liquor Commission, immediately upon receipt thereof to file with the Liquor Commission a report of the receipt of such liquor in accordance with the rules and regulations as they may be established by the Liquor Commission.

Jensen of Audubon filed the following amendment:

Amend section 6 of House File No. 85 by changing the period to a comma and adding after line 10 the following:

"Providing, however, that a given board in the case of an improvement as herein defined shall designate one person in exclusive authority to act in an advisory capacity to the Department of Public Works to the end that the improvement may best meet the needs of a given technical line of work."

Amend section 6 of House File No. 85 by adding sub-division three as follows:

"3. The letting of contracts for all improvements as defined in this act and all other financial power and authority shall be the direct and immediate responsibility of the Department of Public Works; but the clearly differentiated technical engineering functions formerly under the control of the State Highway Commission shall be administered by a chief engineer located in Ames acting under the authority of the Department of Public Works."

Hanson of Lyon filed the following amendment:

Amend House File No. 287, Section one (1), line seven (7), by striking the remainder of the sentence following the word "casualty".

Further amend Section one, following line twenty-four (24) by adding this paragraph:

"It is further provided that at any time the board of directors of independent districts shall find the funds accrued from the special two-tenths

Digitized by Google

of a mill levy more than adequate to meet probable risks from loss due to casualties, earlier referred to in this section, they may have authority to appropriate, not to exceed ten per cent of funds on hand in any one year of total funds accumulated, for the purpose of repairs or replacement due to natural depreciation of buildings, or equipment worn out or become obsolete. Any such appropriation amounting to more than ten per cent of total funds must be authorized by a majority of voters of the district."

Ellsworth of Hardin filed the following amendment:

Amend House File No. 192 by striking all of section one and inserting in lieu thereof the following:

"Sec. 1. Whenever a contract is entered into for the construction of any public improvement, whether for the state or for any of the legal subdivisions thereof, said contract, in addition to any other condition provided by law, shall require the principal contractor, his subcontractors if any, and any and all of his independent contractors to be insured in some company authorized to do business in the state of Iowa, said insurance to be conditioned to indemnify all persons from damage suffered in consequence of the negligence of said principal contractor, subcontractor and/or independent contractor or of the employees of any of them, provided such negligence occurs in the actual carrying out of said public improvement contract.

It shall be a further requirement of this act that satisfactory evidence of such insurance must be furnished to the state or its legal subdivision by the said principal contractor and all subcontractors and/or independent contractors before any work under the said contract may be performed, and such insurance must be constantly maintained in force during the period of said work."

Also amend the title to read:

"An act requiring liability insurance for all contractors on public improvements, their subcontractors, their independent contractors and the employees of any of them."

MOTION TO RECONSIDER FILED

I move to reconsider the vote by which the Teter and Reed amendment to House File No. 292 was adopted. JOHN SPEIDEL.

On the motion of Stanzel of Sac the House adjourned until 9:30 o'clock a. m. tomorrow.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 4, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Floyd Allan Bash, pastor Central Church of Christ, Des Moines, Iowa.

Journal of January 3 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Schmitz of Winneshiek for the day, on request of Bouska of Howard; Grell of Scott for the day, on request of Hanson of Lyon; Elliott of Polk for the day, on request of Cunningham of Polk; Crouch of Greene for part of the day, on request of Goode of Davis.

REPORTS OF COMMITTEES

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred House File No. 157, a bill for an act to repeal section ten thousand two hundred sixty-one (10261) and ten thousand two hundred sixty-two (10262), Code, 1931, and to enact substitutes therefor, relating to landlord's liens and the recording thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN H. MITCHELL, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 40, a bill for an act to amend Section eleven thousand seven hundred sixty (11760) Code of Iowa, 1931, providing for the addition of radio receiving set to general exemptions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Digitized by Google

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 132, a bill for an act to legalize the corporate acts and proceedings of Star Automobile Company, of Pella, Marion County, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Star Automobile Company, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 183, a bill for an act to amend Chapter one hundred three (103), acts of the forty-fifth general assembly, relating to the adoption of a plan of payment with "stamp-notes" by counties, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 297, by committee on judiciary No. 2, a bill for an act to legalize the corporate acts and proceedings of the Benton County Agricultural Society of Benton County, Iowa, and to provide for the reincorporation and extension of the period of corporate existence and the adoption of reincorporation articles of incorporation of said Benton County Agricultural Society of Benton County, Iowa.

Read first and second times and placed on calendar.

HOUSE FILE NO. 225 REREFERRED

Ryder of Dubuque asked and obtained unanimous consent to have House File No. 225 rereferred to the committee on police regulation, suppression of crime and intemperance.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 292, a bill for an act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and

Digitized by Google

to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa; to provide for the licensing and revenue thereof; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly, Chapters ninety-four (94) to one hundred four (104) inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any or all laws or parts of laws inconsistent with this Act.

McFarlane of Black Hawk called up the amendment filed by him and found on page 593 in the journal of January 2, and moved its adoption.

Fabritz of Wapello moved that action on the McFarlane amendment be deferred until the amendment filed by Mitchell of Webster had been disposed of. Motion prevailed.

Unanimous consent having been granted, Mitchell of Webster called up the amendment filed by him and found on page 626 of the journal of January 3, and moved its adoption.

Davis of Appanoose moved to amend the Mitchell amendment by inserting the word "veterinarian" after the word "physician" in line 4 of paragraph 2. Amendment adopted.

Mitchell of Webster moved to amend the amendment filed by him by inserting in line 8, paragraph 2, following the word "prescription", the words "of a licensed physician."

Amendment to the amendment adopted.

Zylstra of Sioux moved to amend the amendment by Mitchell of Webster by inserting after the words "to purchase liquor" in line 6 of paragraph 2, the words "from a state liquor store only".

Amendment to the amendment adopted.

Fabritz of Wapello asked for a division of the question on the Mitchell amendment.

Digitized by Google

Gallagher of Iowa moved the previous question on the Mitchell amendment. Motion prevailed.

Part I of the Mitchell amendment was adopted.

On the question "Shall Part II of the Mitchell amendment as amended be adopted?" A roll call was demanded.

The ayes were, 51.

Bouska	Hartman	Moore of Benton	Snyder
Bruce	Hultman	Moore of	Stansell
Burgess	Jensen	Harrison	Stewart
Casey	Johnson	Ostby	Stimpson
Craven	Koch	Paisley	Swift
Cunningham	Laughlin	Peaco	Teter
Davis	McCarthy	Rawlings	Thies
Dreessen	McDermott	Reed	Thiessen
Fabritz	McKinnon	Rice	Treimer
Falvey	Malone	Ryder	Weed
Frizzell	Maniece	Schlatter	Wolf
Gallagher	Metcalf	Schroeder	Zipse
Garner	Mitchell	Sheridan	Mr. Speaker

The nays were, 50.

Aldrich	Ellsworth	Hook	Peet
Alesch	Felter	Hopp	Roe
Augustine	Fletcher	Hough	Smith
Avery	Foster	Humeston	Sours
Beath	Fuelling	Jenkins	Speidel
Beswick	Fuester	Lichty	Stanzel
Bonnstetter	Gissel	Lookingbill	Strachan
Bowers	Gittinger	McCreery	Wieben
Dean	Goode	McFarlane	Wiese
Dole	Grau	McLean	Willis
Donlon	Hanson of Lyon	Mercer	Yager
Doran	Hanson of	Mooty	Zylstra
Durant	Winnebago	Osborn	

Absent or not voting, 7.

Brady	Elliott	Millhone	Schmitz
Crouch	Grell	Porter	

Amendment as amended adopted.

McFarlane of Black Hawk moved that action on his amendment be deferred. Motion prevailed.

Fabritz of Wapello called up the amendment filed by the committee on liquor control and found on pages 623, 624, 625, 627 and 628, in the journal of January 3, and moved their adoption insofar as they are applicable.

Amendments adopted.

Humeston of Wayne called up the amendments filed by him and found on pages 625 and 626 of the journal of January 3.

Digitized by Google

Humeston of Wayne asked and obtained unanimous consent to have action on his proposed amendments temporarily deferred.

Fuester of Ida called up the amendment filed by him and found on page 623 of the journal of January 3.

Fuester of Ida asked and obtained unanimous consent to have action on his proposed amendment temporarily deferred.

Ostby of Worth asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 596 of the journal of January 2.

Teter of Marion called up the amendment filed by him and found on page 623 in the journal of January 3.

Bonnstetter of Kossuth moved that the appropriation part of the proposed amendment be deferred until action on all other amendments to House File No. 292 had been disposed of. Motion prevailed.

Teter asked and obtained unanimous consent that the Chief Clerk be authorized to correct the amendment filed by him by adding thereto the following paragraph:

"Also by striking the words, "one million dollars," from Sec. 43, where said words appear in line 4 on page 27 of the printed bill, and by substituting in lieu thereof the words, "twenty-five thousand dollars."

Fabritz of Wapello, on behalf of the committee on liquor control, offered the following amendment:

Amend House File No. 292 by inserting at the end of sub-section (a) of Sec. 7 the following:

"Notwithstanding any of the provisions of this Act, the Commission shall have no power to sell beer as defined in this Act or as defined by Chapter 37, Acts of the Forty-fifth (45) General Assembly.

Action deferred.

Zylstra of Sioux called up the amendment filed by him and found on page 627 of the journal of January 3.

Zylstra of Sioux moved to amend the amendment by striking the period after the word "population" in line 3 and add thereto the words ", or one to each town or village of over 200 population."

Dean of Cerro Gordo moved to defer action of Zylstra amendment until tomorrow.

Digitized by Google

Zylstra of Sioux asked and obtained unanimous consent to withdraw both amendments filed by him yesterday and found on pages 626 and 627 in the journal of January 3.

Fabritz of Wapello called up the amendments filed by the committee on liquor control and found on pages 627 and 628 in the journal of January 3 and moved their adoption.

Amendments adopted.

SENATE FILE NO. 240 SUBSTITUTED FOR HOUSE FILE NO. 277

Ellsworth of Hardin asked and obtained unanimous consent to have Senate File No. 240 substituted for House File No. 277.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 157, 115 and 63.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills:

Senate Files No. 157, 115 and 63.

Bonnstetter of Kossuth moved that the House recess until 1:30 p. m. Motion prevailed.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

Mitchell of Webster moved that the rules be suspended and that House File No. 271 be taken up for consideration. Motion prevailed.

Digitized by Google

House File No. 271, a bill for an act to accept the provisions of the Act of Congress of the United States of America approved June 6, 1933, entitled, "An Act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system, and for other purposes", and making an appropriation therefor, with report of committee recommending passage, was taken up for consideration.

Davis of Appanoose moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 93.

Aldrich	Fletcher	Lookingbill	Ryder
Alesch	Foster	McCarthy	Schlatter
Avery	Frizzell	McCreery	Schroeder
Beath	Fuelling	McDermott	Sheridan
Beswick	Fuester	McFarlane	Snyder
Bonnstetter	Gallagher	McKinnon	Speidel
Bouska	Garner	McLean	Stanzel
Bowers	Gissel	Malone	Stewart
Bruce	Gittinger	Maniece	Stimpson
Casey	Goode	Mercer	Strachan
Craven	Hanson of Lyon	Metcalf	Swift
Crouch	Hanson of Winnebago	Millhone	Thies
Cunningham	Hartman	Mitchell	Thiessen
Davis	Hook	Moore of Benton	Treimer
Dean	Hopp	Moore of Harrison	Weed
Dole	Hultman	Mooty	Wieben
Donlon	Humeston	Ostby	Wiese
Doran	Jenkins	Paisley	Willis
Dreessen	Jensen	Peaco	Wolf
Durant	Johnson	Peet	Yager
Ellsworth	Koch	Rawlings	Zipse
Fabritz	Laughlin	Reed	Zylstra
Falvey	Lichty	Roe	Mr. Speaker
Felter			

The nays were, 2.

	Grau	Hough	

Absent or not voting, 13.

Augustine	Grell	Rice	Sours
Brady	Osborn	Schmitz	Stansell
Burgess	Porter	Smith	Teter
Elliott			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Davis of Appanoose moved that the vote by which House File No. 271 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Digitized by Google

The House resumed consideration of House File 292.

Fuester of Ida asked and obtained unanimous consent to withdraw the amendment filed by him yesterday and found on page 623 of the journal of January 3.

Weed of Madison moved to reconsider the vote by which the Mitchell amendments to House File No. 292 were adopted by the House.

Alesch of Plymouth moved the previous question. Motion lost.

Jensen of Audubon moved the previous question. Motion prevailed.

On the question "Shall the House reconsider the vote by which the Mitchell amendments were adopted?" A roll call was demanded.

The ayes were, 53.

Aldrich	Ellsworth	Hough	Reed
Augustine	Felter	Jenkins	Roe
Avery	Fletcher	Koch	Snyder
Beath	Frizzell	Lichty	Sours
Beswick	Fuelling	Lookingbill	Speidel
Bonnstetter	Fuester	McCreery	Stanzel
Bowers	Gissel	McDermott	Strachan
Craven	Goode	McFarlane	Weed
Cunningham	Grau	McLean	Wieben
Dean	Hanson of Lyon	Metcalf	Willis
Dole	Hanson of Winnebago	Millhone	Wolf
Donlon	Hook	Mooty	Yager
Doran	Hopp	Peet	Zylstra
Durant			

The nays were, 44.

Alesch	Hartman	Mitchell	Schroeder
Bouska	Hultman	Moore of Harrison	Sheridan
Bruce	Humeston	Osborn	Smith
Casey	Jensen	Ostby	Stewart
Crouch	Johnson	Paisley	Stimpson
Davis	Laughlin	Peaco	Swift
Dreessen	McCarthy	Rawlings	Thies
Fabritz	McKinnon	Rice	Thiessen
Falvey	Malone	Ryder	Treimer
Gallagher	Maniece	Schlatter	Wiese
Garner	Mercer		Zipse
Gittinger			

Absent or not voting, 11.

Brady	Foster	Porter	Teter
Burgess	Grell	Schmitz	Mr. Speaker
Elliott	Moore of Benton	Stansell	

Motion to reconsider prevailed.

Digitized by Google

Goode of Davis moved the previous question on the Mitchell amendments. Motion prevailed.

McCreery of Linn moved to reconsider the vote by which the previous question was ordered. Motion prevailed.

Sours of Floyd moved to amend the Mitchell amendment by striking Part I.

McKinnon moved that action be deferred on the Mitchell amendment until the local option phase of House File No. 292 is disposed of. Motion prevailed.

Durant of Hancock called up the amendment filed by him and found on page 627 of the journal of January 3, and moved its adoption.

Durant of Hancock asked and obtained unanimous consent to change the word "section" in the last line of the amendment to "sub-section."

AMENDMENTS FILED

Bonnstetter of Kossuth filed the following amendment:

Amend the amendment to House File 292 by Teter of Marion, appearing on page 623 of the House Journal of January 3, 1934, by adding thereto the following:

Provided, however, that the fee for all renewal permits shall be one dollar.

Felter of Warren filed the following amendment:

Amend House File 292, as follows: Amend House File 292, by striking lines thirteen (13), fourteen (14), and fifteen (15), Section thirty-nine (39).

Dean of Cerro Gordo filed the following amendment:

Amend House File 292 by inserting as section eleven (11) the following and renumbering the following sections:

Section 11

1. No sales of Intoxicating Liquor under this Act, shall be within the corporate limits of any legally incorporated city or town or special charter city, save only in accordance with the terms and provisions of this act.

2. The Commission before establishing any liquor store shall first notify the council of such city or town by filing with the City Clerk a statement or declaration of its intention so to do, whereupon the City Council shall within 10 days give notice thereof to the citizens of such city or town, by causing a copy of such declaration to be published in one

Digitized by Google

issue of a newspaper of general circulation published in such city or town, if any.

3. For a period of 30 days after the publication of such declaration, the legal voters of such city or town voting at the last general election, shall have the right to petition for a general or special election to determine whether a majority of the legal voters voting at such election desire the establishment of a liquor store in such city or town.

4. No petition shall be considered sufficient unless it shall have thereon the signatures of at least twenty (20) percent of those who voted at the last preceding general election, duly certified and sworn to before a notary public or magistrate.

5. Such petition shall be filed with the city clerk and shall be canvassed by the city council, commencing on the first Monday following the filing of the same. Said canvass shall be continued day by day without unnecessary delay, until same is completed and when completed, the city clerk shall at once certify the result of same to the commission.

6. In the event that no sufficient petition was filed as herein provided, then the commission may proceed, in its discretion to establish such liquor store or stores in said city or town as it may determine to be in the best public interest.

7. In the event such petition is found to be sufficient, the commission shall order the city council to hold a special or general election, as hereinafter provided. The city council shall within 10 days by resolution fix the date for the holding of such election, which date shall be not less than 30 days, nor more than 60 days thereafter, provided that the date of such election shall be the date of the next general election, if same comes within 180 days of the adoption of said resolution.

8. The city council shall cause to be printed on separate ballots the question to be submitted, in substance as follows:

"Shall the (city or town) of.....give its consent to the sale of intoxicating liquors within its corporate limits?"

.....Yes

.....No."

9. The general election laws of the state relative to elections in cities and towns, so far as applicable, shall apply to the elections held under this act.

10. The city council shall canvass the returns made by the election officials and shall certify the result thereof promptly and without unnecessary delay to the commission.

11. If a majority of the votes cast were "No", then no liquor store shall be established in such city or town for a period of two (2) years from the date of such election.

12. If a majority of the votes cast were "Yes", then said commission may in its discretion establish in such city or town, such liquor store or stores as are authorized by this act.

13. When authorized to establish liquor store or stores in any city or town as provided in this act, the commission shall in its discretion determine whether the best public interest will be served by so doing and

Digitized by Google

may either refuse to establish such liquor store or stores, or if already established may discontinue same at any time.

14. After two (2) years and not before, upon the filing of a sufficient petition as herein defined, with the city clerk of any city or town, and duly signed by twenty (20%) percent or more of the legal voters voting at the last preceding general election, an election shall be held for the purpose of determining whether the sale of intoxicating liquor, shall be permitted, continued or discontinued as the case may be. This election shall be held and conducted in the same manner as the election heretofore provided for herein.

McFarlane of Black Hawk filed the following amendment:

Amend House File No. 292, Section 19, sub-section (b) as amended, by striking the period in line 9, substituting a semi-colon in lieu thereof and adding the following: "(c) to any club established prior to January 1st, 1934, which has a bona fide paid up membership of not less than one hundred (100) members".

Alesch of Plymouth filed the following amendment:

Amend House File No. 292, Sec. 43, line five (5), by inserting after the word "purchase" the words "or manufacture".

Weed of Madison filed the following amendment:

Amend House File No. 292 by adding as Section 85-a the following:

All persons holding office in the state by vote of the electors and all persons holding public office in the state by appointment, as well as all employees of the state or any sub-division thereof, shall automatically cease to be an office holder or employee of the state or sub-division, upon being convicted of intoxication.

Fuester of Ida filed the following amendment:

Amend House File Number 292 as follows:

1. Strike from lines three (3), four (4), five (5), and six (6) of section three (3) the following words:

"malt (containing in excess of three and five-tenths (3.5%) per centum of alcohol by weight and four and thirty-eight hundredths (4.38%) per centum of alcohol by volume, brewed,".

2. Strike out paragraph five (5) of section four (4).

3. Strike out line one (1) of paragraph six (6) of section four (4) the word "four" and in lieu thereof insert the word "three".

4. Strike from line two (2) of paragraph six (6) of section four (4) the words "wine and beer" and in lieu thereof insert the words "and wine".

5. Strike from line four (4) of paragraph six (6) of section four (4) the words "wine, or beer" and in lieu thereof insert the words "or wine".

6. Strike from line six (6) of paragraph six (6) of section four (4) the word "four" and in lieu thereof insert the word "three".

7. Strike out paragraph twelve (12) of section four (4).

8. Strike from line one (1) of paragraph fourteen (14) of section four (4) the words ", "winery", and "brewery" " and in lieu thereof insert "and "winery" ".

Digitized by Google

9. Strike from line three (3) of paragraph fourteen (14) of section four (4) the words "or "beer" is brewed,".

10. Re-number remaining paragraphs of section four (4) consecutively.

11. Strike from line two (2) of section forty-one (41) the words "or beer".

12. Strike from line five (5) of section forty-seven (47) the words "brewery or".

13. Strike from line ten (10) of section forty-seven (47) the words "breweries or".

14. Strike from lines eleven (11), twelve (12), and thirteen (13) of section forty-seven (47) the following words, to wit:

", except beer as referred to in Chapter thirty-seven, Acts Forty-fifth General Assembly of the State of Iowa and amendments thereto".

15. Add to said House File a new section as follows:

"85-a1. This act shall not be construed as repealing any part of Chapter thirty-seven (37), Acts Forty-fifth (45th) General Assembly, nor shall this act be construed as embracing the beverage known as beer as now or hereafter defined in said chapter thirty-seven (37), Acts Forty-fifth (45th) General Assembly."

On the motion of Mercer of Johnson the House adjourned until 9:30 o'clock a. m. Friday, January 5.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 5, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven, pastor A. M. E. Church, Des Moines, Iowa.

Journal of January 4 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Brady of Pottawattamie for the day, on request of Rice of Keokuk; Elliott of Polk for the day, on request of Cunningham of Polk.

PETITIONS AND MEMORIALS

Opposing state-owned liquor stores. Brady, from the tax payers of Pottawattamie county; Thies, from the taxpayers of Pottawattamie county. Referred to committee on liquor control.

Opposing taxation on religious, charitable and educational organizations. Elliott, from the citizens of Polk county. Referred to the committee on tax revision.

Opposing certain provisions of the liquor control bill. McCreery, from the citizens of Linn county. Referred to the committee on liquor control.

Favoring gross income tax plan. Cunningham, from the citizens of Polk county. Referred to the committee on tax revision.

Favoring private sale of liquor. Schroeder, from the citizens of Carroll county. Referred to the committee on liquor control.

Favoring an increase in restaurant license fees. Maniece, from the restaurant owners of Emmet county. Referred to the committee on dairy and food.

Favoring equalization of the tax burden. Osborn of Decatur,

Digitized by Google

from the town council of Garden Grove, Iowa. Referred to the committee on public utilities.

Favoring the administration of the Agricultural Adjustment Act. Mooty, from the Farm Bureau of Grundy county. Referred to the committee on agriculture.

Favoring direct livestock buying. Dean, from the livestock producers of Cerro Gordo county. Referred to the committee on agriculture.

Opposing the computations of average weekly earnings and favoring insurance to injured workmen. Davis of Appanoose, from the citizens of Numa, Iowa. Referred to the committee on insurance.

Favoring an Old Age Pension. Rice, from the citizens of Keokuk county. Referred to the committee on appropriations.

Favoring House File No. 242 pertaining to street railways. Elliott of Polk, from the citizens of Des Moines, Iowa. Referred to the committee on cities and towns.

REPORTS OF COMMITTEES

Mitchell of Webster, from the committee on emergency legislation, submitted the following report:

MR. SPEAKER: Your committee on emergency legislation to whom was referred House File No. 183, a bill for an act to amend Section twelve thousand seven hundred thirteen (12713) Code, 1931, relative to the granting of receiverships by the Court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. JOHN H. MITCHELL, *Chairman.*

Passed on file.

Durant of Hancock, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health to whom was referred House File No. 187, a bill for an act to amend Section twenty-five hundred seventy-two (2572), Subsection one (1), and Section twenty-five hundred seventy-three (2573), subsection one (1), Code, 1931, relating to the educational requirements for licensing dental hygienists, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed. S. B. DURANT, *Chairman.*

Passed on file.

Digitized by Google

Ellsworth of Hardin, Snyder of Hamilton and Aldrich of Wright presented the following resolution:

HOUSE RESOLUTION NO. 6

Whereas, Deep sorrow has come to the home of Irving H. Knudson, former member of this House and now a member of the State Senate, through the death of his father, Gilbert Knudson, and the tragic and sudden death of his son, Jack Knudson,

Be It Resolved, That this House of Representatives in Special Session extend to Senator and Mrs. Knudson such heartfelt sympathy as may be expressed in mere words and that a copy of this resolution be sent to Senator Knudson.

Unanimous consent having been granted for the immediate consideration of the resolution, Ellsworth of Hardin moved its adoption. Motion prevailed and the resolution was unanimously adopted.

INTRODUCTION OF BILLS

House File No. 298, by the committee on insurance, a bill for an act requiring the filing of schedules of rates and rules by insurance companies, associations and inter-insurance exchanges, prohibiting rebating and discrimination, and providing penalties for the violation thereof.

Read first and second times and placed on calendar.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 292 including the amendment offered by Durant of Hancock, which was under consideration when the House adjourned yesterday.

Sours of Floyd moved to amend the Durant amendment by adding thereto the following:

Also strike from line 6 of sub-section 1 of Section 39, the word "other".

Teter of Marion offered the following substitute for the Durant amendment:

"Strike all of sub-section one (1), of section 39, which includes lines 5 to 11 inclusive.

Jensen of Audubon moved the previous question on the pending Durant amendments. Motion prevailed.

On the question "Shall the Teter amendment be substituted for the Durant amendment?" a roll call was demanded.

Digitized by Google

The ayes were, 25.

Avery	Falvey	Hultman	Schlatter
Beath	Felter	Koch	Snyder
Beswick	Fuester	McLean	Stanzel
Cunningham	Gissel	Millhone	Teter
Davis	Hanson of	Reed	Weed
Doran	Winnebago	Roe	Zylstra
Fabritz	Hook		

The nays were, 70.

Aldrich	Frizzell	McCreery	Schmitz
Alesch	Fuelling	McDermott	Schroeder
Augustine	Gallagher	McFarlane	Sheridan
Bonnstetter	Garner	McKinnon	Smith
Bouska	Gittinger	Malone	Sours
Bruce	Goode	Maniece	Speidel
Burgess	Grau	Mercer	Stewart
Casey	Hanson of Lyon	Metcalf	Stimpson
Craven	Hartman	Mitchell	Swift
Crouch	Hopp	Moore of Benton	Thies
Dean	Hough	Moore of	Thiessen
Dole	Humeston	Harrison	Treimer
Donlon	Jensen	Mooty	Wieben
Dreessen	Johnson	Osborn	Wiese
Durant	Laughlin	Ostby	Wolf
Ellsworth	Lichty	Paisley	Zipse
Fletcher	Lookingbill	Peet	Mr. Speaker
Foster	McCarthy	Ryder	

Absent or not voting, 13.

Bowers	Jenkins	Rawlings	Strachan
Brady	Peaco	Rice	Willis
Elliott	Porter	Stansell	Yager
Grell			

So the House refused to substitute.

Sours of Floyd asked and obtained unanimous consent to withdraw his amendment to the Durant amendment.

On the question "Shall the Durant amendment be adopted?" a roll call was demanded.

The ayes were, 37.

Avery	Felter	Hough	Snyder
Beath	Fletcher	Hultman	Sours
Beswick	Foster	Lookingbill	Speidel
Craven	Gissel	McCreery	Stanzel
Davis	Goode	McLean	Strachan
Dean	Grau	Metcalf	Teter
Dole	Hanson of Lyon	Millhone	Thies
Doran	Hanson of	Paisley	Weed
Durant	Winnebago	Reed	Zylstra
Ellsworth	Hook		

The nays were, 56.

Aldrich	Bouska	Casey	Fabritz
Alesch	Bruce	Crouch	Falvey
Bonnstetter	Burgess	Dreessen	Frizzell

Digitized by Google

Fuelling	McDermott	Osborn	Smith
Fuester	McFarlane	Ostby	Stewart
Gallagher	McKinnon	Peaco	Stimpson
Garner	Malone	Peet	Swift
Gittinger	Maniece	Rawlings	Thiessen
Hartman	Mercer	Rice	Treimer
Hopp	Mitchell	Roe	Wieben
Humeston	Moore of Benton	Ryder	Wiese
Jensen	Moore of Harrison	Schmitz	Wolf
Johnson	Mooty	Schroeder	Zipse
Koch		Sheridan	Mr. Speaker
McCarthy			

Absent or not voting, 15.

Augustine	Donlon	Laughlin	Stansell
Bowers	Elliott	Lichty	Willis
Brady	Grell	Porter	Yager
Cunningham	Jenkins	Schlatter	

Amendment lost.

Felter of Warren called up the amendment filed by him and found on page 638 of the Journal of January 4, and moved its adoption.

Jensen of Audubon moved the previous question on the Felter amendment. Motion prevailed.

On the question "Shall the Felter amendment be adopted?" a roll call was demanded.

The ayes were, 34.

Avery	Ellsworth	Hultman	Snyder
Beath	Felter	Jenkins	Sours
Craven	Fletcher	Lookingbill	Speidel
Cunningham	Foster	McCreery	Stanzel
Davis	Gissel	McKinnon	Strachan
Dean	Hanson of Lyon	McLean	Teter
Dole	Hanson of Winnebago	Metcalf	Weed
Doran	Hook	Millhone	Zylstra
Durant		Mooty	

The nays were, 61.

Aldrich	Gallagher	Mercer	Schroeder
Alesch	Garner	Mitchell	Sheridan
Augustine	Gittinger	Moore of Benton	Smith
Bonnstetter	Grau	Moore of Harrison	Stansell
Bouska	Hartman	Osborn	Stewart
Bruce	Hopp	Paisley	Stimpson
Burgess	Hough	Peaco	Swift
Casey	Humeston	Peet	Thies
Crouch	Jensen	Rawlings	Thiessen
Donlon	Johnson	Reed	Treimer
Dreessen	Koch	Rice	Wieben
Fabritz	Lichty	Roe	Wiese
Falvey	McCarthy	Ryder	Wolf
Frizzell	McFarlane	Schmitz	Zipse
Fuelling	Malone		Mr. Speaker
Fuester	Maniece		

Digitized by Google

Absent or not voting, 13.

Beswick	Goode	McDermott	Schlatter
Bowers	Grell	Ostby	Willis
Brady	Laughlin	Porter	Yager
Elliott			

Amendment to the amendment lost.

Grau of Buena Vista offered the following amendment and moved its adoption:

Amend House File No. 292 by striking Sec. 39 and inserting in lieu thereof the following:

Sec. 39. Billboard or poster advertising of alcoholic liquor is hereby declared unlawful under this Act and punishable by a fine of not to exceed one hundred dollars ($100.00).

On the question "Shall the Grau amendment be adopted?" a roll call was demanded.

The ayes were, 36.

Augustine	Durant	Hook	Sours
Avery	Felter	Hough	Speidel
Beath	Fletcher	Lookingbill	Stanzel
Beswick	Foster	McLean	Strachan
Bonnstetter	Gallagher	Maniece	Weed
Craven	Gissel	Millhone	Yager
Cunningham	Grau	Roe	Zipse
Davis	Hanson of Lyon	Smith	Zylstra
Dean	Hanson of Winnebago	Snyder	
Doran			

The nays were, 60.

Aldrich	Gittinger	Malone	Schlatter
Alesch	Goode	Mercer	Schmitz
Bouska	Hartman	Metcalf	Schroeder
Burgess	Hopp	Mitchell	Sheridan
Casey	Humeston	Moore of Benton	Stansell
Crouch	Jenkins	Moore of Harrison	Stewart
Dole	Jensen	Mooty	Stimpson
Donlon	Johnson	Osborn	Swift
Dreessen	Koch	Paisley	Thies
Ellsworth	Lichty	Peaco	Thiessen
Fabritz	McCarthy	Peet	Treimer
Falvey	McCreery	Rawlings	Wieben
Frizzell	McDermott	Reed	Wiese
Fuelling	McFarlane	Ryder	Wolf
Fuester	McKinnon		Mr. Speaker
Garner			

Absent or not voting, 12.

Bowers	Elliott	Laughlin	Rice
Brady	Grell	Ostby	Teter
Bruce	Hultman	Porter	Willis

Amendment lost.

Alesch of Plymouth called up the amendment filed by him and

Digitized by Google

found on page 640 of the Journal of January 4 and moved its adoption.

On the question "Shall the Alesch amendment be adopted?" a roll call was demanded.

The ayes were, 27.

Alesch	Hanson of Lyon	Ostby	Teter
Beswick	Humeston	Roe	Thiessen
Bonnstetter	Jensen	Schlatter	Wolf
Burgess	McDermott	Schmitz	Yager
Davis	McKinnon	Schroeder	Zipse
Donlon	Malone	Smith	Zylstra
Dreessen	Osborn	Stanzel	

The nays were, 55.

Augustine	Gallagher	Lookingbill	Peet
Avery	Garner	McCarthy	Reed
Bruce	Gissel	McCreery	Ryder
Crouch	Goode	McFarlane	Snyder
Cunningham	Hanson of Winnebago	McLean	Sours
Dean	Hartman	Maniece	Stansell
Dole	Hook	Mercer	Stewart
Doran	Hopp	Metcalf	Swift
Durant	Hough	Millhone	Thies
Ellsworth	Jenkins	Mitchell	Treimer
Felter	Johnson	Moore of Benton	Weed
Foster	Koch	Moore of Harrison	Wieben
Frizzell	Lichty	Paisley	Wiese
Fuelling			Mr. Speaker
Fuester			

Absent or not voting, 26.

Aldrich	Elliott	Hultman	Rice
Beath	Fabritz	Laughlin	Sheridan
Bouska	Falvey	Mooty	Speidel
Bowers	Fletcher	Peaco	Stimpson
Brady	Gittinger	Porter	Strachan
Casey	Grau	Rawlings	Willis
Craven	Grell		

Amendment lost.

Moore of Benton called up the amendment filed by him and found on page 595 of the journal of January 2 and moved its adoption.

Moore of Benton asked and obtained unanimous consent to amend his amendment as follows:

"Also strike from line 32 of Sec. 46, the words, "even numbered".

The amendment as amended was adopted.

Hanson of Lyon called up the amendment filed by him and found on page 625 of the journal of January 3 and moved its adoption.

Digitized by Google

Malone of Cass moved the previous question on the Hanson amendment. Motion prevailed.

On the question "Shall the Hanson amendment be adopted?" a roll call was demanded.

The ayes were, 33.

Augustine	Felter	Hook	Millhone
Avery	Fletcher	Hough	Roe
Beath	Foster	Hultman	Snyder
Beswick	Gallagher	Jenkins	Sours
Craven	Gissel	Lichty	Speidel
Davis	Grau	Lookingbill	Stanzel
Dean	Hanson of Lyon	McFarlane	Strachan
Doran	Hanson of Winnebago	McLean	Weed
Durant			

The nays were, 65.

Aldrich	Garner	Metcalf	Schroeder
Alesch	Gittinger	Mitchell	Sheridan
Bonnstetter	Goode	Moore of Benton	Smith
Bouska	Grell	Moore of Harrison	Stansell
Bruce	Hartman	Mooty	Stewart
Burgess	Hopp	Osborn	Stimpson
Casey	Humeston	Ostby	Swift
Cunningham	Jensen	Peaco	Teter
Dole	Johnson	Peet	Thies
Donlon	Laughlin	Rawlings	Thiessen
Dreessen	McCarthy	Reed	Treimer
Ellsworth	McCreery	Rice	Wieben
Fabritz	McDermott	Ryder	Wiese
Falvey	McKinnon	Schlatter	Yager
Frizzell	Malone	Schmitz	Zipse
Fuelling	Maniece		Mr. Speaker
Fuester	Mercer		

Absent or not voting, 10.

Bowers	Elliott	Porter	Wolf
Brady	Koch	Willis	Zylstra
Crouch	Paisley		

Amendment lost.

Gallagher of Iowa and Durant of Hancock called up the amendment filed by them and found on page 626 of the journal of January 3, and moved its adoption.

On the suggestion of Fabritz the amendment, if adopted, shall be inserted immediately preceeding the last section of the bill.

On the question "Shall the Gallagher and Durant amendment be adopted?" a roll call was demanded.

The ayes were, 66.

Avery	Bonnstetter	Cunningham	Dole
Beath	Bruce	Davis	Donlon
Beswick	Burgess	Dean	Doran

Digitized by Google

Dreessen	Hook	Moore of Harrison	Sheridan
Durant	Hough	Mooty	Snyder
Ellsworth	Hultman	Osborn	Sours
Falvey	Humeston	Ostby	Speidel
Felter	Jenkins	Paisley	Stansell
Fletcher	Lichty	Peet	Strachan
Frizzell	Lookingbill	Rawlings	Swift
Fuelling	McCreery	Reed	Thiessen
Fuester	McLean	Rice	Weed
Gallagher	Maniece	Roe	Wiese
Garner	Mercer	Ryder	Wolf
Gissel	Metcalf	Schlatter	Yager
Grau	Millhone	Schroeder	Zylstra
Hanson of Lyon	Moore of Benton		

The nays were, 27.

Aldrich	Fabritz	Johnson	Stewart
Alesch	Foster	Laughlin	Stimpson
Augustine	Gittinger	McCarthy	Treimer
Bouska	Goode	McFarlane	Wieben
Casey	Grell	Malone	Zipse
Craven	Hopp	Schmitz	Mr. Speaker
Crouch	Jensen	Smith	

Absent or not voting, 15.

Bowers	Hartman	Mitchell	Teter
Brady	Koch	Peaco	Thies
Elliott	McDermott	Porter	Willis
Hanson of Winnebago	McKinnon	Stanzel	

Amendment adopted.

Fuester of Ida called up the amendment filed by him and found on page 640 of the journal of January 4 and asked and obtained unanimous consent to defer action thereon temporarily.

Weed of Madison called up the amendment filed by him and found on page 640 of the journal of January 4 and moved its adoption.

On the question "Shall the Weed amendment be adopted?" a roll call was demanded.

The ayes were, 15.

Crouch	Foster	Hanson of Lyon	Speidel
Cunningham	Frizzell	Hook	Stanzel
Davis	Gallagher	Lookingbill	Weed
Felter	Gissel	McLean	

The nays were, 72.

Aldrich	Bonnstetter	Donlon	Fletcher
Alesch	Bouska	Doran	Fuelling
Augustine	Bruce	Dreessen	Fuester
Avery	Burgess	Ellsworth	Garner
Beath	Casey	Fabritz	Gittinger
Beswick	Dole	Falvey	Goode

Digitized by Google

Grau	McKinnon	Rawlings	Stimpson
Grell	Malone	Reed	Swift
Hartman	Maniece	Rice	Teter
Hopp	Metcalf	Roe	Thies
Hough	Mitchell	Ryder	Thiessen
Humeston	Moore of	Schlatter	Treimer
Jenkins	Harrison	Schmitz	Wieben
Jensen	Osborn	Schroeder	Wiese
Johnson	Ostby	Sheridan	Wolf
Koch	Paisley	Smith	Yager
Laughlin	Peaco	Snyder	Zipse
McCarthy	Peet	Stewart	Mr. Speaker
McCreery			

Absent or not voting, 21.

Bowers	Hanson of	Mercer	Sours
Brady	Winnebago	Millhone	Stansell
Craven	Hultman	Moore of Benton	Strachan
Dean	Lichty	Mooty	Willis
Durant	McDermott	Porter	Zylstra
Elliott	McFarlane		

Amendment lost.

On the motion of Moore of Harrison the House recessed until 1:30 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 241, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Burlington, Iowa, authorizing and providing for the issuance of Public Building Bonds of said city and making provisions for the levy of taxes to pay said bonds.

BYRON ALLEN, *Secretary.*

HOUSE FILE NO. 202 WITHDRAWN

Hough of Fayette asked and obtained unanimous consent to withdraw House File No. 202 from further consideration of the House.

The House resumed consideration of House File No. 292.

Humeston of Wayne asked and obtained unanimous consent to

Digitized by Google

withdraw the amendments filed by him and found on pages 625 and 626 of the journal of January 3.

Fabritz of Wapello on behalf of the committee on liquor control offered the following amendment and moved its adoption:

1. Amend House File No. 292 by striking the word "other" from line 7 of Sec. 28.

2. Amend the amendment as found on page 627 of the journal of January 3, to Sub-division (d) of Sec. 19 by striking from line 20 of paragraph 3 the word "intoxicating" and inserting in lieu thereof the word "alcoholic".

Amendment adopted.

Weed of Madison offered the following amendment and moved its adoption:

Amend House File No. 292 as follows: In Section 39, Paragraph 2, Line 15, after the word "distributor", strike the semi-colon and add a comma, and insert the following:
"and they shall advertise the finished product only and the price thereof."

On the question "Shall the Weed amendment be adopted?" a roll call was demanded.

The ayes were, 14.

Augustine	Felter	Hultman	Snyder
Avery	Foster	McLean	Weed
Beath	Gissel	Millhone	Yager
Durant	Hook		

The nays were, 68.

Aldrich	Fuester	McFarlane	Ryder
Alesch	Gallagher	Malone	Schlatter
Bonnstetter	Garner	Mercer	Schmitz
Bouska	Gittinger	Metcalf	Schroeder
Bruce	Goode	Mitchell	Sheridan
Burgess	Grau	Moore of Benton	Smith
Casey	Grell	Moore of Harrison	Stansell
Crouch	Hanson of Lyon	Osborn	Stewart
Dole	Hartman	Ostby	Stimpson
Donlon	Hopp	Paisley	Swift
Doran	Hough	Peaco	Thies
Dreessen	Jensen	Peet	Treimer
Ellsworth	Johnson	Rawlings	Wieben
Fabritz	Koch	Reed	Willis
Falvey	Laughlin	Rice	Wolf
Fletcher	Lichty	Roe	Zipse
Frizzell	McCarthy		Mr. Speaker
Fuelling			

Absent or not voting, 26.

Beswick	Cunningham	Hanson of Winnebago	Lookingbill
Bowers	Davis	Humeston	McCreery
Brady	Dean	Jenkins	McDermott
Craven	Elliott		McKinnon

Digitized by Google

Maniece	Sours	Strachan	Wiese
Mooty	Speidel	Teter	Zylstra
Porter	Stanzel	Thiessen	

Amendment lost.

Grau of Buena Vista offered the following amendment and moved its adoption:

Amend House File No. 292, Section 12, line 1 by inserting after the word "vendor" the following: "or special distributor".

Also amend line six by inserting after the word "vendor" the words, "or special distributor".

Amendment adopted.

Grau of Buena Vista offered the following amendment and moved its adoption:

Amend House File No. 292, Section 19, line 35 by striking the period and adding the following: "but in no case for re-sale in the form of alcoholic liquor".

Mitchell of Webster rose to a point of order, that the subject matter in the proposed amendment was of such a nature, that if adopted, would preclude consideration of his amendment, and his amendment being deferred until action was taken on the local option phase of the bill.

The chair ruled the point of order well taken.

Jenkins of Louisa offered the following amendment and moved its adoption:

Amend House File 292, Section 20, line 2 by striking the word "One" and inserting in lieu thereof the word "Two".

Further amend House File 292, Section 20, line 3 by striking the figure (1) and inserting in lieu thereof the figure (2).

Jenkins of Louisa asked and obtained unanimous consent to defer action on the amendments at this time.

Ellsworth of Hardin offered the following amendment and moved its adoption:

Amend House File No. 292 as follows: Strike from line seventeen (17) in section nineteen (19) the words "who is a resident of the state of Iowa."

Further amend section nineteen (19) by striking from line twenty-two (22) the word "non-resident" and inserting in lieu thereof the words "temporary resident".

Zylstra of Sioux moved to amend the amendment by adding the words "or transient" at the end of the second paragraph of the amendment. Amendment to the amendment adopted.

Digitized by Google

Malone of Cass moved the previous question on the amendment as amended. Motion prevailed.

Fabritz of Wapello moved that Sours of Floyd be permitted to ask a question. Motion prevailed.

On the question "Shall the Ellsworth amendment as amended be adopted?" a roll call was demanded.

The ayes were, 80.

Aldrich	Fuelling	McCreery	Schroeder
Augustine	Fuester	McFarlane	Snyder
Avery	Garner	Malone	Sours
Beath	Gissel	Maniece	Speidel
Beswick	Gittinger	Mercer	Stansell
Bonnstetter	Grell	Metcalf	Stanzel
Bouska	Hanson of Lyon	Millhone	Stewart
Bruce	Hanson of Winnebago	Mitchell	Stimpson
Burgess	Hartman	Moore of Benton	Strachan
Craven	Hopp	Mooty	Swift
Cunningham	Hough	Osborn	Thies
Davis	Hultman	Ostby	Thiessen
Dean	Humeston	Peaco	Treimer
Donlon	Jensen	Peet	Weed
Doran	Johnson	Reed	Wieben
Dreessen	Koch	Rice	Wiese
Ellsworth	Laughlin	Roe	Willis
Fabritz	Lichty	Ryder	Wolf
Falvey	McCarthy	Schlatter	Zylstra
Felter		Schmitz	Mr. Speaker
Frizzell			

The nays were, 14.

Casey	Foster	Moore of Harrison	Teter
Crouch	Goode	Rawlings	Yager
Dole	McKinnon	Smith	Zipse
Fletcher	McLean		

Absent or not voting, 14.

Alesch	Elliott	Jenkins	Paisley
Bowers	Gallagher	Lookingbill	Porter
Brady	Grau	McDermott	Sheridan
Durant	Hook		

Amendment as amended adopted.

AMENDMENTS FILED

Fuester of Ida filed the following amendment:

Amend the Fuester amendment to House File No. 292 as it appears on pages 640 and 641 of the House journal as follows:

16. Add to said House File a new section as follows:

"Sec. 85-a2. Chapter thirty-seven (37), Acts Forty-fifth General Assembly, as amended by chapter thirty-eight (38), Acts Forty-fifth (45th) General Assembly, is amended by adding thereto a new section as follows:

Digitized by Google

'Nothing in this act shall be construed to prohibit the manufacture in this state, and the transportation and sale out of this state, of beer having an alcoholic content greater than that permitted for sale within this state.'"

Rice of Keokuk, Mitchell of Webster and Schmitz of Winneshiek filed the following amendment:

Amend House File No. 292 as follows:

1. By striking from Sec. 7 the whole of paragraph (k) and inserting in lieu thereof the following:

"To establish and maintain in its own name in the State Treasury a special account, hereinafter known as the Liquor Control Act Fund, in an amount necessary for use of the Commission, said amount to be determined by the State Comptroller."

2. Further amend House File 292 by striking all of Sec. 43 and inserting in lieu thereof the following:

"For the purpose of enabling the Commission to carry out the provisions of this Act, there is hereby appropriated from the funds of the State Treasury not otherwise appropriated the sum of One Million Dollars and the State Comptroller shall set aside from the appropriation the amount necessary to be used by the Commission for the purchase of alcoholic liquors and payment of such other expenses as may be necessary to establish and operate State Liquor Stores and special distributors in accordance with the provisions of this Act and to perform such other duties as are imposed upon it by this Act.

All money hereafter received by the Commission, including any money received under the appropriation herein made, shall constitute what shall hereafter be known as the Liquor Control Act Fund. Whenever said Liquor Control Act Fund shall have a balance in excess of the amount necessary to carry out the provisions of this Act, the Comptroller shall transfer such excess to the general fund of the State Treasury."

3. Further amend by striking from line 5 of Sec. 44 the words "Revolving Fund" and inserting in lieu thereof the words "Liquor Control Act Fund".

4. Further amend Sec. 44 by striking from line 3 the words "Treasurer of State" and inserting in lieu thereof the word "Commission". Also strike from line 4 the words "Treasurer of State" and inserting in lieu thereof the word "Commission".

5. Amend Sec. 39, sub-section (2), paragraph (a) by striking all after the word "Commission" in line 13 and placing a period after same.

Felter of Warren filed the following amendment:

Amend House File 292 as follows: Amend Section fifty-three (53), by inserting after the word "bootlegger", in line 13, the following: "and any person who purchases or in any manner receives or assists in receiving any such illegal alcoholic liquor, shall be considered equally guilty of violation of the provisions of this section."

Moore of Benton, Cunningham of Polk and Mitchell of Webster filed the following amendment:

Digitized by Google

Amend House File No. 185 as follows:

Amend section two (2) by striking sub-paragraph "b" thereof, including lines sixteen (16) to nineteen (19) inclusive, and substituting in lieu thereof as sub-paragraph "b" the following:

"b. The term 'person' shall mean any individual, firm, partnership, joint stock company, association, trust, estate, joint adventure, and/or corporation, and any group or combination acting as a unit, and the plural as well as the singular number. The term 'person' shall also mean any receiver, trustee, conservator or representative appointed by any state or federal court."

Further amend section two (2) by striking therefrom sub-paragraph "d" thereof, including lines twenty-two to twenty-nine inclusive, and substituting therefor as sub-paragraph "d" the following:

"d. The term 'motor vehicle fuel' shall mean any petroleum product or other substance which alone or in combination with any other petroleum product or other substance is capable of being used to operate by combustion any internal combustion engine of the type used in automobiles, trucks, airplanes, motor boats, tractors, or other mechanical contrivances which are propelled by their own power and which is practicable for use for such purpose including the products commonly known as gasoline, kerosene, naptha, distillate, gas oil, tractor fuel, benzine and benzol.

"The treasurer of state is authorized to issue and have published, regulations which shall provide more particular descriptions and specifications of the various kinds of fuel which come within the above classification and to change such descriptions and specifications from time to time as advances are made in the production of motor vehicle fuel and in the devices for the consumption of motor vehicle fuel."

Further amend section two (2) by striking sub-paragraph "e" thereof including lines thirty (30) to thirty-six (36) inclusive, and substituting therefor as sub-paragraph "e" the following:

"e. The term 'fuel oil' shall mean those motor vehicle fuels which alone and without being combined with other petroleum products or other substances are incapable of successfully operating by combustion an internal combustion engine of the type used in automobiles and trucks such as ordinary kerosene, distillate and gas oil or other petroleum products or other substances having a similar flash point."

Further amend section two (2) by striking all of sub-paragraph "f" thereof, including lines thirty-seven to thirty-nine inclusive, and substituting therefor a sub-paragraph "f" the following:

"f. The term 'service station' shall mean any place where motor vehicle fuel is sold and delivered into the fuel tanks of motor vehicles."

Amend section five (5) by striking from line twenty-one (21) thereof the word "twenty-five" and substituting in lieu thereof the word "one".

Amend section seven (7) by adding thereto the following: "In lieu of the individual corporate surety bond or other security to be furnished by a distributor as hereinabove provided, distributors may in groups of fifty (50) or more, with the approval of the treasurer, associate themselves together for the purpose of obtaining a blanket corporate surety bond which shall stand as security for each member of the group and the

Digitized by Google

entire group. Where such blanket bond is furnished, the amount thereof need not be equal to twice the estimated amount of the license fees which the members of the group will be required to pay but shall be in such amount as the treasurer shall determine is sufficient to adequately safeguard the interests of the state."

Amend section eight (8) by adding thereto the following paragraph:

"The treasurer may in like manner require that any blanket bond filed by any group of distributors may be increased to such amount as in the opinion of the treasurer is sufficient to safeguard the interests of the state."

Amend section twenty (20) by inserting after line eighty-one (81) of said section the following paragraph:.

"Any person operating or causing to be operated a conveyance transporting fuel oil in bulk upon the highways of this state in violation of the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine of one hundred dollars or imprisonment in the county jail for a period of thirty days."

Amend section twenty-eight (28) by striking the period at the end of line ten (10) and substituting therefor the following:

", provided, however, that the treasurer shall make available for public information on or before the last day of the month following the month in which the tax is required to be paid the names of the distributors and the amount of the tax paid by each and the amount due, if any, from each of said distributors. The treasurer, upon request of officials entrusted with enforcement of the motor vehicle fuel tax laws of any other state, may forward to such officials any information which he may have relative to the exportation of motor vehicle fuel and fuel oil from this state to such other state, provided said officials of such other state furnish to the treasurer like information."

Amend section thirty (30) line fifty-two (52) by striking the word "sixty" and substituting the word "ninety".

Further amend section thirty (30) by adding thereto the following paragraph:

"The right of any person to a refund under this Act shall not be assignable and the application for a refund shall be made by the same person who purchased the motor vehicle fuel as shown in the invoice by the person selling the same and by no other person and the proceeds or amount of such refund, as determined by the treasurer, shall be paid to the person whose name appears on the seller's invoice and to no other person."

Amend Section thirty-one (31) by striking the words "director of licenses" where they appear in lines five (5) and six (6) of said section and substituting in lieu thereof, the word "treasurer".

Dean of Cerro Gordo filed the following amendment:

Amend House File 292 by inserting as sub-section 2 of section 9, the following:

a. The Commission before establishing any liquor store shall first notify the council of such city or town by filing with the City Clerk a statement or declaration of its intention so to do, whereupon the City

Digitized by Google

council shall by resolution accept or reject the proposition and within 10 days give notice thereof to the citizens of such city or town by causing a copy of such resolution to be published in one issue of a newspaper of general circulation published in such city or town, if any.

b. For a period of 30 days after the publication of such resolution the legal voters of such city or town shall have the right to petition for a General or Special Election to determine whether a majority of the legal voters voting at such election desire the establishment of a liquor store in such city or town.

c. No petition shall be considered sufficient unless it shall have thereon the signatures of legal voters of said city or town equal to (20%) of the total vote cast in said city or town at the last state or national election.

d. In the event such a petition is filed, the City Council shall within 10 days by resolution fix the date for the holding of such election, which date shall be not less than 30 days, nor more than 60 days thereafter, provided that the date of such election shall be the date of the next regular city or town election, if same comes within 180 days of the filing of said petition.

e. The City Council shall cause to be printed on separate ballots the question to be submitted, in substance as follows:

"Shall the (city or town) of.....give its consent to the establishment of a liquor store within its corporate limits?"

.....Yes

.....No."

f. The General Election laws of the State relative to elections in cities and towns, so far as applicable, shall apply to the elections held under this Act.

g. The City Council shall canvass the returns made by the election officials and shall certify the result thereof promptly and without unnecessary delay to the Commission.

h. If a majority of the votes cast were "No", then no liquor store shall be established in such city or town for a period of two (2) years from the date of such election, and any future election on the proposition shall be held only at the time of a regular election.

i. If a majority of the votes cast were "Yes", then said Commission may in its discretion establish in such city or town, such liquor store or stores as authorized by this Act.

j. After two (2) years and not before, upon the filing of a sufficient petition as herein defined, with the City Clerk of any city or town, the proposition may again be submitted to the voters for the purpose of determining whether the sale of intoxicating liquor shall be permitted, continued or discontinued as the case may be. Provided, however, that such further election must be held in connection with the next regular city or town election.

Fabritz of Wapello filed the following amendment:

Amend House File No. 292 Sub-section No. 5 of Section 4 by striking from said sub-section all after the word "containing" in line 19 and inserting in lieu thereof the following:

Digitized by Google

"a greater percentage of alcohol than is permitted or authorized under the provisions of Chapter Thirty-seven (37) of the Laws of the Forty-fifth (45) General Assembly of Iowa or as the same may hereinafter be amended."

Also amend Section 3 by striking from said section after the word "containing" in line 3 and including the word "volume" in line six (6) and inserting in lieu thereof the following:

"a greater percentage of alcohol than is permitted or authorized under the provisions of Chapter 37 of the Laws of the Forty-fifth (45) General Assembly of Iowa or as the same may hereinafter be amended.

Also amend Section 41 by striking all after the word "liquor" in line 2, to and including the word "volume" in line 4.

Also amend Section 7 by inserting at the end of sub-section (a) of Section 7 the following:

"Notwithstanding any of the provisions of this Act, the Commission shall have no power to sell beer as defined in this Act or as defined by Chapter 37, Acts of the Forty-fifth (45) General Assembly of Iowa or as the same may hereinafter be amended."

McLean of Marshall moved that the House adjourn until 9:30 a. m. tomorrow. Motion prevailed, and the House stood adjourned until 9:30 a. m. January 6.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 6, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by the Rev. Stacy L. Shenton, Pastor First Church of the Brethren, Des Moines, Iowa.

Journal of January 5 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Fuelling of Clayton for the day, on request of Ellsworth of Hardin; Hultman of Montgomery for the day, on request of Millhone of Page; Mercer of Johnson for the day, on request of Dreessen of Crawford; Brady of Pottawattamie for the day, on request of Rice of Keokuk; Craven of Jasper for the day, on request of McLean of Marshall; Speidel of Washington for the day, on request of Hanson of Lyon; McFarlane of Black Hawk for the day, on request of Johnson of Linn; Durant of Hancock for the day, on request of Lookingbill of Story.

ACTION ON HOUSE FILE NO. 292 DEFERRED

Owing to the number of absent members, Johnson of Linn asked and obtained unanimous consent to defer action on House File No. 292 at this time, and that non-controversial bills be considered at this day's session.

REPORTS OF COMMITTEES

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred House File No. 209, a bill for an act to amend Section Thirty-nine hundred and twenty-one (3921), Code, 1931, relating to the powers of the Board of Education in regard to inventions of students, instructors and officials, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Digitized by Google

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 88, a bill for an act to make permanent the transfer of funds from the secondary road construction fund of Buchanan County to the poor fund of said county, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 141, a bill for an act to legalize the proceedings of the board of directors of The Elgin-Brainard Farmers Cooperative Company of Elgin, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 228, a bill for an act to make permanent the transfer, in Winneshiek County, Iowa, of certain funds in the secondary road construction fund, and of certain funds in the court expense fund, to the poor fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred Senate File No. 229, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Nora Springs, Floyd County, Iowa, its articles of incorporation, the election of officers and board of trustees under said articles of incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as heretofore incorporated and assumed by said articles of re-incorporation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. BRADY, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

Digitized by Google

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 236, a bill for an act to amend section one (1), chapter eight (8), acts of the forty-fifth general assembly, relating to an examination of the financial transactions of school districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred Senate File No. 237, a bill for an act to repeal chapter seventy-five (75), acts of the forty-fifth general assembly, as the same appears in the enrolled bill, Senate File No. 146, and to enact a substitute therefor, relating to a license fee of one (1) cent per gallon on all motor vehicle fuel; and to enact a substitute therefor imposing a license fee of one (1) cent per gallon on all motor vehicle fuel used or otherwise disposed of within the state of Iowa, which shall be in addition to the license fee imposed by chapter two hundred fifty-one-A one (251-A1), code, 1931, and be for the purpose of providing funds to reimburse the counties for bridges, culverts and right-of-way on primary roads and paid for by the county out of the county road fund or the county bridge fund; and for the further purpose of providing additional revenue for the primary road fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN F. BRADY, *Chairman.*

Report adopted.

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 238, a bill for an act making an appropriation in the sum of $913.17 for payment of necessary expenses of the special corporation commission authorized by the 44th and continued in the 45th General Assembly of the State of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 299, by committee on judiciary No. 2, a bill for an act to make permanent the transfer of ten thousand dollars, ($10,000.00), from the Secondary Road Construction Fund, to the Poor Fund in Taylor County, Iowa.

Digitized by Google

Read first and second times and placed on calendar.

House File No. 300, by committee on appropriations, a bill for an act to make an appropriation for the payment of the extra expense of the State Printing Board incurred by and on account of the forty-fifth extraordinary session of the General Assembly.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 241, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Burlington, Iowa, authorizing and providing for the issuance of public building bonds of said city and making provisions for the levy of taxes to pay said bonds.

Read first and second times and referred to committee on judiciary No. 2.

CONSIDERATION OF COMMITTEE REPORTS

Millhone of Page called up the report of the committee recommending indefinite postponement of House File No. 178 and moved its rejection.

On the question "Shall the report be adopted?" a roll call was demanded.

Peaco of Clinton moved to defer action on the adoption of the report. Motion lost.

Goode of Davis moved to rerefer House File No. 178 to the committee on public health.

On the question "Shall House File No. 178 be rereferred to the committee on public health?" a roll call was demanded.

The ayes were, 62.

Alesch	Ellsworth	Jenkins	Moore of Benton
Avery	Fabritz	Jensen	Moore of Harrison
Beath	Falvey	Johnson	Osborn
Bonnstetter	Felter	Koch	Ostby
Bouska	Frizzell	McCarthy	Paisley
Bowers	Fuester	McCreery	Peaco
Bruce	Garner	McDermott	Rawlings
Davis	Gittinger	McKinnon	Reed
Dean	Goode	McLean	Roe
Dole	Grau	Malone	Schlatter
Donlon	Grell	Maniece	Schmitz
Doran	Hartman	Metcalf	Schroeder
Dreessen	Hopp	Mitchell	

Digitized by Google

Sours	Teter	Treimer	Zipse
Stewart	Thies	Wolf	Mr. Speaker
Stimpson	Thiessen	Yager	

The nays were, 26.

Aldrich	Gallagher	Mooty	Strachan
Augustine	Gissel	Peet	Swift
Beswick	Hanson of Lyon	Ryder	Weed
Cunningham	Hook	Snyder	Wieben
Elliott	Humeston	Stansell	Wiese
Fletcher	Laughlin	Stanzel	Zylstra
Foster	Lookingbill		

Absent or not voting, 20.

Brady	Fuelling	Lichty	Rice
Burgess	Hanson of Winnebago	McFarlane	Sheridan
Casey	Hough	Mercer	Smith
Craven	Hultman	Millhone	Speidel
Crouch		Porter	Willis
Durant			

Motion prevailed and House File No. 178 was rereferred to the committee on public health.

CONSIDERATION OF BILLS

Mitchell of Webster asked and obtained unanimous consent for the immediate consideration of House File No. 297, a bill for an act to legalize the corporate acts and proceedings of the Benton County Agricultural Society of Benton County, Iowa, and to provide for the reincorporation and extension of the period of corporate existence and the adoption of reincorporation articles of incorporation of said Benton County Agricultural Society of Benton County, Iowa.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Crouch	Fletcher	Hartman
Alesch	Cunningham	Foster	Hook
Augustine	Davis	Frizzell	Hopp
Avery	Dean	Fuester	Humeston
Beath	Dole	Gallagher	Jenkins
Beswick	Donlon	Garner	Koch
Bonnstetter	Doran	Gissel	Laughlin
Bouska	Elliott	Gittinger	Lookingbill
Bowers	Ellsworth	Goode	McCarthy
Bruce	Fabritz	Grau	McCreery
Burgess	Falvey	Grell	McLean
Casey	Felter	Hanson of Lyon	Malone

Digitized by Google

Maniece	Peaco	Smith	Thiessen
Metcalf	Peet	Sours	Treimer
Millhone	Rawlings	Stansell	Weed
Mitchell	Reed	Stanzel	Wieben
Moore of Benton	Roe	Stewart	Wiese
Moore of Harrison	Ryder	Stimpson	Wolf
Mooty	Schlatter	Strachan	Yager
Osborn	Schmitz	Swift	Zipse
Ostby	Schroeder	Teter	Zylstra
Paisley	Sheridan	Thies	Mr. Speaker

The nays were, none.

Absent or not voting, 20.

Brady	Hanson of Winnebago	Lichty	Porter
Craven	Hough	McDermott	Rice
Dreessen	Hultman	McFarlane	Snyder
Durant	Jensen	McKinnon	Speidel
Fuelling	Johnson	Mercer	Willis

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Sours of Floyd asked and obtained unanimous consent for the immediate consideration of Senate File No. 229, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Nora Springs, Floyd County, Iowa, its articles of incorporation, the election of officers and board of trustees under said articles of incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as heretofore incorporated and assumed by said articles of re-incorporation, with report of committee recommending passage.

Sours of Floyd moved that the rules be suspended prohibiting the third reading of a bill the same day it was recommended back from the committee. Motion prevailed.

Sours of Floyd moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 85.

Aldrich	Bouska	Dean	Falvey
Alesch	Bruce	Dole	Felter
Augustine	Burgess	Donlon	Fletcher
Avery	Casey	Doran	Foster
Beath	Crouch	Elliott	Frizzell
Beswick	Cunningham	Ellsworth	Fuester
Bonnstetter	Davis	Fabritz	Gallagher

Digitized by Google

Garner	Lookingbill	Paisley	Stimpson
Gissel	McCarthy	Peaco	Swift
Gittinger	McCreery	Peet	Teter
Goode	McKinnon	Reed	Thies
Grau	Malone	Roe	Thiessen
Grell	Maniece	Ryder	Treimer
Hanson of Lyon	Metcalf	Schlatter	Weed
Hartman	Millhone	Schmitz	Wieben
Hook	Mitchell	Schroeder	Wiese
Hough	Moore of Benton	Sheridan	Wolf
Humeston	Moore of	Smith	Yager
Jenkins	Harrison	Sours	Zipse
Jensen	Mooty	Stanzel	Zylstra
Johnson	Osborn	Stewart	Mr. Speaker
Koch	Ostby		

The nays were, none.

Absent or not voting, 23.

Bowers	Hanson of	McDermott	Rice
Brady	Winnebago	McFarlane	Snyder
Craven	Hopp	McLean	Speidel
Dreessen	Hultman	Mercer	Stansell
Durant	Laughlin	Porter	Strachan
Fuelling	Lichty	Rawlings	Willis

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Ellsworth of Hardin asked and obtained unanimous consent for the immediate consideration of House File No. 231, a bill for an Emergency Act to legalize all depositors agreements heretofore entered into by any county, town, city, township or school district, by its governing body or any designated officer or agent for that purpose, or by the State of Iowa, through its Executive Council, or any officer or agent for that purpose covering deposits of public moneys in any state bank, savings bank, trust company, private bank or national bank in Iowa, or any bank or trust company assuming all or any part of the deposit liability of a depository bank or trust company, and providing for participation in the State Sinking Fund for public deposits, with report of committee recommending passage.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 86.

Aldrich	Felter	Lookingbill	Schmitz
Alesch	Fletcher	McCarthy	Schroeder
Augustine	Foster	McCreery	Sheridan
Avery	Frizzell	McDermott	Smith
Beath	Fuester	Malone	Sours
Beswick	Gallagher	Maniece	Stanzel
Bonnstetter	Garner	Metcalf	Stewart
Bouska	Gissel	Millhone	Stimpson
Bowers	Gittinger	Moore of Benton	Strachan
Bruce	Goode	Moore of	Swift
Burgess	Grell	Harrison	Thies
Casey	Hanson of Lyon	Mooty	Thiessen
Crouch	Hartman	Osborn	Treimer
Cunningham	Hook	Ostby	Weed
Davis	Hopp	Paisley	Wieben
Dole	Hough	Peaco	Wiese
Donlon	Humeston	Peet	Wolf
Doran	Jenkins	Rawlings	Yager
Elliott	Jensen	Reed	Zipse
Ellsworth	Johnson	Roe	Zylstra
Fabritz	Koch	Ryder	Mr. Speaker
Falvey	Laughlin	Schlatter	

The nays were, none.

Absent or not voting, 22.

Brady	Grau	McKinnon	Snyder
Craven	Hanson of	McLean	Speidel
Dean	Winnebago	Mercer	Stansell
Dreessen	Hultman	Mitchell	Teter
Durant	Lichty	Porter	Willis
Fuelling	McFarlane	Rice	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Bonnstetter of Kossuth asked and obtained unanimous consent for the immediate consideration of Senate File No. 238, a bill for an act making an appropriation in the sum of Nine Hundred Thirteen dollars and seventeen cents ($913.17) for the payment of the necessary expenses of the special corporation commission authorized by the Forty-fourth General Assembly and continued by the Forty-fifth General Assembly of the State of Iowa, with report of committee recommending passage.

Johnson of Linn moved that the rules be suspended prohibiting the third reading of a bill the same day it was recommended back from committee. Motion prevailed.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Falvey	McCarthy	Schroeder
Alesch	Felter	McCreery	Sheridan
Augustine	Fletcher	McKinnon	Smith
Avery	Frizzell	McLean	Sours
Beath	Fuester	Malone	Stanzel
Beswick	Gallagher	Maniece	Stewart
Bonnstetter	Gissel	Metcalf	Stimpson
Bouska	Gittinger	Millhone	Strachan
Bowers	Goode	Moore of Benton	Swift
Bruce	Grau	Mooty	Teter
Burgess	Grell	Osborn	Thies
Casey	Hartman	Ostby	Thiessen
Cunningham	Hook	Paisley	Treimer
Davis	Hopp	Peaco	Weed
Dean	Humeston	Peet	Wieben
Dole	Jenkins	Reed	Wiese
Donlon	Jensen	Roe	Willis
Doran	Johnson	Ryder	Wolf
Elliott	Koch	Schlatter	Yager
Ellsworth	Lookingbill	Schmitz	Zylstra
Fabritz			

The nays were, 1.

Crouch

Absent or not voting, 26.

Brady	Hanson of Lyon	McDermott	Rawlings
Craven	Hanson of	McFarlane	Rice
Dreessen	Winnebago	Mercer	Snyder
Durant	Hough	Mitchell	Speidel
Foster	Hultman	Moore of	Stansell
Fuelling	Laughlin	Harrison	Zipse
Garner	Lichty	Porter	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House.

Johnson of Linn asked and obtained unanimous consent to have the Chief Clerk correct the title to Senate File No. 238 as follows:

Amend title to Senate File No. 238 by striking line two and substituting the following: "forty-three dollars and seventeen cents (943.17) for".

Title as amended was agreed to.

Johnson of Linn moved that the vote by which Senate File No. 238 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Gallagher of Iowa asked and obtained unanimous consent for the immediate consideration of Senate File No. 91, a bill for an act to repeal section forty-two hundred thirty-one (4231), code

Digitized by Google

1931, relating to the closing of schools because of lack of attendance, and to enact a substitute therefor.

McKinnon of Henry moved that action be deferred.

On the question "Shall action on Senate File No. 91 be deferred?" a roll call was demanded.

The ayes were, 22.

Alesch	McKinnon	Smith	Wiese
Gissel	McLean	Snyder	Willis
Gittinger	Metcalf	Sours	Yager
Goode	Ostby	Stanzel	Zipse
Grau	Rice	Thiessen	Mr. Speaker
Hough	Schroeder		

The nays were, 62.

Aldrich	Elliott	Jensen	Rawlings
Avery	Ellsworth	Johnson	Reed
Beath	Fabritz	Koch	Roe
Beswick	Falvey	Laughlin	Ryder
Bonnstetter	Felter	Lookingbill	Schlatter
Bouska	Fletcher	McDermott	Schmitz
Bowers	Frizzell	Malone	Stewart
Bruce	Fuester	Millhone	Stimpson
Burgess	Gallagher	Moore of Benton	Strachan
Casey	Garner	Moore of Harrison	Swift
Crouch	Grell	Mooty	Teter
Cunningham	Hanson of Lyon	Osborn	Thies
Davis	Hartman	Paisley	Treimer
Dole	Hopp	Peaco	Weed
Donlon	Humeston	Peet	Wieben
Doran	Jenkins		

Absent or not voting, 24.

Augustine	Fuelling	McCarthy	Porter
Brady	Hanson of Winnebago	McCreery	Sheridan
Craven	Hook	McFarlane	Speidel
Dean	Hultman	Maniece	Stansell
Dreessen	Lichty	Mercer	Wolf
Durant		Mitchell	Zylstra
Foster			

So the House refused to defer action on Senate File No. 91.

Sours of Floyd offered the following amendment and moved its adoption:

Amend Senate File No. 91 by striking lines 5, 6, 7, 8, and the first 9 words of line 9, which includes the following words:

"be entered into with any teacher to teach an elementary school when the average daily attendance of elementary pupils in such school the last preceding term therein was less than five such pupils of school age, resident of the district or subdistrict, as the case may be, nor shall any contract".

Mooty of Grundy moved the previous question on the main bill and all the amendments. Motion prevailed.

Digitized by Google

On the question "Shall the Sours amendment be adopted?" a roll call was demanded.

The ayes were, 25.

Beath	Gissel	McKinnon	Smith
Bonnstetter	Gittinger	McLean	Sours
Dean	Goode	Maniece	Willis
Ellsworth	Grau	Metcalf	Wolf
Foster	Hook	Osborn	Yager
Fuester	Koch	Roe	Zipse
Garner			

The nays were, 58.

Aldrich	Elliott	Johnson	Schmitz
Alesch	Falvey	Lookingbill	Schroeder
Avery	Felter	McCarthy	Snyder
Beswick	Frizzell	McCreery	Stewart
Bouska	Gallagher	McDermott	Stimpson
Bowers	Grell	Millhone	Strachan
Bruce	Hanson of Lyon	Mooty	Swift
Burgess	Hanson of	Ostby	Teter
Casey	Winnebago	Paisley	Thiessen
Crouch	Hartman	Peaco	Treimer
Cunningham	Hopp	Peet	Weed
Davis	Hough	Rawlings	Wieben
Dole	Humeston	Reed	Wiese
Donlon	Jenkins	Ryder	Zylstra
Doran	Jensen	Schlatter	

Absent or not voting, 25.

Augustine	Fuelling	Mitchell	Sheridan
Brady	Hultman	Moore of Benton	Speidel
Craven	Laughlin	Moore of	Stansell
Dreessen	Lichty	Harrison	Stanzel
Durant	McFarlane	Porter	Thies
Fabritz	Malone	Rice	Mr. Speaker
Fletcher	Mercer		

Amendment lost.

McLean of Marshall moved to amend Senate File No. 91 by inserting a period following the word "school" in line 22 of the bill and striking the remainder of the sentence.

Also amend by inserting a period following the word "school" in line 27, and striking the remainder of the sentence.

On the question "Shall the McLean amendment be adopted?" a roll call was demanded.

The ayes were, 25.

Aldrich	Foster	McCarthy	Snyder
Beath	Gissel	McKinnon	Weed
Beswick	Gittinger	McLean	Willis
Bonnstetter	Goode	Metcalf	Wolf
Dean	Hanson of	Ostby	Yager
Dreessen	Winnebago	Smith	Zipse
Fletcher	Lookingbill		

Digitized by Google

The nays were, 58.

Alesch	Fabritz	Koch	Schmitz
Avery	Falvey	McCreery	Sheridan
Bouska	Frizzell	McDermott	Sours
Bowers	Gallagher	Millhone	Stewart
Bruce	Garner	Mooty	Stimpson
Burgess	Grell	Osborn	Swift
Casey	Hanson of Lyon	Paisley	Teter
Crouch	Hartman	Peaco	Thies
Cunningham	Hook	Peet	Thiessen
Davis	Hopp	Rawlings	Treimer
Dole	Hough	Reed	Wieben
Donlon	Humeston	Roe	Wiese
Doran	Jenkins	Ryder	Zylstra
Elliott	Jensen	Schlatter	Mr. Speaker
Ellsworth	Johnson		

Absent or not voting, 25.

Augustine	Grau	Mercer	Rice
Brady	Hultman	Mitchell	Schroeder
Craven	Laughlin	Moore of Benton	Speidel
Durant	Lichty	Moore of Harrison	Stansell
Felter	McFarlane	Porter	Stanzel
Fuelling	Malone		Strachan
Fuester	Maniece		

Amendment lost.

Goode of Davis offered the following amendment and moved its adoption:

Amend Senate File No. 91 by striking all after the second comma in line 14 to the end of the paragraph which includes the following:

"regardless of the average daily attendance in such school during the last preceding term, unless the parents or guardians of seven or more such elementary children subscribe to a written statement sworn to before the county superintendent or a notary public certifying that such children will enroll in and will attend such elementary school if opened and secure from the county superintendent written permission authorizing the board to contract with a teacher for such school for a stated period of time not to exceed three months."

Amendment lost.

Gallagher of Iowa moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 61.

Alesch	Bruce	Davis	Ellsworth
Avery	Burgess	Dole	Falvey
Bonnstetter	Casey	Donlon	Felter
Bouska	Crouch	Doran	Fletcher
Bowers	Cunningham	Elliott	Foster

Digitized by Google

Gallagher	Johnson	Moore of Harrison	Schmitz
Goode	Koch	Mooty	Sheridan
Grell	Laughlin	Osborn	Snyder
Hanson of Lyon	Lookingbill	Paisley	Strachan
Hanson of Winnebago	McCarthy	Peaco	Swift
Hartman	McCreery	Peet	Teter
Hough	McDermott	Rawlings	Treimer
Humeston	Maniece	Reed	Wiese
Jenkins	Millhone	Roe	Willis
Jensen	Moore of Benton	Schlatter	Wolf
			Zylstra

The nays were, 31.

Aldrich	Garner	Metcalf	Thies
Augustine	Gissel	Ostby	Thiessen
Beath	Gittinger	Rice	Weed
Beswick	Grau	Schroeder	Wieben
Dean	Hook	Smith	Yager
Dreessen	Hopp	Sours	Zipse
Frizzell	McKinnon	Stewart	Mr. Speaker
Fuester	McLean	Stimpson	

Absent or not voting, 16.

Brady	Fuelling	Malone	Ryder
Craven	Hultman	Mercer	Speidel
Durant	Lichty	Mitchell	Stansell
Fabritz	McFarlane	Porter	Stanzel

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Gallagher of Iowa moved that the vote by which Senate File No. 91 passed the House be reconsidered and the motion to reconsider be laid on the table.

A roll call was demanded and on the question "Shall the vote by which Senate File No. 91 passed the House be reconsidered and the motion to reconsider be laid on the table?"

The ayes were, 62.

Alesch	Elliott	Laughlin	Reed
Avery	Ellsworth	Lookingbill	Roe
Beath	Falvey	McCarthy	Ryder
Bonnstetter	Felter	McCreery	Schlatter
Bouska	Fletcher	McDermott	Schmitz
Bowers	Frizzell	Malone	Smith
Bruce	Gallagher	Millhone	Snyder
Burgess	Grell	Moore of Benton	Strachan
Casey	Hanson of Lyon	Moore of Harrison	Swift
Crouch	Hartman	Mooty	Teter
Cunningham	Hough	Osborn	Treimer
Davis	Humeston	Paisley	Wieben
Dole	Jenkins	Peaco	Wiese
Donlon	Jensen	Peet	Wolf
Doran	Johnson	Rawlings	Zylstra
Dreessen	Koch		

Digitized by Google

The nays were, 29.

Aldrich	Goode	Metcalf	Thies
Beswick	Grau	Ostby	Thiessen
Dean	Hanson of Winnebago	Rice	Weed
Foster	Hook	Schroeder	Willis
Fuester	Hopp	Sours	Yager
Garner	McKinnon	Stewart	Zipse
Gissel	McLean	Stimpson	Mr. Speaker
Gittinger			

Absent or not voting, 17.

Augustine	Fuelling	Maniece	Sheridan
Brady	Hultman	Mercer	Speidel
Craven	Lichty	Mitchell	Stansell
Durant	McFarlane	Porter	Stanzel
Fabritz			

Motion prevailed.

Jensen of Audubon asked and obtained unanimous consent for the immediate consideration of House File No. 114, a bill for an act to make permanent a temporary transfer made July 18, 1932, approved by the Director of the Budget of the State of Iowa under date of August 4, 1932, of seven thousand dollars ($7,000.00) from the Secondary Road Construction Fund of Audubon County to the County Funds of said county, with report of committee recommending passage.

Jensen of Audubon moved to amend House File No. 114 by inserting the word "Poor" between the words "County" and "Fund" in line 4 of Section 1.

Also correct the title by inserting the word "Poor" between the words "County" and "Fund" in line 5.

Amendment adopted.

Jensen of Audubon moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Crouch	Ellsworth	Grell
Alesch	Cunningham	Falvey	Hanson of Lyon
Avery	Davis	Felter	Hanson of Winnebago
Beswick	Dean	Fletcher	Hartman
Bonnstetter	Dole	Foster	Hook
Bouska	Donlon	Frizzell	Hopp
Bruce	Doran	Fuester	Hough
Burgess	Dreessen	Garner	Humeston
Casey	Elliott	Gittinger	

Digitized by Google

Jensen	Millhone	Schlatter	Thiessen
Johnson	Moore of Benton	Schmitz	Treimer
Koch	Mooty	Schroeder	Weed
Lookingbill	Paisley	Smith	Wieben
McCarthy	Peaco	Snyder	Wiese
McCreery	Peet	Sours	Willis
McDermott	Rawlings	Stewart	Wolf
McKinnon	Reed	Stimpson	Yager
Malone	Rice	Strachan	Zipse
Maniece	Roe	Swift	Zylstra
Metcalf	Ryder	Thies	

The nays were, 6.

Beath	Grau	Moore of Harrison	Ostby
Bowers	McLean		

Absent or not voting, 24.

Augustine	Gallagher	Lichty	Sheridan
Brady	Gissel	McFarlane	Speidel
Craven	Goode	Mercer	Stansell
Durant	Hultman	Mitchell	Stanzel
Fabritz	Jenkins	Osborn	Teter
Fuelling	Laughlin	Porter	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

Moore of Harrison asked and obtained unanimous consent for the immediate consideration of Senate File No. 74, a bill for an act to amend sections eighteen hundred twenty-two, a-one (1822-a1), eighteen hundred twenty-two, a-two (1822-a2), eighteen hundred twenty-two, a-three (1822-a3), of the Code, 1931, relating to the expenditure by cities in aiding in the purchase of land for state parks, with report of committee recommending passage.

Moore of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 82.

Aldrich	Casey	Ellsworth	Gittinger
Alesch	Crouch	Falvey	Goode
Avery	Cunningham	Felter	Grau
Beath	Davis	Fletcher	Grell
Beswick	Dean	Foster	Hanson of Lyon
Bonnstetter	Dole	Frizzell	Hartman
Bouska	Donlon	Fuester	Hook
Bowers	Doran	Gallagher	Hopp
Bruce	Dreessen	Garner	Hough
Burgess	Elliott	Gissel	Humeston

Digitized by Google

Jensen	Metcalf	Reed	Thiessen
Johnson	Millhone	Roe	Treimer
Koch	Moore of	Ryder	Weed
Laughlin	Harrison	Schlatter	Wieben
Lookingbill	Mooty	Schmitz	Wiese
McCarthy	Osborn	Schroeder	Willis
McCreery	Ostby	Smith	Wolf
McDermott	Paisley	Snyder	Yager
McLean	Peaco	Stewart	Zylstra
Malone	Peet	Swift	Mr. Speaker
Maniece	Rawlings	Thies	

The nays were, 1.

Zipse

Absent or not voting, 25.

Augustine	Hanson of	Mercer	Speidel
Brady	Winnebago	Mitchell	Stansell
Craven	Hultman	Moore of Benton	Stanzel
Durant	Jenkins	Porter	Stimpson
Fabritz	Lichty	Rice	Strachan
Fuelling	McFarlane	Sheridan	Teter
	McKinnon	Sours	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

ADDITIONAL COPIES ORDERED PRINTED

Moore of Benton asked and obtained unanimous consent to have 1200 additional copies ordered printed of House File No. 185 showing the committee amendment.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

January 3, House Files No. 165, 265, 56 and 6.

PROOFS OF PUBLICATION

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Daily Hawk-Eye Gazette, relating to Senate File No. 241, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Burlington, Iowa, authorizing and providing for the issuance of Public Building Bonds of said City and making provisions for the levy of taxes to pay said bonds. VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Cedar Valley Daily Times, Vinton, Iowa, relating to House File No. 297, a bill for an act to legalize the corporate acts and proceedings of the Benton County,

Digitized by Google

Iowa, and to provide for the reincorporation and extension of the period of corporate existence and the adoption of reincorporation articles of incorporation of said Benton County Agricultural Society of Benton County, Iowa. VIRGIL LEKIN, *Chief Clerk of the House.*

AMENDMENTS FILED

Teter of Marion filed the following amendment:

Amend the Rice, Mitchell and Schmitz amendment to House File 292, found on page 655 of the House journal of Friday, January 5, 1934, as follows:

By changing the period (.) after the words, "State Comptroller," at the end of paragraph "1," to a semi-colon (;) and adding the following words, "but said amount shall not at any time be in excess of fifty thousand dollars."

Also by striking the words, "One Million Dollars," where same appear in paragraph "2" of said amendment, and substituting in lieu thereof the words "fifty thousand dollars."

Doran of Boone filed the following amendment:

Amend House File 194 as follows:

1. Strike out all after the enacting clause and substitute in lieu thereof the following:

"Section 1. Subsection four (4) of section one (1), chapter one hundred twenty-five (125), Acts of the 45th General Assembly, is hereby amended by adding to said subsection four (4) the following:

'If the computed reimbursement to a school district on state or government owned land within the district is not sufficient to cover the tuition such district is required to pay because of children of employees of the state or federal government who reside on such land and attend a public school outside the district in which such land is located, then the county board of supervisors shall add to the computed reimbursement to such district the difference between the computed reimbursement and the tuition such district is required by law to pay because of the children of such employees and certify the total to the secretary of the executive council for payment by the state as provided by law.'

"Sec. 2. Subsection five (5) of section one (1), chapter one hundred twenty-five (125), Acts of the 45th General Assembly, is hereby amended by adding to said subsection five (5) the following:

'It shall also be the duty of the secretary of such school district at the time of certifying the taxes to file with the county auditor a certified statement showing the names of employees of the state or federal government who live on state or government owned land within the district whose children attend a public school outside the home district as provided by law, by whom employed, the capacity of their employment, the names of their children for whom tuition is to be paid, the name of the outside school district in which their children attend, the total period of attendance, and the amount of tuition the district is required to pay for each of such children.'"

Digitized by Google

2. Strike out the title and substitute in lieu thereof the following:

"An Act to amend subsections four (4) and five (5) of section one (1), chapter one hundred twenty-five (125), Acts of the 45th General Assembly, relating to the reimbursement of school districts because of tax-free land within such districts so as to provide that such reimbursement shall equal the tuition such districts are required to pay other districts because of children of state or federal employees who live on state or government owned land within the district."

On the motion of McCreery of Linn the House adjourned until 10:00 o'clock a. m. Monday, January 8.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 8, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. C. E. Lookingbill, M. E. Church, Nevada, Iowa.

Journal of January 6 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Fuelling of Clayton for the day on request of Dean of Cerro Gordo.

PETITIONS AND MEMORIALS

Opposing state-owned liquor stores. Brady of Pottawattamie, from the citizens of Council Bluffs. Referred to the committee on liquor control.

Opposing direct buying of livestock by packers. Treimer, from the citizens of O'Brien county. Referred to the committee on agriculture.

Favoring an old age pension. Doran, from the voters of Boone county. Referred to the committee on appropriations.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 21

Moore of Benton called up the conference committee report on House File No. 21 as found on page 621 of the journal of January 3, and moved its adoption.

On the question, "Shall the report of the conference committee be adopted and the bill be passed as recommended?"

The ayes were, 85.

Aldrich	Bonnstetter	Craven	Donlon
Alesch	Bowers	Cunningham	Doran
Avery	Bruce	Davis	Durant
Beath	Burgess	Dean	Elliott
Beswick	Casey	Dole	Ellsworth

Digitized by Google

Fabritz	Hough	Moore of Benton	Speidel
Falvey	Hultman	Moore of Harrison	Stanzel
Felter	Humeston	Mooty	Stewart
Fletcher	Jenkins	Osborn	Strachan
Foster	Johnson	Peaco	Swift
Frizzell	Koch	Peet	Teter
Fuester	Laughlin	Rawlings	Thies
Gissel	Lichty	Reed	Thiessen
Gittinger	Lookingbill	Rice	Treimer
Goode	McCarthy	Ryder	Weed
Grau	McCreery	Schlatter	Wieben
Grell	McDermott	Schmitz	Wiese
Hanson of Lyon	McLean	Schroeder	Wolf
Hanson of Winnebago	Malone	Smith	Yager
Hook	Mercer	Snyder	Zipse
Hopp	Metcalf	Sours	Mr. Speaker
	Millhone		

The nays were, none.

Absent or not voting, 23.

Augustine	Gallagher	Maniece	Sheridan
Bouska	Garner	Mitchell	Stansell
Brady	Hartman	Ostby	Stimpson
Crouch	Jensen	Paisley	Willis
Dreessen	McFarlane	Porter	Zylstra
Fuelling	McKinnon	Roe	

The report having received a constitutional majority was adopted and the bill passed as recommended.

CONSIDERATION OF BILLS

Maniece of Emmet asked and obtained unanimous consent for the immediate consideration of House File No. 224, a bill for an act to make permanent the temporary transfer, made November 6, 1931, of money from the secondary road maintenance fund to the general fund of Emmet County, with report of committee without recommendation.

Maniece of Emmet moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Bruce	Dole	Felter
Alesch	Burgess	Donlon	Fletcher
Avery	Casey	Doran	Foster
Beath	Craven	Dreessen	Frizzell
Beswick	Crouch	Durant	Fuester
Bonnstetter	Cunningham	Elliott	Garner
Bowers	Davis	Ellsworth	Gissel
Brady	Dean	Falvey	Gittinger

Digitized by Google

Goode	Lookingbill	Peet	Strachan
Grell	McCarthy	Rawlings	Swift
Hanson of Lyon	McDermott	Reed	Teter
Hanson of Winnebago	McFarlane	Rice	Thies
Hook	McKinnon	Ryder	Thiessen
Hopp	Malone	Schlatter	Treimer
Hough	Maniece	Schmitz	Weed
Humeston	Mercer	Schroeder	Wieben
Jenkins	Metcalf	Smith	Wiese
Johnson	Millhone	Snyder	Wolf
Koch	Moore of Harrison	Sours	Yager
Laughlin	Mooty	Stanzel	Zipse
Lichty	Peaco	Stewart	Zylstra
		Stimpson	Mr. Speaker

The nays were, none.

Absent or not voting, 22.

Augustine	Hartman	Moore of Benton	Roe
Bouska	Hultman	Osborn	Sheridan
Fabritz	Jensen	Ostby	Speidel
Fuelling	McCreery	Paisley	Stansell
Gallagher	McLean	Porter	Willis
Grau	Mitchell		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

HOUSE FILE NO. 51 WITHDRAWN

Humeston of Wayne asked and obtained unanimous consent to withdraw House File No. 51 from further consideration of the House.

MOTION TO ASCERTAIN ABSENTEES

Fabritz of Wapello moved that a roll call be taken to ascertain the number of absentees. Motion prevailed.

The roll call disclosed all members present except Fuelling of Clayton, Porter of Delaware, and Sheridan of Lee.

CONSIDERATION OF BILLS

Doran of Boone asked and obtained unanimous consent for the immediate consideration of House File No. 194, a bill for an act to amend paragraph four (4) of section one (1), chapter one hundred twenty-five (125), Acts of the 45th General Assembly, relating to the reimbursement of school districts because of tax-free land within such districts, with report of committee recommending passage.

Doran of Boone called up the amendment filed by him and

Digitized by Google

found on pages 676 and 677 of the journal of January 6, and moved its adoption. Amendment adopted.

Doran of Boone moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 97.

Aldrich	Felter	Lookingbill	Schmitz
Alesch	Fletcher	McCreery	Schroeder
Augustine	Foster	McDermott	Smith
Avery	Frizzell	McFarlane	Snyder
Beath	Fuester	McKinnon	Sours
Beswick	Gallagher	McLean	Speidel
Bonnstetter	Garner	Malone	Stansell
Bowers	Gissel	Maniece	Stanzel
Brady	Gittinger	Mercer	Stewart
Bruce	Goode	Metcalf	Stimpson
Burgess	Grau	Millhone	Strachan
Casey	Grell	Moore of Benton	Swift
Craven	Hanson of Lyon	Moore of	Teter
Cunningham	Hanson of	Harrison	Thies
Davis	Winnebago	Mooty	Thiessen
Dean	Hopp	Osborn	Treimer
Dole	Hough	Paisley	Weed
Donlon	Hultman	Peaco	Wieben
Doran	Humeston	Peet	Wiese
Dreessen	Jenkins	Rawlings	Wolf
Durant	Jensen	Reed	Yager
Elliott	Johnson	Rice	Zipse
Ellsworth	Koch	Roe	Zylstra
Fabritz	Laughlin	Ryder	Mr. Speaker
Falvey	Lichty	Schlatter	

The nays were, none.

Absent or not voting, 11.

Bouska	Hartman	Mitchell	Sheridan
Crouch	Hook	Ostby	Willis
Fuelling	McCarthy	Porter	

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

Doran of Boone moved that the vote by which House File No. 194 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

The House resumed consideration of House File No. 292, a bill for an act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic

Digitized by Google

liquor traffic within the State of Iowa; to provide for the licensing and revenue thereof; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly, Chapters ninety-four (94) to one hundred four (104) inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any or all laws or parts of laws inconsistent with this Act.

Dean of Cerro Gordo called up the amendment filed by him and found on pages 657 and 658 of the journal of January 5, and moved its adoption.

Ellsworth of Hardin offered the following amendment to the Dean amendment and moved its adoption:

Amend the Dean amendment to House File No. 292 as follows:

After the word "store" in line one of sub-section A add the words "or special distributor".

Also amend by inserting after the word "store" in line five of sub-section B the words "or special distributor".

Also amend by inserting after the word "store" in line four of sub-section E the words "or special distributor".

Also amend by inserting after the word "store" in line one of sub-section "H" the words "or special distributor".

Also amend by inserting after the word "stores" in line three of sub-section I the words "or special distributor".

Amendment to the amendment adopted.

McFarlane of Black Hawk offered the following amendment to the Dean amendment and moved its adoption:

"Add after the word 'store' in line 5 of paragraph 'e', the words 'or store';"

Also add following the word "store" in line 1, of paragraph "h" the words "or stores".

Amendment to amendment adopted.

Beswick of Van Buren and Willis of Dallas offered the following amendment to the Dean amendment and moved its adoption:

Digitized by Google

Amend the Dean amendment to House File No. 292, appearing on pages 657 and 658 of the House Journal of January 5, 1934, as follows:

Strike from line two (2) of subdivision "c", the figures "20", and insert in lieu thereof the figures "35".

Amendment to the amendment adopted.

McKinnon of Henry moved that the House recess until 1:30 o'clock this afternoon.

Mitchell of Webster moved to amend the McKinnon motion by striking "1:30" and inserting "2:00" in lieu thereof. Amendment adopted.

The McKinnon motion as amended prevailed and the House recessed until 2 o'clock today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 292 and the Dean amendment as amended.

Dean of Cerro Gordo asked and obtained unanimous consent to withdraw a previous amendment filed by him and found on pages 638, 639 and 640 of the journal of January 4.

Moore of Benton moved the previous question on the Dean amendment as amended. A roll call was demanded and on the question "Shall the previous question on the Dean amendment as amended be now put?"

The ayes were, 31.

Bonnstetter	Garner	McLean	Stanzel
Bruce	Gittinger	Malone	Swift
Casey	Hopp	Mitchell	Thies
Davis	Hough	Moore of Benton	Treimer
Dreessen	Jenkins	Peaco	Wiese
Fabritz	Koch	Rice	Willis
Foster	Laughlin	Schlatter	Wolf
Fuester	McCarthy	Stansell	

The nays were, 61.

Aldrich	Bouska	Dole	Ellsworth
Augustine	Bowers	Donlon	Falvey
Avery	Burgess	Doran	Felter
Beath	Craven	Durant	Frizzell
Beswick	Dean	Elliott	Gissel

Digitized by Google

Goode	Lookingbill	Ostby	Speidel
Grau	McCreery	Paisley	Stimpson
Grell	McFarlane	Peet	Strachan
Hanson of Winnebago	McKinnon	Rawlings	Teter
Hartman	Maniece	Reed	Thiessen
Hook	Metcalf	Roe	Weed
Hultman	Millhone	Ryder	Wieben
Humeston	Moore of Harrison	Schmitz	Yager
Jensen	Mooty	Schroeder	Zipse
Lichty	Osborn	Snyder	Zylstra
		Sours	

Absent or not voting, 16.

Alesch	Fletcher	Johnson	Sheridan
Brady	Fuelling	McDermott	Smith
Crouch	Gallagher	Mercer	Stewart
Cunningham	Hanson of Lyon	Porter	Mr. Speaker

Motion lost.

Zylstra of Sioux moved to amend the Dean amendment as follows:

Add in line 2, subsection (a) between the words "city" and "clerk" the words "or town";

Also add in line 3 after the word "city" the words "or town";

Also add in line one of sub-section "d" after the word "city" the words "or town";

Also add in line one of sub-section (e), after the word "city" the words "or town";

Also add in line one (1) of sub-section "g" after the word "city" the words "or town";

Also add in line two (2) sub-section (j), between the words "city" and "clerk" the words "or town".

Amendment to the amendment adopted.

Dreessen of Crawford moved the previous question on the Dean amendment as amended. Motion prevailed.

On the question "Shall the Dean amendment as amended be adopted?" a roll call was demanded.

The ayes were, 36.

Augustine	Ellsworth	Jenkins	Ryder
Beath	Felter	Lichty	Sours
Beswick	Gissel	McCreery	Speidel
Bowers	Hanson of Lyon	McFarlane	Stanzel
Cunningham	Hanson of Winnebago	McKinnon	Teter
Davis	Hook	McLean	Weed
Dean	Hultman	Millhone	Willis
Dole	Humeston	Mooty	Yager
Doran		Peet	Zylstra
Elliott			

Digitized by Google

The nays were, 68.

Aldrich	Frizzell	McDermott	Schlatter
Alesch	Fuester	Malone	Schmitz
Avery	Gallagher	Maniece	Schroeder
Bonnstetter	Garner	Mercer	Smith
Bouska	Gittinger	Metcalf	Stansell
Brady	Goode	Mitchell	Stewart
Bruce	Grau	Moore of Benton	Stimpson
Burgess	Grell	Moore of Harrison	Strachan
Casey	Hartman	Osborn	Swift
Craven	Hopp	Ostby	Thies
Crouch	Hough	Paisley	Thiessen
Donlon	Jensen	Peaco	Treimer
Dreessen	Johnson	Rawlings	Wieben
Durant	Koch	Reed	Wiese
Fabritz	Laughlin	Rice	Wolf
Falvey	Lookingbill	Roe	Zipse
Fletcher	McCarthy		Mr. Speaker
Foster			

Absent or not voting, 4.

Fuelling	Porter	Sheridan	Snyder

Amendment as amended lost.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which concurrence of the Senate was asked:

House File No. 75, a bill for an act to make permanent a temporary transfer made June 12, 1933, by authority of the Director of the Budget for Iowa, of twenty-five thousand dollars ($25,000.00) from the maintenance fund of Cherokee County, Iowa, to the poor fund of said county.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 115, a bill for an act to make permanent a temporary transfer made August 16, 1932, by authority of the Director of the Budget for Iowa, of ten thousand dollars ($10,000.00) from the Secondary Road Construction Fund of O'Brien County, Iowa, to the Poor Fund of said county.

Also: That the Senate has amended and concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 85, a bill for an act to amend section three thousand eighty-eight (3088), and to repeal sections three thousand eighty-nine (3089), three thousand ninety (3090), three thousand ninety-one (3091), and three thousand ninety-two (3092), code, 1931, and to enact substitutes therefore relating to the Iowa Butter Trademark, the Iowa Butter Control Board, the Iowa Trademark Butter Association, and to vest title in the Iowa Butter Trademark in said association.

Digitized by Google

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 123, a bill for an act to legalize the corporate existence of the Modern Woodman Commercial Club of Bryant Camp No. 4818 of Bryant, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 234, a bill for an act to legalize and validate proceedings taken by the town council of the town of Lake View, Iowa, authorizing and providing for the issuance of town hall bonds and making provisions for the levy of taxes to pay said bonds.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 242, a bill for an act to amend chapter eighty six (86), relating to the propagation and protection of fish, game, wild birds, and animals.

BYRON G. ALLEN, *Secretary*.

SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE FILE 85

Amend Senate File 85, as amended and passed by the House, by inserting after the word "inspection", in line thirty-three (33), section one (1), the word "is".

Further amend by striking the word "or" in line fifty-three (53) of section one (1), and inserting the word "of".

Further amend by striking the word "to" from line eleven (11) of section one (1).

Further amend by striking from section one (1), the code section numbers as they appear in lines five (5), eighteen (18), twenty-two (22), forty (40), forty-six (46) and fifty-two (52).

Further amend by striking the word "trade-mark" where it appears in lines thirteen (13), eighteen (18), twenty (20), twenty-three (23), twenty-seven (27), thirty-one (31), thirty-five (35), forty-one (41), forty-five (45), forty-six (46), forty-seven (47), forty-eight (48) and fifty-one (51), and insert in lieu thereof the word "trademark".

Further amend by striking from line twenty-nine (29) of section one (1), the words "acidity, must be" and inserting in lieu thereof the words "acidity and shall have been".

Further amend by striking the word "State" where it appears the second time in line thirteen (13) of section one (1).

Further amend by striking the word "State" in line forty-three (43) of section one (1), and insert in lieu thereof the word "Iowa".

Further amend by striking the word "State" in lines forty-five (45), forty-six (46), fifty-two (52) and fifty-five (55).

Further amend by adding thereto as section two (2) the following:

"Sec. 2. Section three thousand eighty-eight (3088), line one (1), is amended by striking the word "state" and inserting in lieu thereof the word "Iowa".

Further amend by renumbering section two (2) as section three (3).

Digitized by Google

Further amend by striking the title and inserting in lieu thereof the following:

"An act to amend section three thousand eighty-eight (3088), and to repeal sections three thousand eighty-nine (3089), three thousand ninety (3090), three thousand ninety-one (3091), and three thousand ninety-two (3092), Code, 1931, and to enact substitutes therefor, relating to the Iowa Butter Trademark; and to create the Iowa Butter Control Board, to define its powers and duties, and to create standards for the manufacture of Iowa Trademark butter and to vest the title of said Iowa Butter Trademark in the Iowa Trademark Butter Association."

PROOFS OF PUBLICATION

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Estherville Daily News, Estherville, Iowa, relating to House File No. 224, a bill for an act to make permanent the temporary transfer, made November 6, 1931, of money from the secondary road maintenance fund to the general fund of Emmet County. VIRGIL LEKIN, *Chief Clerk of the House.*

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Sac Sun, Sac City, Iowa, relating to House File No. 234, a bill for an act to legalize and validate proceedings taken by the town council of the town of Lake View, Iowa, authorizing and providing for the issuance of town hall bonds and making provisions for the levy of taxes to pay said bonds.

VIRGIL LEKIN, *Chief Clerk of the House.*

AMENDMENTS FILED

The committee on liquor control filed the following amendment:

Amend the amendment to House File No. 292 by Fabritz of Wapello found on page 658 of the journal as follows:

No. 1. By changing the word "hereinafter" in line 6 to "hereafter".

No. 2. Also amend by striking lines 8 to 13 inclusive and inserting in lieu thereof the following:

Also amend Section 3 by striking all of said section and insert in lieu thereof the following:

Section 3. It shall be unlawful to manufacture for sale, sell, offer or keep for sale, possess and/or transport vinuous, fermented, spiritous, or alcoholic liquor; also any malt beverage (containing a greater percentage of alcohol than is permitted or authorized under the provisions of Chapter Thirty-seven (37) of the Laws of the Forty-fifth (45th) General Assembly, or as the same may hereafter be amended) for any purpose whatsoever, except upon the terms, conditions, limitations and restrictions as set forth herein.

No. 3. By changing the word "hereinafter" in line 21 to "hereafter".

Sours of Floyd filed the following amendment:

Amend House File No. 292 as follows:

Strike out paragraph 19, lines 72 to 76, section 4.

Digitized by Google

Strike from section 7, line 6, the words "and specially designated distributors".

Strike from section 8, subdivision 2, paragraph (b) beginning with the word "this" in line 18 and ending with the word "control" line 21.

Strike from section 8, subdivision 2, paragraph (c) beginning with the word "and" line 23 and ending with the word "distributors" in line 24.

Strike from section 8, subdivision 2, paragraph (c) beginning with the word "or" line 26 and ending with the word "distributor" line 27.

Strike from section 8, subdivision 2, paragraph (j) beginning with the word "and" line 51 and ending with the word "distributor" line 52.

Strike from section 8, subdivision 2, paragraph (p) line 76 beginning with the word "and" and ending with the word "Act" line 77.

Strike from section 9, line 3 beginning with the word "or" and ending with the word "distributors" line 4.

Strike the period after the word "thereunder" line 7 and insert the following (a) "provided, however, that in counties of 20,000 population or under, there shall be not more than one state liquor store established. Provided further that in counties of over 20,000 population there shall be established not more than one state liquor store for each 20,000 population or major portion thereof."

Strike from section 9, line 10, beginning with the word "and" and ending with the word "distributor" line 11.

Strike from section 9 line 12 beginning with the word "or" and ending with the word "distributor" line 13.

Strike all of section 10.

Strike from section 13 line 3 beginning with the word "or" and ending with the word "distributor".

Strike from section 13, line 5 the words "or specially designated distributor".

Insert the word "or" in line 4 after the word "warehouse" in section 14.

Strike from section 14 the words "or specially designated distributor", lines 4 and 5.

Insert the word "or" after the word "store" in line 9 subdivision (e) of section 17.

Strike from section 17 subdivision (e) line 9 the words "or specially designated distributor".

Strike from section 18 line 3 the words "specially designated distributor".

Insert the word "or" after the word "house" in line 15 of section 25.

Strike from section 25, line 15 the words "or distributor".

Strike from section 32, lines 1 and 2 the words "or specially designated distributor".

Strike from section 39 lines 14 and 15 subdivision (2) paragraph (a) the words "or specially designated distributor.".

Strike from section 41, lines 6 and 7 the words "or specially designated distributors".

Strike from section 43, line 7 the words "specially designated distributors".

Strike from section 46, line 7, paragraph 1, the words "specially designated distributors".

Digitized by Google

Strike from section 46, lines 10 and 11, paragraph 3.

Strike from section 46, paragraph 4, the lines 12 and 13 the words "and amount of fees received from such distributors."

Strike from section 51 lines 3 and 4 the words, "of specially designated distributors."

Strike from section 52, line 6, the words "its specially designated distributors and."

Mitchell of Webster filed the following amendment:

Amend Section 24 of House File 216 by adding after the period (.) in line 13 the following:

"Nothing in this chapter shall authorize the construction of a pipe line longitudinally on, over or under any railroad right of way, or at other than an approximate right angle to the track, without the consent of such railroad company, nor shall any provision of this chapter authorize or give the right of condemnation or eminent domain for such purpose."

On the motion of McKinnon of Henry the House adjourned until 9:30 o'clock a. m. Tuesday, January 9.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 9, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Frederick J. Weertz, pastor St. John's Evangelical Lutheran Church, Des Moines, Iowa.

Journal of January 8 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Grau of Buena Vista for the day, on request of McLean of Marshall; Hanson of Winnebago for the day, on request of Strachan of Humboldt.

PETITIONS AND MEMORIALS

Favoring the establishment of a hydro-electric power commission. Zylstra of Sioux, from the International Brotherhood of Electrical Workers; Metcalf of Muscatine, from the International Brotherhood of Electrical Workers; Zylstra of Sioux, from the town council of Lenox, Iowa. Referred to the committee on public utilities.

Favoring an old age pension. Elliott, from the inmates of the Polk county poor house. Referred to the committee on appropriations.

Opposing the taxation of fraternal societies. Metcalf of Muscatine, from the Mutual Aid Society. Referred to the committee on insurance.

Favoring the right to carry arms. Wiese of Scott, from the citizens of Iowa. Referred to the committee on military affairs.

REPORTS OF COMMITTEES

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was re-

Digitized by Google

ferred House File No. 244, a bill for an act to amend Section forty-nine hundred sixty-d thirty-three (4960-d33), Code, 1931, and to repeal sections (4960-d40), and (5027-1), Code, 1931, relating to the revocation and suspension of operators and chauffeurs licenses for driving and operating motor vehicles upon conviction of illegal transportation or sale of intoxicating liquors, and also providing for periods of time in which new licenses shall not be issued etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns to whom was referred Senate File No. 109, a bill for an act relating to the limitation on expenditures of certain municipalities, beg leave to report they have had the same under consideration and have instructd me to report the same back to the House with the recommendation that the same do pass.

BLAKE WILLIS, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 301, by committee on judiciary No. 2, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Independent School District of Corydon, Iowa, in the county of Wayne, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District.

Read first and second times and placed on calendar.

House File No. 302, by committee on cities and towns, a bill for an act to amend section sixty-one hundred forty-four (6144), Code, 1931, relating to the management of municipally owned waterworks, heating plant, or electric light or power plant.

Read first and second times and placed on calendar.

House File No. 303, by committee on emergency legislation, a bill for an act to amend Chapter One Hundred twenty-one (121), Section Nine (9), of the Acts of the Forty-Fifth General Assembly, and to amend Chapter One Hundred twenty-one (121), Section seventy-eight (78), to adjust the tax rates and levies of Widows Pension Fund and Court Expense Fund, respectively.

Digitized by Google

Read first and second times and placed on calendar.

House File No. 304, by committee on judiciary No. 2, a bill for an act to amend section forty-four hundred three (4403), Code, 1931, relating to the levy to pay interest and principal on lawful bonded indebtedness.

Read first and second times and placed on calendar.

House File No. 305, by committee on judiciary No. 2, a bill for an act to amend section five thousand three hundred ninety-six-a one (5396-a1), Code, 1931, relating to the maintenance of graves of soldiers, sailors, and marines.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 123, a bill for an act to legalize the corporate existence of the Modern Woodmen Commercial Club of Bryant Camp No. 4318, of Bryant, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 234, a bill for an act to legalize and validate proceedings taken by the Town Council of the town of Lake View, Iowa, authorizing and providing for the issuance of Town Hall Bonds and making provisions for the levy of taxes to pay said bonds.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 242, a bill for an act to amend chapter eighty-six (86), code of Iowa, 1931, by amending section seventeen hundred four (1704), section seventeen hundred forty-five (1745), and section seventeen hundred ninety-four (1794), all relating to the propagation and protection of fish, game, wild birds, and animals.

Read first and second times and referred to committee on fish and game.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 292, a bill for an act to promote temperance in the State of Iowa; to create

Digitized by Google

a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa; to provide for the licensing and revenue thereof; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly, Chapters ninety-four (94) to one hundred four (104) inclusive, which includes Sections nineteen hundred twenty-two (1922) and to include Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any or all laws or parts of laws inconsistent with this Act.

Fabritz of Wapello called up the amendments filed by him and found on pages 658 and 659 of the journal of January 5, together with the amendments to the amendments found on page 687 of the journal of Janary 8, and moved their adoption.

Amendments to the amendment adopted.

Amendments as amended adopted.

Felter of Warren called up the amendment filed by him and found on page 655 of the journal of January 5, and moved its adoption.

On the question, "Shall the Felter amendment be adopted?", a roll call was demanded.

The ayes were, 8.

Beath	Felter	Lookingbill	Weed
Bowers	Foster	Stanzel	Yager

The nays were, 88.

Aldrich	Casey	Falvey	Grell
Alesch	Crouch	Fletcher	Hanson of Lyon
Augustine	Cunningham	Frizzell	Hartman
Avery	Dean	Fuelling	Hook
Beswick	Dole	Fuester	Hopp
Bonnstetter	Donlon	Gallagher	Hough
Bouska	Doran	Garner	Humeston
Brady	Dreessen	Gissel	Jenkins
Bruce	Ellsworth	Gittinger	Jensen
Burgess	Fabritz	Goode	Johnson

Digitized by Google

Koch	Mitchell	Rice	Stimpson
Laughlin	Moore of Benton	Roe	Swift
Lichty	Moore of Harrison	Ryder	Teter
McCarthy	Mooty	Schlatter	Thies
McCreery	Osborn	Schmitz	Thiessen
McDermott	Ostby	Schroeder	Treimer
McFarlane	Paisley	Sheridan	Wieben
McKinnon	Peaco	Smith	Wiese
McLean	Peet	Snyder	Wolf
Malone	Rawlings	Sours	Zipse
Maniece	Reed	Stansell	Zylstra
Mercer		Stewart	Mr. Speaker
Metcalf			

Absent or not voting, 12.

Craven	Grau	Hultman	Speidel
Davis	Hanson of Winnebago	Millhone	Strachan
Durant		Porter	Willis
Elliott			

Amendment lost.

Sours of Floyd called up the amendments filed by him and found on pages 687, 688 and 689 of the journal of January 8 and moved their adoption.

Fabritz of Wapello, on behalf of the committee on liquor control offered the following amendment and moved that it be substituted for the Sours amendment:

1. Amend House File No. 292 by striking Sec. 10 and inserting in lieu thereof the following:

"Sec. 10.

1. In towns where the establishment of a State Liquor Store, under the provisions of this Act, does not seem advisable, the Commission may select a special distributor to sell alcoholic liquors for consumption off the premises; provided, however, that in no case such special distributor shall be the holder of a class "B" permit to sell beer as provided in Chapter 37 of the Acts of the forty-fifth G. A., nor shall such special distributor be granted such beer permit while being such distributor.

2. Special distributors shall be paid a sum to be fixed by the Commission, but in no event shall this sum be in excess of $900.00 per annum. All alcoholic liquors sold by such distributors shall be sold in the original package at the price fixed by the Commission, without profit to the distributor, and in accordance with the rules and regulations of the Commission.

3. At any time after one year, if in the judgment of the Commission it shall appear advisable, the Commission shall establish a State Liquor Store in such town to replace the special distributor.

4. If, after a State Liquor Store has been in operation for one year or more in any town, such store should show a loss to the State, the Commission may discontinue such Store and select a special distributor in accordance with the provisions of this Act.

Digitized by Google

5. No special distributor shall be selected in any city or town where there is a State Liquor Store in operation."

McCreery of Linn offered the following amendment to the committee amendment:

"Should such special distributor be found to be attempting to increase his sales such action shall be considered by the commission cause for the cancelling of his permit."

On the question, "Shall the McCreery amendment to the committee amendment be adopted?", a roll call was demanded.

The ayes were, 41.

Augustine	Ellsworth	Hultman	Roe
Avery	Felter	Jenkins	Smith
Beath	Fletcher	Lookingbill	Snyder
Bonnstetter	Foster	McCreery	Sours
Bowers	Frizzell	McFarlane	Strachan
Cunningham	Gissel	McLean	Thies
Dean	Goode	Maniece	Weed
Dole	Grell	Millhone	Wieben
Doran	Hanson of Lyon	Peet	Yager
Durant	Hook	Reed	Zylstra
Elliott			

The nays were, 49.

Aldrich	Fuelling	Mercer	Schmitz
Alesch	Fuester	Mitchell	Schroeder
Beswick	Gallagher	Moore of Harrison	Stansell
Bouska	Garner	Mooty	Stewart
Brady	Gittinger	Osborn	Stimpson
Bruce	Hartman	Ostby	Swift
Burgess	Hopp	Peaco	Thiessen
Casey	Hough	Rawlings	Treimer
Crouch	Jensen	Rice	Wiese
Davis	Johnson	Ryder	Wolf
Donlon	Laughlin	Schlatter	Zipse
Dreessen	McCarthy		Mr. Speaker
Fabritz	Malone		

Absent or not voting, 18.

Craven	Humeston	Metcalf	Speidel
Falvey	Koch	Moore of Benton	Stanzel
Grau	Lichty	Paisley	Teter
Hanson of Winnebago	McDermott	Porter	Willis
	McKinnon	Sheridan	

Amendment to the amendment lost.

On the question, "Shall the committee amendment be substituted for the Sours amendment?", a roll call was demanded.

The ayes were, 69.

Aldrich	Bonnstetter	Burgess	Davis
Alesch	Bouska	Casey	Dole
Beath	Brady	Crouch	Donlon
Beswick	Bruce	Cunningham	Dreessen

Digitized by Google

Ellsworth	Hopp	Mooty	Stewart
Fabritz	Jenkins	Osborn	Stimpson
Fletcher	Jensen	Paisley	Strachan
Foster	Johnson	Peaco	Swift
Frizzell	Laughlin	Reed	Thies
Fuelling	McCarthy	Rice	Thiessen
Fuester	McKinnon	Roe	Treimer
Gallagher	Malone	Ryder	Wieben
Garner	Maniece	Schlatter	Wiese
Gittinger	Mercer	Schmitz	Wolf
Goode	Mitchell	Schroeder	Zipse
Grell	Moore of Benton	Smith	Zylstra
Hanson of Lyon	Moore of Harrison	Stansell	Mr. Speaker
Hartman			

The nays were, 25.

Augustine	Felter	Lookingbill	Ostby
Avery	Gissel	McCreery	Peet
Bowers	Hook	McDermott	Snyder
Dean	Hough	McFarlane	Sours
Doran	Hultman	McLean	Weed
Durant	Humeston	Millhone	Yager
Elliott			

Absent or not voting, 14.

Craven	Hanson of Winnebago	Metcalf	Speidel
Falvey	Koch	Porter	Stanzel
Grau	Lichty	Rawlings	Teter
		Sheridan	Willis

The committee amendment was substituted for the Sours amendment.

The substitute committee amendment was adopted.

Avery of Clay offered the following amendment and moved its adoption:

Amend House File No. 292 as follows:

Amend Section Seven (7) by changing the period at the end of line eighteen (18) to a comma and adding the following: "but not more than sixty per cent (60%) of such venders, clerks, or other employees shall be of the same political party."

Amendment lost.

Mitchell of Webster asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 626 of the journal of January 3 and later amended.

McFarlane of Black Hawk called up the amendment filed by him and found on page 593 of the Journal of January 2, and moved its adoption.

On the question, "Shall the McFarlane amendment be adopted?", a roll call was demanded.

Digitized by Google

The ayes were, 24.

Aldrich	Frizzell	McCarthy	Smith
Avery	Gallagher	McFarlane	Snyder
Beswick	Grell	Mitchell	Stansell
Burgess	Hultman	Peaco	Stanzel
Casey	Jensen	Ryder	Swift
Dreessen	Laughlin	Schroeder	Wiese

The nays were, 66.

Alesch	Falvey	McDermott	Schlatter
Augustine	Felter	McLean	Schmitz
Beath	Fletcher	Malone	Sours
Bonnstetter	Foster	Maniece	Stewart
Bouska	Fuelling	Mercer	Stimpson
Bowers	Fuester	Millhone	Teter
Bruce	Gissel	Moore of Benton	Thies
Craven	Gittinger	Mooty	Thiessen
Crouch	Goode	Osborn	Treimer
Cunningham	Hanson of Lyon	Ostby	Weed
Davis	Hook	Paisley	Wieben
Dole	Hopp	Peet	Wolf
Donlon	Hough	Rawlings	Yager
Doran	Humeston	Reed	Zipse
Durant	Koch	Rice	Zylstra
Ellsworth	Lookingbill	Roe	Mr. Speaker
Fabritz	McCreery		

Absent or not voting, 18.

Brady	Hanson of	Lichty	Porter
Dean	Winnebago	McKinnon	Sheridan
Elliott	Hartman	Metcalf	Speidel
Garner	Jenkins	Moore of	Strachan
Grau	Johnson	Harrison	Willis

Amendment lost.

The amendment offered by Grau of Buena Vista and found on page 653 of the journal of January 5 amending Section 19 of House File 292 was taken up at this time.

McLean of Marshall moved that action on the Grau amendment be temporarily deferred. Motion lost.

McCreery of Linn asked and obtained unanimous consent to refer the Grau amendment to the committee on liquor control.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 115 and 75.

WM. KOCH, *Chairman House Committee,*
GEO. M. HOPKINS, *Member Senate Committee.*

Report adopted.

Digitized by Google

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 115 and 75.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 9th day of January, 1933, sent to the governor for his approval: House Files No. 115 and 75.

WM. KOCH, *Chairman.*

Report adopted.

Fabritz of Wapello moved that the House recess until 1:30 o'clock this afternoon. Motion prevailed and the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Metcalf of Muscatine for the balance of the day, on request of Thies of Pottawattamie.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 292.

Fabritz of Wapello, chairman of the committee on liquor control, offered the following amendments to House File No. 292, and moved their adoption:

Committee on Liquor Control offered the following amendments to House File No. 292 and moved their adoption:

1. Amend Sec. 21 by striking all after the (,) in line 1 to and including the word "cause" in line 3 and substituting in lieu thereof the following: "and shall expire on June 30th following date of issuance and shall be revocable for cause."

2. Amend Sec. 7 by striking all of sub-section (b) and inserting in lieu thereof the following:

"(b) To establish, maintain and/or discontinue State Liquor Stores and special distributors and to determine the cities and towns in which State Liquor Stores and special distributors shall be located."

Amendments adopted.

Digitized by Google

Jenkins of Louisa asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 653 of the Journal of January 5.

Bonnstetter of Kossuth moved that Rule 48 be suspended, which required all bills appropriating funds to be referred to the committee on appropriations. Motion prevailed.

Rice of Keokuk called up the amendment filed by himself, Mitchell of Webster and Schmitz of Winneshiek found on page 655 of the Journal of January 5 and moved its adoption.

Teter of Marion called up the amendment to the amendment by Rice, Mitchell and Schmitz, filed by him and found on page 676 of the Journal of January 6, and moved its adoption.

On the question, "Shall the Teter amendment to the amendment by Rice, Mitchell and Schmitz be adopted?", a roll call was demanded.

The ayes were, 35.

Aldrich	Durant	Humeston	Speidel
Avery	Elliott	Jenkins	Stanzel
Beath	Felter	Jensen	Strachan
Beswick	Fletcher	McLean	Teter
Bowers	Foster	Millhone	Thies
Craven	Frizzell	Mooty	Weed
Cunningham	Gissel	Peet	Yager
Dole	Hook	Snyder	Zipse
Doran	Hultman	Sours	

The nays were, 69.

Alesch	Gallagher	McKinnon	Schlatter
Augustine	Garner	Malone	Schmitz
Bonnstetter	Gittinger	Maniece	Schroeder
Bouska	Goode	Mercer	Sheridan
Brady	Grell	Mitchell	Smith
Bruce	Hanson of Lyon	Moore of Benton	Stansell
Burgess	Hartman	Moore of Harrison	Stewart
Casey	Hopp	Osborn	Stimpson
Crouch	Hough	Ostby	Swift
Davis	Johnson	Paisley	Thiessen
Dean	Koch	Peaco	Treimer
Dreessen	Laughlin	Rawlings	Wieben
Ellsworth	Lookingbill	Reed	Wiese
Fabritz	McCarthy	Rice	Willis
Falvey	McCreery	Roe	Wolf
Fuelling	McDermott	Ryder	Zylstra
Fuester	McFarlane		Mr. Speaker

Absent or not voting, 6.

Donlon	Hanson of Winnebago	Lichty	Porter
Grau		Metcalf	

Amendment to the committee amendment lost.

Digitized by Google

Fabritz of Wapello moved that the House recess until the fall of the gavel. Motion prevailed and the House recessed until the fall of the gavel.

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 292.

Fabritz of Wapello as chairman of the committee on liquor control offered the following amendment and moved its adoption:

Amend the amendment by Rice, Mitchell, and Schmitz to Sec. 43 of House File No. 292 by striking from line 4 the words "one million" and inserting in lieu thereof the following words: "five hundred thousand".

Jensen of Audubon moved as a substitute for the amendment to the amendment, the following: "strike from line four (4), Sec. 43, the words 'one million' and insert in lieu thereof the words 'two hundred fifty thousand'."

Mercer of Johnson moved the previous question on the substitute amendment. Motion prevailed.

On the question, "Shall the Jensen amendment be substituted?", a roll call was demanded.

The ayes were, 43.

Aldrich	Elliott	Humeston	Sours
Alesch	Ellsworth	Jenkins	Stanzel
Avery	Felter	Jensen	Strachan
Beath	Fletcher	Lichty	Teter
Beswick	Foster	McLean	Thies
Bowers	Frizzell	Millhone	Weed
Cunningham	Gissel	Mooty	Willis
Davis	Hanson of Lyon	Paisley	Wolf
Dean	Hook	Peet	Yager
Dole	Hough	Ryder	Zipse
Doran	Hultman	Snyder	

The nays were, 55.

Augustine	Gallagher	McKinnon	Roe
Bonnstetter	Garner	Malone	Schlatter
Bouska	Gittinger	Maniece	Schmitz
Brady	Goode	Mercer	Schroeder
Bruce	Grell	Mitchell	Sheridan
Burgess	Hartman	Moore of Benton	Smith
Casey	Hopp	Moore of Harrison	Stewart
Crouch	Johnson	Osborn	Stimpson
Donlon	Koch	Ostby	Swift
Durant	Laughlin	Peaco	Thiessen
Fabritz	Lookingbill	Rawlings	Wieben
Falvey	McCarthy	Reed	Wiese
Fuelling	McCreery	Rice	Zylstra
Fuester	McFarane		Mr. Speaker

Digitized by Google

Absent or not voting, 10.

Craven	Hanson of Winnebago	Metcalf	Stansell
Dreessen	McDermott	Porter	Treimer
Grau		Speidel	

The House refused to substitute.

On the question, "Shall the committee amendment to the amendment by Rice, Mitchell and Schmitz be adopted?", a roll call was demanded.

The ayes were, 62.

Aldrich	Fletcher	Malone	Ryder
Alesch	Fuelling	Maniece	Schlatter
Augustine	Fuester	Mercer	Schmitz
Bonnstetter	Gallagher	Millhone	Schroeder
Bouska	Garner	Mitchell	Sheridan
Brady	Gittinger	Moore of Benton	Smith
Bruce	Goode	Moore of Harrison	Stewart
Burgess	Grell	Ostby	Stimpson
Casey	Hartman	Paisley	Swift
Crouch	Hopp	Peaco	Teter
Cunningham	Johnson	Peet	Thies
Dole	Koch	Rawlings	Thiessen
Donlon	Laughlin	Reed	Wieben
Dreessen	McCarthy	Rice	Wiese
Fabritz	McCreery	Roe	Zylstra
Falvey	McFarlane		

The nays were, 37.

Avery	Felter	Jensen	Sours
Beath	Foster	Lichty	Stanzel
Beswick	Frizzell	Lookingbill	Strachan
Bowers	Gissel	McDermott	Weed
Craven	Hook	McKinnon	Willis
Davis	Hough	McLean	Wolf
Doran	Hultman	Mooty	Yager
Durant	Humeston	Osborn	Zipse
Elliott	Jenkins	Snyder	Mr. Speaker
Ellsworth			

Absent or not voting, 9.

Dean	Hanson of Winnebago	Porter	Stansell
Grau	Metcalf	Speidel	Treimer
Hanson of Lyon			

Amendment to the amendment adopted.

On the question, "Shall the amendment as amended be adopted?", a roll call was demanded.

The ayes were, 61.

Aldrich	Bruce	Dreessen	Garner
Alesch	Burgess	Fabritz	Gittinger
Augustine	Casey	Falvey	Goode
Bonnstetter	Crouch	Fuelling	Grell
Bouska	Cunningham	Fuester	Hartman
Brady	Donlon	Gallagher	Hopp

Digitized by Google

Johnson	Mercer	Reed	Stewart
Koch	Mitchell	Rice	Stimpson
Laughlin	Moore of Benton	Roe	Swift
Lichty	Moore of	Ryder	Thies
McCarthy	Harrison	Schlatter	Thiessen
McCreery	Ostby	Schmitz	Wieben
McFarlane	Paisley	Schroeder	Wiese
McKinnon	Peaco	Sheridan	Zylstra
Malone	Peet	Smith	Mr. Speaker
Maniece	Rawlings		

The nays were, 40.

Avery	Elliott	Hultman	Snyder
Beath	Ellsworth	Humeston	Sours
Beswick	Felter	Jenkins	Stanzel
Bowers	Fletcher	Jensen	Strachan
Craven	Foster	Lookingbill	Teter
Davis	Frizzell	McDermott	Weed
Dean	Gissel	McLean	Willis
Dole	Hanson of Lyon	Millhone	Wolf
Doran	Hook	Mooty	Yager
Durant	Hough	Osborn	Zipse

Absent or not voting, 7.

Grau	Metcalf	Speidel	Treimer
Hanson of Winnebago	Porter	Stansell	

Amendment as amended was adopted.

Fabritz of Wapello, chairman of the committee on liquor control, offered the following amendments and moved their adoption:

1. Amend House File No. 292 by striking from sub-section (2) of Sec. 19 the whole of sub-section (b), being lines 27 to 35 inclusive and inserting in lieu thereof the following:

"(b) A special permit of a form prescribed by the Commission and subject in its issuance, and/or use, to such rules and regulations as the Commission may adopt, may be issued notwithstanding the other provisions of this Act.

(1) to a physician, druggist, dentist or veterinarian, which will entitle the holder to purchase liquor from the State Liquor Stores or special distributors for use medicinally and in compounding prescriptions and to sell the same for use medicinally and in the compounded prescription and will permit the druggist to resell the same in the original package upon the prescription of a licensed physician or surgeon.

(2) To a soldier's home, sanitarium, hospital or home for the aged which will entitle the holder to purchase liquor from the State Liquor Stores or special distributors for use for medicinal purposes only and to dispense and sell the same to its inmates and patients for medicinal purposes only.

Such special permit shall plainly specify the limitation for its use."

2. Further amend Sec. 19 of this Act by adding thereto the following:

"(e) A special permit in the form prescribed by the Commission, upon payment of a fee of one dollar, shall be issued by the commission to any

Digitized by Google

individual, firm or corporation entitling the holder of such permit to buy and sell patent and proprietary medicines, tinctures, food products, extracts, toilet articles and perfumes, and other like commodities, none of which are generally classified or used as a beverage but which require as one of their ingredients alcoholic or vinous liquors.

CALL OF THE HOUSE

MR. SPEAKER: We hereby request a call of the House for the consideration of House File No. 292.

E. H. FABRITZ,
R. C. HOPP,
PAUL I. D. OSTBY,
GEO. SCHLATTER,
MILTON PEACO,
J. H. THIESSEN,
C. S. HOOK,
ALVA HUMESTON,
JOHN MCDERMOTT,
J. E. CRAVEN,
C. E. LOOKINGBILL.
G. J. GITTINGER,
P. H. DONLON,
LA MAR FOSTER,
F. H. BEATH,
OVE T. ROE,
S. B. DURANT,
WM. THIES,
C. E. MALONE.

AMENDMENTS FILED

McCreery of Linn filed the following amendment to House File No. 292:

Amend Sec. 7, paragraph "b" as amended by the committee by adding the following: "However, no liquor store or special distributor shall be established within 300 feet of any church or school."

The committee on liquor control filed the following amendment to House File No. 292:

Amend paragraph (a) of sub-section (2) of Sec. 19 by striking all of line 21 after the word "Act". Also strike lines 22, 23 and 24.

Aldrich of Wright filed the following amendment:

Amend House File No. 180, Sec. 4, line 2, by striking the words "one member" and substituting in lieu thereof the words "two members".

Further amend Sec. 4, line two, by inserting after the word "members" the following, ", one of which shall be a woman,".

Further amend Sec. 5, line sixteen, by striking the words "a member" and substituting in lieu thereof the words "two members".

Further amend House File No. 180, Sec. 9, line five, by inserting after the word "funds" the following: "not to exceed amount set forth as a maximum in this Act,".

Jenkins of Louisa filed the following amendment:

Amend House File No. 228 by striking all of sub-section (b) section 3 following the word "act" in line twenty-five (25).

Digitized by Google

Hanson of Lyon, Bonnstetter of Kossuth, Jenkins of Louisa and Foster of Cedar filed the following amendment:

Amend House File No. 292 as follows:

(1) Amend Sec. 20 by striking all of lines one and two and inserting in lieu the following:

"For an individual permit under clause (a) of sub-section (2) issued before December 31, 1934, the fee shall be two dollars and such permit shall not expire until June 30, 1935. On all such permits issued on or after January 1, 1935, the fee shall be one dollar, and such permits shall expire on June 30 following date of issuance.

(2) Amend Sec. 21 by inserting after the word "issuance" in line three, the words "except as provided in Sec. 20".

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

December 21: House Files No. 23 and 166.

On motion of McLean of Marshall the House adjourned until 9:30 o'clock a. m. January 10.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 10, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. J. Bessinger, pastor, Jordan Memorial M. E. Church, Des Moines, Iowa.

Journal of January 9, corrected and approved.

PETITIONS AND MEMORIALS

Favoring the establishment of a Hydro-Electric Power Commission. Metcalf of Muscatine, from the International Brotherhood of Electrical Workers, Local No. 240; Metcalf of Muscatine, from the executive board of Button Workers Union. Referred to the committee on public utilities.

Favoring the equalization of the tax burden. Grell of Scott, from the Town Council of Princeton, Iowa. Referred to the committee on public utilities.

Favoring a special tax on chain stores. Mitchell, from the business men of Webster county. Referred to the committee on tax revision.

REPORT OF COMMITTEE

Swift of Dubuque, from the committee on building and loan, submitted the following report:

MR. SPEAKER: Your committee on building and loan to whom was referred House File No. 237, a bill for an act to authorize conversion of building and loan associations and savings and loan associations into federal savings and loan associations organized under the Act of Congress known as "Home Owners' Loan Act of 1933"; to provide for complete or partial transfer of assets to such federal savings and loan association and to provide the procedure for such conversion and transfer, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

SAM SWIFT, *Chairman.*

Report adopted.

Digitized by Google

INTRODUCTION OF BILLS

House File No. 306, by committee on military affairs, a bill for an act to amend, revise and codify chapter twenty-eight (28), Code, 1931, relating to and constituting the military law of the state.

Read first and second times and placed on calendar.

House File No. 307, by committee on claims, a bill for an act to make an appropriation to C. R. Piercy.

Read first and second times and referred to committee on appropriations.

House File No. 308, by committee on claims, a bill for an act to make an appropriation to Amos Hilton.

Read first and second times and referred to committee on appropriations.

House File No. 309, by committee on claims, a bill for an act to make an appropriation to H. C. Shaw.

Read first and second times and referred to committee on appropriations.

House File No. 310, by committee on claims, a bill for an act to make an appropriation to Honorable Victor Felter, as trustee.

Read first and second times and referred to committee on appropriations.

House File No. 311, by committee on claims, a bill for an act to make an appropriation to H. D. Howard.

Read first and second times and referred to committee on appropriations.

House File No. 312, by committee on claims, a bill for an act to make an appropriation to Mrs. E. A. Brigham and Milton W. Strickler.

Read first and second times and referred to committee on appropriations.

House File No. 313, by committee on building and loan, a bill for an act to amend Section ninety-three hundred forty-b1 (9340-b1), Code, 1931, as amended, pertaining to investments of

Digitized by Google

building and loan associations, and to authorize such associations to accept bonds of Home Owners' Loan Corporation in payment or exchange for notes and mortgages.

Read first and second times and placed on calendar.

CONSIDERATION OF BILLS

Peaco of Clinton asked and obtained unanimous consent for the immediate consideration of Senate File No. 109, a bill for an act to amend section three hundred eighty (380), Code, 1931, as amended chapter fourteen (14), Acts Forty-fifth (45th) General Assembly, relating to the limitation on expenditures of certain municipalities, with report of committee recommending passage.

Peaco of Clinton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Foster	Lookingbill	Schroeder
Alesch	Frizzell	McCreery	Smith
Avery	Fuelling	McFarlane	Snyder
Beath	Fuester	McKinnon	Sours
Beswick	Gallagher	Malone	Speidel
Bonnstetter	Gissel	Maniece	Stansell
Bruce	Gittinger	Mercer	Stanzel
Burgess	Grau	Metcalf	Stewart
Casey	Grell	Millhone	Stimpson
Dean	Hanson of Lyon	Moore of Benton	Swift
Dole	Hanson of Winnebago	Mooty	Teter
Donlon	Hook	Paisley	Thies
Doran	Hopp	Peaco	Thiessen
Dreessen	Humeston	Rawlings	Weed
Durant	Jenkins	Reed	Wiese
Ellsworth	Jensen	Roe	Willis
Falvey	Laughlin	Ryder	Yager
Felter	Lichty	Schlatter	Mr. Speaker
Fletcher			

The nays were, 5.

Augustine	Hough	McLean	Zipse
Hartman			

Absent or not voting, 30.

Bouska	Fabritz	Mitchell	Schmitz
Bowers	Garner	Moore of Harrison	Sheridan
Brady	Goode	Osborn	Strachan
Craven	Hultman	Ostby	Treimer
Crouch	Johnson	Peet	Wieben
Cunningham	Koch	Porter	Wolf
Davis	McCarthy	Rice	Zylstra
Elliott	McDermott		

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Peaco of Clinton moved that the vote by which Senate File No. 109 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

The House resumed consideration of House File No. 292, a bill for an act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa; to provide for the licensing and revenue thereof; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly, Chapters ninety-four (94) to one hundred four (104) inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any or all laws or parts of laws inconsistent with this Act.

CALL OF THE HOUSE

The call of the House on the consideration of House File No. 292 as filed yesterday and found on page 703 of the Journal of January 9, was taken up and the roll was called to ascertain the absentees.

The roll call showed the following members as absent: Craven of Jasper, Porter of Delaware and Treimer of O'Brien.

Those absent were on motion excused.

CONSIDERATION OF BILLS

Fabritz of Wapello, chairman of the liquor control committee, called up the amendment to House File No. 292, offered yesterday and found on pages 702 and 703 of the Journal of January 9, and moved its adoption.

Digitized by Google

Goode of Davis offered the following amendment to the amendment and moved its adoption:

Amend the Amendment by Fabritz to House File No. 292 found on page 702 of the House Journal as follows:

Add to sub-section (e) the following:

"But such permit fee required under sub-section (e) shall be good as long as the permittee remains in business, and the permit is not revoked for cause by the Commission."

Amendment to the amendment adopted.

Grau of Buena Vista offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment to House File No. 292 found on page 702 of the Journal by striking therefrom sub-section (1) and substituting as sub-section (1) the following: "to a physician, druggist, dentist or veterinarian which will entitle the holder to purchase liquor from the State Liquor Stores or special distributors for use medicinally and in compounding prescriptions but in no case for resale in the form of alcoholic liquor."

Reed of Mahaska moved as a substitute for the amendment to the committee amendment, the following:

Amend committee amendment sub-section 1, by striking the word "prescription" at the end of line 4, and inserting therefor the words "prescriptions only," and by striking the remainder of the sentence.

Dole of Jefferson moved that the House recess until the fall of the gavel. Motion lost.

On the question, "Shall the Reed amendment be substituted for the Grau amendment?" a roll call was demanded.

The ayes were, 43.

Avery	Grell	Osborn	Smith
Beath	Jensen	Ostby	Snyder
Beswick	Koch	Peet	Stansell
Bonnstetter	McCarthy	Rawlings	Swift
Casey	Malone	Reed	Thies
Crouch	Maniece	Rice	Thiessen
Donlon	Mercer	Roe	Wieben
Dreessen	Metcalf	Ryder	Willis
Falvey	Millhone	Schlatter	Wolf
Fletcher	Moore of Harrison	Schmitz	Zipse
Fuelling		Schroeder	
Gittinger			

The nays were, 45.

Aldrich	Bruce	Dole	Foster
Alesch	Burgess	Doran	Frizzell
Augustine	Cunningham	Durant	Fuester
Bowers	Dean	Felter	Gallagher

Digitized by Google

Garner	Humeston	McLean	Stewart
Gissel	Lichty	Mitchell	Strachan
Goode	Lookingbill	Moore of Benton	Weed
Grau	McCreery	Mooty	Wiese
Hanson of Lyon	McDermott	Sours	Yager
Hartman	McFarlane	Speidel	Zylstra
Hook	McKinnon	Stanzel	Mr. Speaker
Hough			

Absent or not voting, 20.

Bouska	Fabritz	Jenkins	Porter
Brady	Hanson of	Johnson	Sheridan
Craven	Winnebago	Laughlin	Stimpson
Davis	Hopp	Paisley	Teter
Elliott	Hultman	Peaco	Treimer
Ellsworth			

The House refused to substitute.

Moore of Benton moved as a substitute for the Grau amendment, the following:

Amend the committee amendment by adding after the word "prescription" in line 4, paragraph 1, the word "only".

Further amend by striking all of line 5, paragraph 1, which includes "and will permit the druggist to resell the same in original package."

Further amend by striking the word "and" following the word "medicinally" in line 4, paragraph 1.

Fabritz of Wapello moved to recess five minutes.

As a substitute motion, Brady of Pottawattamie moved that the House recess until 2:00 o'clock this afternoon. Motion lost.

The motion by Fabritz of Wapello was lost.

Jensen of Audubon moved the previous question on the substitute amendment. Motion lost.

Grau of Buena Vista asked and obtained unanimous consent to withdraw his amendment from further consideration of the House.

The Grau amendment having been withdrawn, no substitution was necessary, and the Moore amendment to the committee amendment was adopted.

Davis of Appanoose offered the following amendment to the amendment and moved its adoption:

Amend the Committee amendment to House File No. 292, as found on page 702 of the Journal by striking from line 4 of paragraph (1) the words "to sell the same for use medicinally and".

Digitized by Google

Mercer of Johnson moved that the House recess until 1:30 o'clock this afternoon.

As a substitute motion, Fabritz of Wapello moved that the House recess until 12:45 o'clock this afternoon. Motion lost.

The motion by Mercer of Johnson was lost.

Fabritz of Wapello moved that House recess until 1 o'clock this afternoon. Motion lost.

On the question, "Shall the Davis amendment to the committee amendment be adopted?" a roll call was demanded.

The ayes were, 18.

Alesch	Fuester	Maniece	Strachan
Bonnstetter	Grell	Paisley	Thies
Brady	Hanson of Lyon	Snyder	Weed
Falvey	Humeston	Speidel	Zylstra
Foster	McKinnon		

The nays were, 80.

Aldrich	Felter	McCreery	Ryder
Augustine	Fletcher	McDermott	Schmitz
Avery	Frizzell	McFarlane	Schroeder
Beath	Fuelling	McLean	Sheridan
Beswick	Gallagher	Malone	Smith
Bouska	Garner	Mercer	Sours
Bowers	Gissel	Metcalf	Stansell
Bruce	Gittinger	Millhone	Stanzel
Burgess	Grau	Mitchell	Stewart
Casey	Hanson of	Moore of Benton	Stimpson
Crouch	Winnebago	Moore of	Swift
Cunningham	Hartman	Harrison	Teter
Davis	Hopp	Mooty	Thiessen
Dean	Jenkins	Osborn	Wieben
Dole	Jensen	Peaco	Wiese
Donlon	Johnson	Peet	Willis
Doran	Koch	Rawlings	Wolf
Dreessen	Laughlin	Reed	Yager
Durant	Lichty	Rice	Zypse
Elliott	Lookingbill	Roe	Mr. Speaker
Ellsworth	McCarthy		

Absent or not voting, 10.

Craven	Hook	Ostby	Schlatter
Fabritz	Hough	Porter	Treimer
Goode	Hultman		

Davis amendment to the committee amendment lost.

Fabritz of Wapello offered the following amendment to the committee amendment and moved its adoption:

Strike all of paragraph "b" and insert in lieu thereof the following:
"(b) A special permit in form as prescribed by the commission and

Digitized by Google

subject to its issuance and/or use to such rules and regulations as the commission may adopt, may be issued as provided in this section, notwithstanding the other provisions of this Act, as follows:

Maniece of Emmet moved that the House recess until 1:30 o'clock this afternoon. Motion prevailed, and the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A roll call was taken to ascertain the absentees.

The roll call showed all present except Augustine of Ringgold, Grell of Scott, Humeston of Wayne and Osborn of Decatur.

McFarlane of Black Hawk asked and obtained unanimous consent to temporarily excuse absentees.

The House resumed consideration of House File No. 292.

The committee amendment to the committee amendment under consideration this morning at the time the House recessed was taken up and adopted.

Fabritz of Wapello as chairman of the committee on liquor control offered the following amendment to House File No. 292 and moved its adoption:

Amend the committee amendment to Sec. 19 by striking from line 4 of sub-section (e) the words "buy and sell" and insert in lieu thereof the following: "buy, manufacture and/or sell".

Amendment adopted.

Sours of Floyd offered the following amendment to the committee amendment and moved its adoption:

Amend Part 1, subsection (2), strike from line 4 the first word "to" and insert after the word dispense the word "to".

Also strike the words "and sell the same to its inmates and".

McFarlane of Black Hawk moved as a substitute for the Sours amendment to the committee amendment, the following:

Amend the committee amendment to House File No. 292 by striking all after the word "only" in line three, section (2), and substituting a period in lieu thereof.

Digitized by Google

The House substituted the McFarlane amendment for the Sours amendment.

The substituted amendment was adopted.

The committee amendments as amended were adopted.

McCreery of Linn called up the amendment filed by him and found on page 703 of the Journal of January 9, and moved its adoption.

Fabritz of Wapello moved to amend the McCreery amendment by striking from the last line the words "church or",

Amendment to the amendment adopted.

Fabritz of Wapello moved to amend the McCreery amendment by inserting after the word "school" in line 4 of the amendment, the words "building occupied for school purposes".

Amendment to the amendment adopted.

Rice of Keokuk asked and obtained unanimous consent to change the word "occupied" in the amendment to the McCreery amendment, to the word "used".

On the question, "Shall the McCreery amendment as amended be adopted?", a roll call was demanded.

The ayes were, 86.

Aldrich	Fabritz	Koch	Schlatter
Alesch	Falvey	Laughlin	Schroeder
Augustine	Felter	Lichty	Smith
Avery	Fletcher	Lookingbill	Snyder
Beath	Foster	McCarthy	Sours
Beswick	Frizzell	McCreery	Speidel
Bonnstetter	Fuester	McFarlane	Stanzel
Bowers	Garner	McKinnon	Stewart
Bruce	Gissel	McLean	Stimpson
Casey	Gittinger	Malone	Strachan
Craven	Goode	Maniece	Teter
Crouch	Grau	Metcalf	Thies
Cunningham	Hanson of Lyon	Millhone	Thiessen
Davis	Hanson of Winnebago	Mitchell	Weed
Dean	Hartman	Mooty	Wieben
Dole	Hook	Paisley	Wiese
Donlon	Hough	Peaco	Willis
Doran	Hultman	Peet	Wolf
Dreessen	Humeston	Rawlings	Yager
Durant	Jenkins	Reed	Zylstra
Elliott	Jensen	Rice	Mr. Speaker
Ellsworth		Roe	

Digitized by Google

The nays were, 15.

Bouska	McDermott	Osborn	Sheridan
Burgess	Mercer	Ostby	Stansell
Fuelling	Moore of	Ryder	Swift
Gallagher	Harrison	Schmitz	Zipse

Absent or not voting, 7.

Brady	Hopp	Moore of Benton	Treimer
Grell	Johnson	Porter	

McCreery amendment as amended was adopted.

Fabritz of Wapello called up the amendment filed by the committee on liquor control and found on page 703 of the Journal of January 9, and moved its adoption.

Amendment adopted.

Hanson of Lyon called up the amendment filed by himself and Bonnstetter of Kossuth, Jenkins of Louisa and Foster of Cedar and found on page 704 of the Journal of January 9, and moved its adoption.

Malone of Cass moved the previous question on the Hanson amendment. Motion prevailed.

On the question, "Shall the Hanson amendment be adopted?", a roll call was demanded.

The ayes were, 52.

Alesch	Doran	Hopp	Peet
Avery	Durant	Hough	Roe
Beath	Elliott	Hultman	Snyder
Beswick	Felter	Jenkins	Sours
Bonnstetter	Fletcher	Jensen	Speidel
Bowers	Foster	Lichty	Stanzel
Brady	Frizzell	Lookingbill	Strachan
Casey	Fuester	McCreery	Thies
Craven	Grau	McLean	Weed
Crouch	Hanson of Lyon	Metcalf	Willis
Davis	Hanson of	Millhone	Wolf
Dean	Winnebago	Mooty	Yager
Dole	Hook	Paisley	Zylstra
Donlon			

The nays were, 50.

Aldrich	Fuelling	Koch	Moore of Benton
Augustine	Gallagher	Laughlin	Moore of
Bouska	Garner	McCarthy	Harrison
Bruce	Gittinger	McDermott	Osborn
Burgess	Goode	McFarlane	Ostby
Dreessen	Grell	Malone	Peaco
Ellsworth	Hartman	Maniece	Rawlings
Fabritz	Humeston	Mercer	Reed
Falvey	Johnson	Mitchell	Ryder

Digitized by Google

Schlatter	Smith	Swift	Wiese
Schmitz	Stansell	Teter	Zipse
Schroeder	Stewart	Thiessen	Mr. Speaker
Sheridan	Stimpson	Wieben	

Absent or not voting, 6.

Cunningham	McKinnon	Rice	Treimer
Gissel	Porter		

Amendment adopted.

Fabritz of Wapello, chairman of the Committee on Liquor Control offered the following amendment and moved its adoption:

Amend Sec. 28 of House File No. 292 by inserting after the word "license" in line 4 the following: "good for a period of one year after date of issuance".

Amendment adopted.

Doran of Boone offered the following amendment and moved its adoption:

Amend section 4, paragraph 21, of House File No. 292 by adding as paragraph 21-a the following:

"Guest Room of a Hotel" for the purpose of this act shall mean the sleeping room and/or living apartment, and shall not include the lobby or dining room or other room or rooms no matter how designated."

Amendment adopted.

Fabritz of Wapello, chairman of the committee on liquor control, offered the following amendment and moved its adoption:

Amend House File No. 292 by striking from line 14 of Sec. 46 the word "revolving" and inserting in lieu thereof the following words: "Liquor Control Act".

Further amend Sec. 46 by striking all of sub-section 7.

Amendment adopted.

Moore of Benton offered the following amendment and moved its adoption:

Amend House File No. 292, Section forty-three (43) as amended, by changing the period (.) to a comma (,) following the word "treasury" in the last line, and adding the following: "Which amount shall be used to reduce the general state tax levy against real estate."

On the question "Shall the Moore amendment be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 55.

Aldrich	Falvey	Lookingbill	Rawlings
Alesch	Felter	McCarthy	Snyder
Beath	Fletcher	McCreery	Sours
Beswick	Frizzell	McDermott	Speidel
Bonnstetter	Fuelling	McKinnon	Stanzel
Bowers	Fuester	McLean	Strachan
Bruce	Gissel	Mercer	Thiessen
Craven	Gittinger	Metcalf	Weed
Cunningham	Grau	Millhone	Willis
Dean	Hultman	Mitchell	Wolf
Doran	Jenkins	Moore of Benton	Yager
Durant	Koch	Paisley	Zipse
Elliott	Laughlin	Peaco	Zylstra
Ellsworth	Lichty	Peet	

The nays were, 44.

Augustine	Gallagher	Johnson	Schmitz
Avery	Garner	Malone	Schroeder
Bouska	Goode	Maniece	Smith
Burgess	Grell	Moore of Harrison	Stansell
Casey	Hanson of Lyon	Mooty	Stewart
Crouch	Hartman	Osborn	Stimpson
Davis	Hook	Ostby	Swift
Dole	Hopp	Reed	Thies
Donlon	Hough	Roe	Wieben
Dreessen	Humeston	Ryder	Wiese
Fabritz	Jensen		Mr. Speaker
Foster			

Absent or not voting, 9.

Brady	McFarlane	Schlatter	Teter
Hanson of Winnebago	Porter	Sheridan	Treimer
	Rice		

Amendment adopted.

Gallagher of Iowa offered the following amendment and moved its adoption:

Amend House File No. 292 by adding as follows:

"Sec. 11-a. Character of employees. The liquor control commission shall as far as humanly possible refuse to employ in any capacity any person, or persons, who are generally known to have been identified with the illegal sale of liquor during the period in which the eighteenth amendment was in force."

On the question "Shall the Gallagher amendment be adopted?" a roll call was demanded.

The ayes were, 86.

Aldrich	Bouska	Cunningham	Durant
Alesch	Bowers	Davis	Elliott
Augustine	Bruce	Dean	Ellsworth
Avery	Burgess	Dole	Fabritz
Beath	Casey	Donlon	Falvey
Beswick	Craven	Doran	Felter
Bonnstetter	Crouch	Dreessen	Fletcher

Digitized by Google

Foster	Jensen	Peet	Stanzel
Frizzell	Koch	Rawlings	Stewart
Fuelling	Laughlin	Reed	Swift
Fuester	Lichty	Rice	Teter
Gallagher	Lookingbill	Roe	Thies
Garner	McCreery	Ryder	Thiessen
Gittinger	McDermott	Schlatter	Weed
Grau	Mercer	Schmitz	Wieben
Grell	Metcalf	Sheridan	Wiese
Hanson of Lyon	Millhone	Smith	Willis
Hartman	Mitchell	Snyder	Wolf
Hook	Moore of Benton	Sours	Yager
Hopp	Mooty	Speidel	Zylstra
Hough	Osborn	Stansell	Mr. Speaker
Hultman	Paisley		

The nays were, 5.

Humeston	McCarthy	Ostby	Zipse
Johnson			

Absent or not voting, 17.

Brady	Jenkins	Maniece	Schroeder
Gissel	McFarlane	Moore of	Stimpson
Goode	McKinnon	Harrison	Strachan
Hanson of	McLean	Peaco	Treimer
Winnebago	Malone	Porter	

Amendment adopted.

Speidel of Washington called up his motion to reconsider the vote by which the Teter and Reed amendment was adopted, and filed by him and found on page 629 of the Journal of January 3.

McFarlane of Black Hawk moved the previous question on the motion to reconsider. Motion prevailed.

On the question "Shall the House reconsider the vote by which the Teter and Reed amendment was adopted?" a roll call was demanded.

The ayes were, 24.

Aldrich	Foster	Jensen	Paisley
Alesch	Gissel	Lookingbill	Roe
Beath	Grell	McDermott	Speidel
Bonnstetter	Hanson of Lyon	McKinnon	Thies
Craven	Hook	McLean	Yager
Davis	Hultman	Mooty	Zipse

The nays were, 77.

Augustine	Crouch	Elliott	Fuester
Avery	Cunningham	Ellsworth	Gallagher
Beswick	Dean	Fabritz	Garner
Bouska	Dole	Falvey	Gittinger
Bowers	Donlon	Felter	Goode
Brady	Doran	Fletcher	Grau
Burgess	Dreessen	Frizzell	Hanson of
Casey	Durant	Fuelling	Winnebago

Digitized by Google

Hartman	Maniece	Reed	Stimpson
Hopp	Mercer	Rice	Swift
Hough	Metcalf	Ryder	Teter
Humeston	Millhone	Schlatter	Thiessen
Johnson	Mitchell	Schmitz	Weed
Koch	Moore of Benton	Schroeder	Wieben
Laughlin	Moore of	Sheridan	Wiese
Lichty	Harrison	Smith	Willis
McCarthy	Ostby	Snyder	Wolf
McCreery	Peaco	Sours	Zylstra
McFarlane	Peet	Stansell	Mr. Speaker
Malone	Rawlings	Stewart	

Absent or not voting, 7.

Bruce	Osborn	Stanzel	Treimer
Jenkins	Porter	Strachan	

Motion to reconsider lost.

Teter of Marion asked and obtained unanimous consent to have the Chief Clerk correct the amendment found on page 597 of the Journal of January 2 by substituting the words "Liquor Control Act" for the word "Revolving".

Fabritz of Wapello asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 634 of the Journal of January 4.

Teter of Marion asked and obtained unanimous consent to withdraw the amendment filed by him and found on pages 623 and 634 of the Journal of January 3.

Fuester of Ida asked and obtained unanimous consent to withdraw the amendments filed by him and found on pages 640 and 641 of the Journal of January 4; also on pages 654 and 655 of the Journal of January 5.

Bonnstetter of Kossuth asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 638 of the journal of January 4.

Fabritz of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Bouska	Casey	Dean
Alesch	Brady	Craven	Dole
Avery	Bruce	Crouch	Donlon
Bonnstetter	Burgess	Davis	Dreessen

Digitized by Google

Ellsworth	Hopp	Moore of Benton	Sheridan
Fabritz	Hough	Moore of	Smith
Falvey	Humeston	Harrison	Sours
Fletcher	Jensen	Osborn	Stanzel
Foster	Johnson	Ostby	Stewart
Fuelling	Koch	Paisley	Stimpson
Fuester	Laughlin	Peaco	Swift
Gallagher	McCarthy	Rawlings	Thies
Garner	McDermott	Reed	Thiessen
Gittinger	McFarlane	Rice	Wieben
Goode	Malone	Roe	Wiese
Grau	Maniece	Ryder	Wolf
Grell	Mercer	Schlatter	Zylstra
Hanson of Lyon	Metcalf	Schmitz	Mr. Speaker
Hartman	Mitchell	Schroeder	

The nays were, 32.

Augustine	Felter	Lookingbill	Speidel
Beath	Frizzell	McCreery	Stansell
Beswick	Gissel	McKinnon	Strachan
Bowers	Hanson of	McLean	Teter
Cunningham	Winnebago	Millhone	Weed
Doran	Hook	Mooty	Willis
Durant	Hultman	Peet	Yager
Elliott	Jenkins	Snyder	Zipse
	Lichty		

Absent or not voting, 2.

Porter	Treimer

So the bill having received a constitutional majority was declared to have passed the House.

Fabritz of Wapello asked and obtained unanimous consent to have the Chief Clerk correct the punctuation, spelling, re-numbering the sections and paragraphs and sub-sections, correctly apply the amendments, and correct the title if necessary.

Fabritz of Wapello moved that the vote by which House File No. 292 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

The Chief Clerk corrected the title as follows:

Amend title as follows:

Line 3, strike semicolon "(;)", following the word "Iowa", and insert in lieu thereof ", and."

Line 4, following the word "licensing," insert the word "thereof"; also following the word "revenue", strike the word "thereof," and insert in lieu thereof the word "therefrom".

Line 15, following the word "any", strike the word "or", and insert in lieu thereof the word "and".

The title as amended was agreed to.

Digitized by Google

ADDITIONAL COPIES ORDERED PRINTED

Fabritz of Wapello asked and obtained unanimous consent to have 1500 copies of House File No. 292 printed with the amendments as adopted incorporated.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the report and concurred in the amendments of the Conference Committee named to consider the following bill in which the concurrence of the Senate was asked:

House File No. 21, a bill for an act to amend section seventy-one hundred sixty-four (7164), Code, 1931, repealing lines twenty (20) to thirty-one (31), inclusive, relating to the computation of tax rates.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 271, a bill for an act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system.

Also: That the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 238, a bill for an act making an appropriation in the sum of $943.17, for payment of necessary expenses of the special corporation commission authorized by the Forty-fourth, and continued by the Forty-fifth General Assembly. BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 21 and 271; Senate Files No. 238, 91, 229 and 74.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills:

House Files No. 21 and 271.

Senate Files No. 238, 91, 229 and 74.

Digitized by Google

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 10th day of January, 1934, sent to the Governor for his approval: House Files No. 21 and 271. WM. KOCH, *Chairman.*

Report adopted.

On the motion of McKinnon of Henry the House adjourned until 9:30 o'clock a. m. Thursday, January 11.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 11, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven, pastor A. M. E. Church, Des Moines, Iowa.

Journal of January 10, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: McCreery of Linn for the day, on request of Ellsworth of Hardin.

PETITIONS AND MEMORIALS

Favoring the establishment of a Public Power Commission. Zylstra of Sioux, from the Executive Board of Button Workers Union No. 18337, and the Veterans of Foreign Wars of the United States, Post No. 1565; Metcalf of Muscatine, from the Executive Board of Button Workers Union No. 18337, and the Veterans of Foreign Wars of the United States, Post No. 1565; Millhone of Page, from the Veterans of Foreign Wars of the United States, Post No. 1565. Referred to the committee on public utilities.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Gallagher of Iowa called up Senate Concurrent Resolution No. 5, found on pages 503 and 504 of the journal of December 21, and moved its adoption.

On the question, "Shall Senate Concurrent Resolution No. 5 be adopted?", a roll call was demanded.

The ayes were, 23.

Augustine	Burgess	Gallagher	Schroeder
Avery	Davis	Mercer	Sheridan
Beswick	Dole	Mitchell	Speidel
Bouska	Falvey	Osborn	Treimer
Brady	Foster	Schlatter	Zylstra
Bruce	Fuester	Schmitz	

Digitized by Google

The nays were, 72.

Alesch	Goode	McDermott	Ryder
Beath	Grau	McFarlane	Smith
Bonnstetter	Grell	McKinnon	Snyder
Bowers	Hanson of Lyon	McLean	Sours
Casey	Hanson of	Malone	Stanzel
Craven	Winnebago	Maniece	Stewart
Crouch	Hartman	Metcalf	Stimpson
Dean	Hook	Millhone	Strachan
Donlon	Hopp	Moore of	Swift
Doran	Hough	Harrison	Teter
Durant	Hultman	Mooty	Thies
Elliott	Humeston	Ostby	Thiessen
Ellsworth	Jenkins	Paisley	Weed
Felter	Jensen	Peaco	Wieben
Fletcher	Johnson	Peet	Wiese
Fuelling	Koch	Reed	Willis
Garner	Lichty	Rice	Zipse
Gissel	Lookingbill	Roe	Mr. Speaker
Gittinger	McCarthy		

Absent or not voting, 13.

Aldrich	Frizzell	Moore of Benton	Stansell
Cunningham	Laughlin	Porter	Wolf
Dreessen	McCreery	Rawlings	Yager
Fabritz			

House refused to adopt the resolution.

Malone of Cass moved that the vote by which Senate Concurrent Resolution No. 5 failed to be adopted be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

COMMUNICATION FROM SENATOR KNUDSON

MR. SPEAKER: Mrs. Knudson joins with me in heartfelt thanks and appreciation to the committee drafting and to the House adopting the resolution in expression of sympathy after the passing of our dear boy, John Gilbert. IRVING H. KNUDSON.

Ellsworth of Hardin asked and obtained unanimous consent to have the communication from Senator Knudson printed in the Journal.

CONSIDERATION OF BILLS

Hough of Fayette asked and obtained unanimous consent for the immediate consideration of Senate File No. 141, a bill for an act to legalize the proceedings of the board of directors of The Elgin-Brainard Farmers Cooperative Company of Elgin, Iowa, with report of committee recommending passage.

Hough of Fayette moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Aldrich	Fletcher	Lookingbill	Ryder
Alesch	Foster	McCarthy	Schlatter
Augustine	Frizzell	McDermott	Schmitz
Avery	Fuelling	McFarlane	Schroeder
Beath	Fuester	McKinnon	Sheridan
Beswick	Gallagher	McLean	Smith
Bouska	Garner	Malone	Snyder
Bowers	Gissel	Maniece	Sours
Brady	Gittinger	Mercer	Speidel
Bruce	Goode	Metcalf	Stanzel
Burgess	Grau	Millhone	Stewart
Casey	Hanson of Lyon	Mitchell	Stimpson
Craven	Hanson of Winnebago	Moore of Benton	Strachan
Crouch	Hartman	Moore of Harrison	Swift
Cunningham	Hook	Mooty	Teter
Davis	Hough	Ostby	Thiessen
Dean	Humeston	Paisley	Treimer
Dole	Jenkins	Peaco	Weed
Donlon	Jensen	Peet	Wieben
Doran	Johnson	Rawlings	Wiese
Durant	Koch	Reed	Willis
Elliott	Laughlin	Rice	Zipse
Ellsworth	Lichty	Roe	Zylstra
Falvey			Mr. Speaker

The nays were, none.

Absent or not voting, 14.

Bonnstetter	Grell	Osborn	Thies
Dreessen	Hopp	Porter	Wolf
Fabritz	Hultman	Stansell	Yager
Felter	McCreery		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Beswick of Van Buren asked and obtained unanimous consent for the immediate consideration of House File No. 232, a bill for an Emergency Act relating to the execution and delivery of treasurers' deeds conveying real estate sold at tax sale; to prohibit the delivery of such deeds until December 2, 1935, and to extend the period of redemption, with report of committee recommending passage.

McKinnon of Henry asked and obtained unanimous consent to defer action for one hour.

Digitized by Google

HOUSE FILES NO. 1, 131 AND 204 PLACED ON CALENDAR

Wieben of Tama asked that House File No. 1 be withdrawn from the committee on tax revision, and placed on the calendar. So ordered by the Speaker.

Cunningham of Polk asked that House File No. 204 be withdrawn from the committee on tax revision and placed on calendar. So ordered by the Speaker.

Felter of Warren asked that House File No. 131 be withdrawn from the committee on tax revision and placed on calendar. So ordered by the Speaker.

Speidel of Washington moved that action on House Files No. 1, 131, and 204 be deferred until the Senate has passed some bills of this kind or nature.

Gissel of Buchanan moved as a substitute motion, that the House defer action until next Monday. Substitute motion lost.

The Speidel motion was lost.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 232 which had been temporarily deferred.

Rice of Keokuk offered the following amendment and moved its adoption:

Amend House File No. 232 as follows:

Strike from lines one (1) and two (2), Section 1, the words and figures "the years 1930, or 1931, or 1932, or 1933" and insert in lieu thereof the words and figures "any year preceding 1934".

Amendment adopted.

Malone of Cass moved the previous question. Motion prevailed.

Beswick of Van Buren moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Aldrich	Beath	Bowers	Casey
Alesch	Beswick	Brady	Craven
Augustine	Bonnstetter	Bruce	Cunningham
Avery	Bouska	Burgess	Dean

Digitized by Google

Dole	Hanson of Winnebago	Mercer	Speidel
Donlon	Hartman	Metcalf	Stansell
Doran	Hook	Mitchell	Stanzel
Dreessen	Hopp	Moore of Harrison	Stewart
Durant	Hough	Mooty	Stimpson
Elliott	Hultman	Osborn	Strachan
Ellsworth	Humeston	Ostby	Swift
Fabritz	Jenkins	Paisley	Teter
Felter	Jensen	Peaco	Thies
Fletcher	Koch	Rawlings	Thiessen
Foster	Lichty	Reed	Treimer
Frizzell	Lookingbill	Rice	Weed
Fuelling	McCarthy	Roe	Wieben
Fuester	McDermott	Ryder	Wiese
Garner	McFarlane	Schlatter	Willis
Gissel	McKinnon	Schmitz	Wolf
Gittinger	McLean	Schroeder	Yager
Grau	Malone	Sheridan	Zipse
Grell	Maniece	Snyder	Zylstra
Hanson of Lyon			Mr. Speaker

The nays were, 6.

Crouch	Gallagher	Johnson	Peet
Davis	Goode		

Absent or not voting, 8.

Falvey	McCreery	Moore of Benton	Smith
Laughlin	Millhone	Porter	Sours

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

McKinnon of Henry moved that the vote by which House File No. 232 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 252, a bill for an act to amend chapter four hundred twenty-seven (427), code, 1931, as amended by Senate File 69, acts of the Forty-fifth General Assembly in extraordinary session, relating to the charges to be paid by the owner of grain at the time of the sealing of his warehouse.

BYRON G. ALLEN, *Secretary.*

AMENDMENTS FILED

Craven of Jasper offered the following amendment to House File No. 146.

Amend House File No. 146 by striking all after the enacting clause and substituting therefor the following:

Digitized by Google

Section 1. Every association, corporation or other institution, including a municipal corporation, maintaining a hospital in the State of Iowa, which shall furnish medical or other service to any patient injured by reason of an accident not covered by the Workmen's Compensation Act, shall, if such injured party shall assert or maintain a claim against another for damages on account of such injuries, have a lien upon that part going or belonging to such patient of any recovery or sum had or collected or to be collected by such patient, or by his heirs or personal representatives in the case of his death, whether by judgment or by settlement or compromise to the amount of the reasonable and necessary charges of such hospital for the treatment, care and maintenance of such patient in such hospital up to the date of payment of such damages; provided, however, that this lien shall not in any way prejudice or interfere with any lien or contract which may be made by such patient or his heirs or personal representatives with any attorney or attorneys for handling the claim on behalf of such patient, his heirs or personal representatives; provided, further, that the lien herein set forth shall not be applied or considered valid against anyone coming under the Workmen's Compensation Act in this State. No such lien shall be effective, however, unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital, and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be filed in the office of the County Clerk of the county in which such hospital is located, prior to the payment of any moneys to such injured person, his attorneys or legal representative, as compensation for such injuries; nor unless the hospital shall also mail, postage prepaid, a copy of such notice with a statement of the date of filing thereof to the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries sustained prior to the payment of any moneys to such injured person, his attorneys or legal representative, as compensation for such injuries. Such hospital shall mail a copy of such notice to any insurance carrier which has insured such person, firm or corporation against such liability, if the name and address shall be known. Any person or persons, firm or firms, corporation or corporations, including an insurance carrier, making any payment to such patient or to his attorneys or heirs or legal representatives as compensation for the injury sustained, after the filing and mailing of such notice without paying to such hospital the amount of its lien or so much thereof as can be satisfied out of the moneys due under any final judgment or compromise or settlement agreement, after paying the amount of any prior liens, shall, for a period of one year from the date of payment to such patient or his heirs, attorneys or legal representatives, as aforesaid, be and remain liable to such hospital for the amount which such hospital was entitled to receive as aforesaid; and any such association, corporation or other institution maintaining such hospital may, within such period, enforce its lien by a suit at law against such person or persons, firm or firms, corporation or corporations making any such payment.

Sec. 2. Every county clerk shall, at the expense of the county, provide

Digitized by Google

a suitable well-bound book to be called the hospital lien docket in which, upon the filing of any lien claim under the provisions of this act, he shall enter the name of the injured person, the date of the accident and the name of the hospital or other institution making the claim. Said clerk shall make a proper index of the same in the name of the injured person and such clerk shall be entitled to twelve cents (12c) for filing each claim, and at the rate of eight cents (8c) per folio for such entry made in the lien docket, and six cents (6c) for every search in the office for such lien claim.

Sec. 3. This act being deemed of immediate importance shall be in full force and effect after its passsage and publication in the Newton Daily News, a newspaper published at Newton, Iowa, and the Colfax Tribune, a newspaper published at Colfax, Iowa.

Fabritz of Wapello filed the following amendment:

Amend House File 1 by amending subsection (a) of Section 30 thereof as follows:

Strike out the word "and" in line eight (8) and insert in lieu thereof the word "or".

Amend subsection (c) of Section 30 by inserting after the comma following the word "commerce" in line fifteen (15) thereof the following:

"labor unions and auxiliary organizations".

Willis of Dallas filed the following amendment:

Amend House File 204 as follows: Add the following after the word "state" on line 22 of Section One:

"However, all religious, educational, charitable organizations, and fraternal beneficiary associations, societies and orders, are to be fully exempt from all taxation resulting from the operation of this act."

Fabritz of Wapello filed the following amendment:

Amend House File 204 by inserting after the word "associations" in line 1 of Sec. 5, the following:

", except fraternal beneficiary societies, orders and associations,".

Willis of Dallas filed the following amendment:

Amend House File 131, Section 3, by adding thereto, the following:

"(b-1) fraternal beneficiary societies, orders or associations organized under Chapter 402 of the Code of 1931."

Fabritz of Wapello filed the following amendment:

Amend House File 131 as follows:

Insert as subsection (g) following subsection (f) of Section 3 the following:

"(g) Fraternal Beneficiary Societies, Orders and Associations."

Strachan of Humboldt, Beswick of Van Buren, McLean of Marshall, Felter of Warren, and Crouch of Greene filed the following amendments:

Digitized by Google

Amend House File No. 131 as follows:

Amend Section one (1), line (2), by striking therefrom the words "sighted", and inserting in lieu thereof the word "cited".

Amend Section one (1), line 27, by striking the word "tangible".

Amend Section one (1), lines 74 and 75, by striking the word "transations", and inserting the word "transactions".

Amend Section one (1), line 103, by striking the apostrophe in the word "treasurer's".

Amend Sec. two (2), line 20, by striking the word "with" and inserting in lieu thereof the word "within".

Amend Sec. two (2), by placing a comma after the parenthesis in lines 50, 52, 54, 57, and 58.

Amend Sec. two (2), line 84, placing a comma between the parenthesis, and the word "one".

Amend Sec. two (2), line 90, by inserting a comma after the word "resale".

Amend Sec. two (2), line 113, by striking the word "transported", and inserting the words, "prepared for transportation".

Amend Sec. three (3), Sub-Sec. B, striking said paragraph, and inserting in lieu thereof the following: "Assessment Life Insurance Company, or Fraternal Beneficiary Association organized or permitted to do business under the provisions of Chapters 400, and 402 of the Code of 1931".

Amend Sec. three (3), paragraph(d), by striking the period, and inserting a comma in lieu thereof and adding the following, "including fairs and expositions operating under the provisions of Chapters 135, 136, and 137 of the Code of 1931.

Also add after the word "institutions", line 14, the following, "and labor organizations".

Amend House File 131, by striking the word "county", as it appears in line 10, Sec. 5; also Sec. 7, line 12, and line 35; also Sec. 8, line 12; also Sec. 10, line 23; also Sec. 12, line 9; also Sec. 14, lines 7 and 9; also Sec. 16, line 19; also Sec. 17, lines 100 and 103.

Amend Sec. eight (8), line 12, by adding " 's" to the word "Treasurer".

Amend Sec. 9, lines 2 and 3, by striking the words "State Board of Assessment and Review", and inserting the word "Board".

Further amend Sec. 9, lines 14 and 15, by striking the words "State Board of Assessment and Review", and inserting the word "Board".

Amend Sec. 10, lines 11 and 12, by striking the words "State Board of Assessment and Review", and inserting the word "Board".

Amend Sec. 11, by striking therefrom the words, "State Board of Assessment and Review", wherever they appear in said section and insert in lieu thereof, in each instance the word "Board".

Further amend Sec. 11, by inserting a comma after the word "protest", in line 23; also after the word "payment" at the end of line 24; also after the word "hearing" in line 25.

Further amend by striking the words "the same", line 25, Sec. 11, and inserting the words "such hearing".

Amend Sec. 16, by inserting in line 22, after the word "required", the words, "and appointed"; also by inserting after the word "him", in line 22, a comma, and the words, "when authorized by the Board".

Digitized by Google

Further amend Sec. 16, by inserting after the word "power", line 25, "when authorized by the executive council, to employ such other assistants as may be necessary in carrying out the provisions of this act".

Further amend by striking the word "to" at the beginning of line 26, and inserting "they may also".

Amend Sec. 17, line 21, by striking the word "State".

EXPLANATION OF VOTE BY TETER OF MARION ON HOUSE FILE 292

In explanation of my vote on House File 292, found on page 719 of House Journal, may I say that in my judgment the $500,000 appropriation carried in this bill is too much. It is easy to appropriate the taxpayers' money "from the funds of the state treasury not otherwise appropriated," but quite a different thing to get the money when there are no funds in the state treasury. At this time the book balance sheet in the state treasury shows $6,421,092.50; and the unavailable funds tied up in dishonored and protested checks and county warrants, and in dishonored sight drafts drawn on county treasurer, against general revenue and sodliers bonus and motor vehicle funds, and unavailable deposits in fourteen banks that obtained waivers with 75 per cent of total deposits, and state funds deposited in banks now in receivership or liquidation is a grand total of $4,029,615.25, which shows a book balance of $2,391,477.25.

There is at the present time over $3,000,000 in outstanding state warrants, stamped unpaid for want of funds, and bearing 5 per cent interest. This leaves $608,522.75 less than a thin dime in the state treasury at the present hour. Many of the people of this state are staggering under an excessive tax load which they cannot pay. During the 45th session we reduced taxes, cut salaries of public school teachers, and reduced the pay of the janitor; and this special session has legalized and made permanent many temporary transfers from the secondary road fund to the poor fund. By a single stroke, we now turn over to the liquor control commission $500,000 of the taxpayers' money, while the old age pension bill reposes on the calendar, slaughtered by a committe report recommending indefinite postponement. In most counties, the widows' pension fund is in the red and helpless children are in rags. During the consideration of House File 292, no one satisfactorily denied that any distillery in America would sell a train load of alcoholic liquors to the state of Iowa on either the consignment, 60-day pay plan, or on open account, and that $50,000, plus the sale of liquors and the permit fees, possibly would "pay as we go." It is my opinion that this $500,000 is not necessary for the operation of the provisions of this bill. Therefore, I voted "No." This does not, however, mean that I am not in favor of a liquor control bill. I am hopeful the Senate may so amend that I can support the bill.

L. D. TETER.

On the motion of Bonnstetter of Kossuth the House adjourned until 9:30 o'clock a. m. Friday, January 12.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 12, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. S. C. Wadding, pastor Park Avenue Presbyterian Church, Des Moines, Iowa.

Journal of January 11 corrected and approved.

PETITIONS AND MEMORIALS

Favoring an old age pension. Mercer, from the voters of Johnson county; Metcalf of Muscatine, from the Fraternal Order of Eagles of Muscatine, Iowa. Referred to the committee on appropriations.

Favoring the establishment of a Public Power Commission. Beath of Adams, from the Veterans of Foreign Wars of the United States. Referred to the committee on public utilities.

Favoring the allocation of revenue derived from tax revision, to the various school districts. Cunningham, from the Polk County Administrators Club. Referred to the committee on tax revision.

REPORTS OF COMMITTEES

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 307, a bill for an act to make an appropriation to C. R. Piercy, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 308, a bill for an act to make an appropriation to

Digitized by Google

Amos Hilton, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 309, a bill for an act to make an appropriation to H. C. Shaw, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 310, a bill for an act to make an appropriation to Honorable Victor Felter, as trustee, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 311, a bill for an act to make an appropriation to H. D. Howard, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 312, a bill for an act to make an appropriation to Mrs. E. A. Brigham and Milton W. Strickler, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Ellsworth of Hardin, from the committee on banks and banking, submitted the following report:

MR. SPEAKER: Your committee on banks and banking to whom was referred Senate File No. 153, a bill for an act to authorize and provide a method for the discontinuance of the "Stamp-Note Plan", beg leave to report they have had the same under consideration and have instructed

Digitized by Google

me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend Senate File No. 153 by changing the word "cancelation" to "cancellation" wherever it appears in the bill.

Also amend the title by striking the word "Section" in line two (2) thereof and substituting the word "Chapter".

E. O. ELLSWORTH, *Chairman.*

Report adopted.

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 235, a bill for an act to make an emergency appropriation to the state department of agriculture for defraying expenses imposed on the said department by the provisions of the unbonded agricultural warehouse act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 314, by committee on judiciary No. 2, a bill for an act to legalize acts and proceedings of board of directors of the rural independent school district number two, Fremont Township, Winneshiek County, Iowa, and to legalize the school building bonds of said school district.

Read first and second times and placed on calendar.

House File No. 315, by committee on judiciary No. 2, a bill for an act to amend section fifty-seven hundred forty-five (5745) code, 1931, relating to the power of city or town councils to regulate dance halls.

Read first and second times and placed on calendar.

House File No. 316, by committee on drainage, a bill for an act to amend section one (1), chapter one hundred forty (140), Acts of the Forty-fifth General Assembly, which section amended section seventy-four hundred eighty-nine (7489), Code, 1931, and to permit the board of supervisors having control of a drainage district to refund, under certain circumstances, all of the surplus funds on hand to the persons having paid the assessments creating said surplus.

Read first and second times and placed on calendar.

Digitized by Google

SENATE MESSAGES CONSIDERED

Senate File No. 252, a bill for an act to amend chapter four hundred twenty-seven (427), code, 1931, as amended by Senate File sixty-nine (69), acts of the Forty-fifth General Assembly in extraordinary session, relating to the charges to be paid by the owner of grain at the time of the sealing of his warehouse; changing the fees of the sealer and the fees accruing to the secretary of agriculture; providing that the sealers appointed by the secretary of agriculture shall not be members of the local board—all under the unbonded agricultural warehouse board.

Read first and second times and referred to committee on aeronautics.

CONSIDERATION OF BILLS

Hook of Taylor asked unanimous consent to consider House File No. 304 at this time. Objections were offered.

Hook of Taylor moved that House File No. 304 be considered at this time.

Mitchell of Webster moved as a substitute motion that the House now resolve itself into a committee of the whole for the consideration of tax revision measures. Substitute motion by Mitchell prevailed.

McCreery of Linn moved that the rules be suspended and that the Speaker act as chairman of the committee of the whole. Motion prevailed.

COMMITTEE OF THE WHOLE

The House resolved itself into a committee of the whole for the purpose of considering tax revision bills.

Reed of Mahaska moved that the committee of the whole rise. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

Malone of Cass moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint session.

Motion prevailed and the Speaker appointed as such committee,

Digitized by Google

Malone of Cass, McFarlane of Black Hawk, and Metcalf of Muscatine.

The committee appointed to notify the Senate that the House was ready to receive it in joint session reported it had performed its duty. The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate, and the Honorable body of the Senate.

The President of the Senate was escorted to the Speaker's station, the Secretary of the Senate to the Chief Clerk's desk, and the members of the Senate took seats in the west side of the chamber.

JOINT SESSION

The joint convention was called to order, Lieutenant Governor Kraschel in the chair.

Lieutenant Governor Kraschel announced the presence of a quorum and the joint convention duly organized.

Lieutenant Governor Kraschel presented Governor Herring, who appeared before the Joint Convention for the purpose of presenting the urgent necessity for emergency legislation to continue work now being done in Iowa under the Civil Works Administration with the assistance of Federal Funds.

Governor Herring then introduced Mr. E. H. Mulock, State Chairman of the Emergency Relief Committee and Administrator for the State of Iowa of Civil Works Administration.

REMARKS BY E. H. MULOCK

MEMBERS OF THE LEGISLATURE:

Beginning January fifteenth, when Iowa made its first application to the federal government for Emergency Relief funds, we have received and spent from the federal government $4,199,813 of federal money for the relief of unemployed in the State of Iowa. In addition to the federal funds, the counties of the State of Iowa have appropriated and used for unemployment relief $3,867,700, making a total for unemployment relief of $8,067,713 for the year 1933. Please bear in mind that this amount of money was for the relief of unemployment only and that the counties of the state of Iowa appropriated and used for their pauper poor funds approximately $2,250,000, making a total of $10,317,513 expended in Iowa for relief in 1933. From January fifteenth, 1933, to June first,

Digitized by Google

1933, the federal funds allotted to Iowa came through the Reconstruction Finance Corporation. Beginning June first, the funds were received from the federal Emergency Relief Administration, and beginning in July first, 1933, we were advised that it would be necessary for the State of Iowa, or the political sub-divisions thereof, to match upon the basis of one to three every dollar received from the federal government. On August fourteenth, 1933, the state administration was advised by Mr. Harry L. Hopkins, Federal Administrator of Emergency relief funds, as follows: "I am wondering if you could drop me a note and let me know how Iowa proposes to get its share of relief funds this fall. I gather the Special Session has been postponed until November. I, furthermore, assume that it is perfectly clear that Iowa is going to have to put some money into relief work this winter."

Since the receipt of this letter we have been asked by the federal authorities in Washington what Iowa was going to do, many, many times, and I wish to call to your attention at this time that on account of having completely exhausted our federal funds that it is absolutely necessary that an appropriation by this Legislature be made at an early date, or, without question, further federal funds will not be given to us.

To explain the government's position of granting one dollar for every three expended for public funds for unemployment relief, I will illustrate by the fact that in July, August and September, of 1933, we spent in Iowa for unemployment relief $1,602,000, of which $913,000 was federal funds which we were allowed to use in our total expenditures, and that we were granted for the months of October, November and December, $534,000, or one-third of the total of $1,602,000.

It would seem that in coming before this body to ask for an appropriation that the amount of the appropriation requested should be a definitely stipulated figure. However, in this case it is an absolute impossibility to do this, and I will tell you why: Prior to the Civil Works Administration program in Iowa, we estimated in the early part of October making allowances for any benefits that might come to the state from the National Recovery program that Iowa would have need of $6,900,000, for relief program in 1934, which would make a grant from the federal government of $2,300,000, and the appropriations from the state, or other political sub-divisions of the state, of $4,600,000. The Civil Works Administration program came into being the early part of November and as a result of it we are entirely at a loss to make an estimate with any degree of accuracy as to the relief needs in the State of Iowa for 1934. Up to and including tomorrow, January thirteenth's payroll, we will have paid out in Civil Works Administration payrolls in Iowa $5,600,000. As far as we know at this time the Civil Works Administration program is only to continue until February fifteenth, 1934. However, we have reason to believe, and much hope, that it will be continued until at least April fifteenth. In view of this uncertainty, I believe you will appreciate that it is very hard to say what the Emergency Relief unemployment needs for Iowa will be in 1934, but from our understanding and knowledge of this great problem, I am recommending to this body an appropriation of not less than three million dollars.

Digitized by Google

In this connection I wish to call your attention to the fact that a great many of the states have already made and used large appropriations for relief and that Iowa is one of the few in number that has not contributed anything. The Governor of the state of Missouri called a special session of the Legislature the middle of October and in the call he stated that one of the important duties of the session was to pass some Emergency Relief legislation. I am authoritatively advised that all federal funds were suspended by the federal Emergency Relief Administration on February ninth because they had been in session eighty days and had not yet made any appropriation for relief of unemployment in their state. I do not wish to make this a threat to this body, but I am sure that if our Legislature does not make some appropriation that we will meet with the same treatment as the state of Missouri has received and that failure to cooperate by you with the federal government will be exceedingly detrimental to the best interests of the State of Iowa.

Senator Patterson moved that the President of the Senate and the Speaker of the House, each appoint three members of the Senate and House, respectively, whose duty it shall be to prepare promptly and submit to this session of the General Assembly, recommendations as to appropriations for Emergency Relief and means of raising such funds necessary to meet the problems presented by the Governor, and Mr. Mulock, director of emergency relief.

Motion prevailed.

Senator Wilson moved that the joint session be now dissolved.

Motion prevailed.

The House reconvened, Speaker Miller in the chair, at 11:35 a. m.

Grau of Buena Vista moved to recess until 1:30 o'clock p. m. today.

Foster of Cedar moved to amend the motion by substituting 1:00 o'clock.

Amendment adopted.

Motion as amended adopted.

So the House stood recessed until 1:00 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

Cunningham of Polk moved that the House resolve itself into a

Digitized by Google

committee of the whole for the consideration of tax revision measures. Motion prevailed.

COMMITTEE OF THE WHOLE

The House resolved itself into a committee of the whole, to consider tax revision measures. Speaker Miller presiding under the motion which prevailed at the morning session.

McKinnon of Henry moved that the committee of the whole now rise. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 235, a bill for an act to invest the Auditor of State with power to authorize treasurers of any taxing district or political sub-division in certain instances to discontinue the carrying of certain items of account on the books of his office, and to apportion certain losses in public revenue among funds in hands of the treasurers.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 297, a bill for an act to legalize the corporate acts and proceedings of the Benton County Agricultural Society of Benton County, Iowa.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENT TO HOUSE FILE 235

Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in two newspapers of this state, as provided by law.

ADDITIONAL COPIES ORDERED PRINTED

Cunningham of Polk asked and obtained unanimous consent to have 600 additional copies of House File No. 204 printed.

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from Times-Republican, Corydon, Iowa, relating to House File 301, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Independent School

Digitized by Google

District of Corydon, in the county of Wayne, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds enforceable obligations of said School District.

VIRGIL LEKIN, *Chief Clerk of the House.*

AMENDMENTS FILED

Ellsworth of Hardin filed the following amendment:

Amend House File No. 204 by striking the period at the end of Section four (4) and adding the following: "and except on money loaned and/or repaid."

On the motion of Koch of Bremer the House adjourned until 9:30 o'clock a. m. Saturday, January 13.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 13, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Dean Caldwell, Drake University, Des Moines, Iowa.

Journal of January 12 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Mitchell of Webster for the day, on request of Cunningham of Polk; Mooty of Grundy for the day, on request of Frizzell of Poweshiek; Hartman of Des Moines for the day, on request of Hough of Fayette; Dean of Cerro Gordo for the day, on request of Fabritz of Wapello; Mercer of Johnson for the day, on request of Koch of Bremer; Zipse of Chickasaw for the day, on request of Brady of Pottawattamie; Davis of Adams for the day, on request of Bowers of Union; Laughlin of Fremont for the day, on request of Koch of Bremer; Willis of Dallas for the day, on request of Beswick of Van Buren.

REPORT OF COMMITTEE

Davis of Appanoose, from the committee on labor, submitted the following report:

MR. SPEAKER: Your committee on labor to whom was referred House File No. 234, a bill for an act relating to workmen's compensation, and to provide insurance for the payments to injured workmen, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. FOREST DAVIS, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 317, by committee on board of control, a bill for an act relating to unexpended appropriations of the Forty-fourth General Assembly and previous General Assemblies made to the institutions under the Board of Control.

Read first and second times and placed on calendar.

Digitized by Google

House File No. 318, by committee on claims, a bill for an act to make an appropriation to Mrs. Etta Rock.

Read first and second times and referred to committee on appropriations.

Felter of Warren moved that the House resolve itself into a committee of the whole for the further discussion of tax revision measures. Motion prevailed.

COMMITTEE OF THE WHOLE

The House resolved itself into a committee of the whole for the purpose of considering tax revision bills, Speaker Miller presiding under the motion which prevailed at the morning session of January 12.

Cunningham of Polk moved that the committee of the whole rise. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

SPECIAL COMMITTEE APPOINTED

The Speaker announced that he had appointed as House members of the joint committee, authorized by the joint convention of the General Assembly on January 12, to study questions of emergency relief, and to report to this extraordinary session, Mitchell of Webster, Garner of Butler and Bruce of Pocahontas.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 109 and 141.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 109 and 141.

Digitized by Google

AMENDMENTS FILED

Treimer of O'Brien filed the following amendment:

Amend House File 298 by striking therefrom all of that part of Section Four (4) beginning with the word "discriminate" in line eight (8) thereof, and ending with the word "insurance" in line twelve (12) thereof, and inserting in lieu thereof the words, "do not agree with or conform to schedule of rates filed,".

Durant of Hancock filed the following amendment to the Moore of Harrison and Malone amendment to House File 180, as found on pages 412-415 of the Journal of December 13:

Strike all of section 1 of the amendment and insert in lieu thereof the following:

"Section 1. Chapter one hundred thirty-eight (138), code, 1931, is hereby repealed, and the following sections of this Act are enacted in lieu thereof, provided that any farm aid association which now exists in any county and which has already qualified for the appropriation now provided in said chapter, may, for the year 1934 only, continue its present organization, and in such case shall be entitled to receive during said year only, the appropriation provided in said chapter one hundred thirty-eight (138)."

On the motion of Craven of Jasper the House adjourned until 10:00 o'clock a. m. Monday, January 15.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 15, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. M. V. Higbee, Pastor First Presbyterian Church, Boone, Iowa.

Journal of January 13th corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Strachan of Humboldt for the day, on request of Millhone of Page; McCreery of Linn for the day, on request of Bonnstetter of Kossuth; Stansell of Clarke for the day, on request of Frizzell of Poweshiek; Ostby of Worth for the forenoon, on request of Osborn of Decatur.

PETITIONS AND MEMORIALS

Opposing the taxation of Fraternal Societies. Hultman of Montgomery, from Grove No. 171 Woodmen Circle, Red Oak, Iowa. Referred to the committee on insurance.

Favoring the establishment of a Hydro-Electric Power Commission. Zylstra of Sioux, from the Taxpayers League of Johnson county; Zylstra of Sioux, from the Municipal Home Rule League, from the Board of Water and Light Trustees of Muscatine, Iowa; Hultman of Montgomery, from the Veterans of Foreign Wars of the United States. Referred to the committee on public utilities.

Favoring the acceptance of the recommendations of the National Rifle Association. Brady of Pottawattamie, from the Davenport Rifle Club. Referred to the committee on judiciary No. 1.

Asking that the public utilities be taxed as well as the private utilities. Hough of Fayette, from the citizens of Maynard, Iowa. Referred to the committee on public utilities.

Opposing the sale of liquor through state owned stores. Fues-

Digitized by Google

ter, from the citizens of Ida county. Referred to the committee on liquor control.

Alesch of Plymouth presented the following resolution:

MEMORIAL RESOLUTION NO. 12

***Whereas*, the Honorable Henry N. Newell, who was a member of the House of Representatives in the Thirty-third and Thirty-fourth General Assemblies, from Plymouth County, died at his home at Le Mars, Iowa, July 21, 1932, therefore,**

***Be It Resolved by the House of Representatives of the Forty-fifth General Assembly, Extra Session*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life, character and service to his State and Nation.**

Unanimous consent having been granted for the immediate consideration of the resolution, Mr. Alesch moved its adoption. Motion prevailed and the Speaker appointed as members of such committee Alesch of Plymouth, Bonnstetter of Kossuth and Jensen of Audubon.

Wieben of Tama moved that the House now resolve itself into a Committee of the Whole for the further consideration of tax revision measures. Motion prevailed.

COMMITTEE OF THE WHOLE

The House resolved itself into a Committee of the Whole for the purpose of considering tax revision bills, Speaker Miller presiding under the motion which prevailed at the morning session of January 12.

On the motion of Grau of Buena Vista the committee recessed until 1:00 o'clock this afternoon.

AFTERNOON SESSION

The committee reconvened, Speaker Miller presiding.

SPECIAL COMMITTEE

Avery of Clay moved that a committee of three be appointed to invite Mr. Louis H. Cook, Des Moines, to address the House on tax revision on Tuesday morning. Motion prevailed and the Speaker appointed as such committee: Avery of Clay, McKinnon of Henry, and Zipse of Chickasaw.

Digitized by Google

Reed of Mahaska moved that the Committee of the Whole do now rise. Motion prevailed and the committee rose.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 74, a bill for an act relating to the payment of road poll tax.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 97, a bill for an act to amend sections forty-five hundred three (4503), and forty-five hundred five (4505), Code, 1931, all relating to the permanent school fund.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 118, a bill for an act to make permanent the transfers of county funds in Butler County to the poor fund from the maintenance fund.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 264, a bill for an act relating to the limitation of fee for the furnishing or procurement of employment by an employment agency and enacting a substitute therefor. Also relating to the licensing of certain employment agencies.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 125, a bill for an act providing for the compromise of taxes on real estate for the year 1932 and/or any prior year or years, and providing for redemption from tax sales thereof and repealing all acts or parts of acts in conflict herewith and declaring an emergency.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 244, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Independent School District of Corydon, in the County of Wayne, State of Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 246, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Consolidated School District of Whiting, in the County of Monona, State of Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 251, a bill for an act to legalize and validate certain warrants and bonds of Pocahontas County, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Digitized by Google

Senate File No. 254, a bill for an act to legalize acts and proceedings of board of directors of the rural independent school district number two, Fremont township, Winneshiek County, Iowa.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 97

Amend the title to House File 97 by striking the words and figures "forty-four hundred eighty-five (4485)," and the words and figures, "and to repeal section forty-four hundred eighty-six (4486)," where they appear therein.

Further amend by striking section one (1) of said bill.

Further amend by striking lines five (5) to ten (10), inclusive, of section two (2).

Further amend by striking section four (4) of said bill.

Further amend by renumbering the remaining sections.

SENATE AMENDMENT TO HOUSE FILE 264

Amend line one (1) of the title by inserting the word "hundred" after the word "fifteen"; also by inserting in line one (1) of section one (1) after the word "fifteen" the word "hundred".

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 297 and 118.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 297 and 118.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

January 10: House Files Nos. 115, 75, 21 and 271.

Digitized by Google

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Chief Clerk of the House of Representatives, a proof of publication from the Whiting Argus at Whiting, Iowa; relating to House File No. 246, a proposed bill for an act to legalize the proceedings relating to the issuing of bonds by the Consolidated School District of Whiting, in the County of Monona, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District.

VIRGIL LEKIN, *Chief Clerk of the House.*

AMENDMENTS FILED

Jensen of Audubon filed the following amendment to the Moore of Harrison and Malone amendment to House File 180, as found on pages 412-415, House Journal of December 13:

Amend the amendment to House File No. 180, line six (6) of Section three (3), by striking therefrom the word "more" and inserting in lieu thereof the word "less". Further amend the amendment to House File No. 180, Section three (3), by striking therefrom the word "more" in line eight (8) and inserting in lieu thereof the word "less".

Willis of Dallas filed the following amendment:

Amend House File No. 209, by striking therefrom all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That Section 3921, Code of 1931, is hereby amended by adding thereto to Par. No. 9-a, as follows, to-wit:

"Par. No. 9-a. With consent of the inventor and in the discretion of the Board, secure letters patent or copyright on inventions of students, instructors and officials, or take assignment of such letters patent or copyright and may make all necessary expenditures in regard therto.

"Sec. 2. This Act, being adopted to meet an emergency, and being deemed of immediate importance, it shall be in force and effect from and after its publication in The Nevada Journal, a newspaper published at Nevada, Iowa, and in The Perry Daily Chief, a newspaper published at Perry, Iowa."

On the motion of Treimer of O'Brien, the House adjourned until 9:30 o'clock a. m. Tuesday, January 16.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 16, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Harry C. Shiffler, Highland Park Presbyterian Church, Des Moines, Iowa.

Journal of January 15 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Weed of Madison for the day, on request of Frizzell of Poweshiek.

PETITIONS AND MEMORIALS

Favoring the present Farm Aid Law. Reed of Mahaska, from the farmers of Adams township; Stimpson from the Jones County Farm Bureau. Referred to the committee on agriculture.

Favoring the adoption of a Gross Income Tax instead of the property tax. Metcalf of Muscatine, from the Master Builders Association of Muscatine, Iowa. Referred to the committee on tax revision.

Favoring the equalization of the tax burden. Hough, from the Legislative Committee of the Fayette County Farm Bureau. Referred to the committee on tax revision.

Favoring the State Gross Income Tax. McDermott, from the citizens of Adair county. Referred to the committee on tax revision.

Favoring the acceptance of the recommendations of the National Rifle Association. Wiese of Scott, from the Davenport Rifle Club. Referred to the committee on judiciary No. 1.

SENATE MESSAGES CONSIDERED

Senate File No. 125, a bill for an act providing for the com-

Digitized by Google

promise of taxes on real estate for the year 1932 and/or any prior year or years, and providing for redemption from tax sales thereof and repealing all acts or parts of acts in conflict herewith and declaring an emergency.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 244, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Independent School District of Corydon, in the County of Wayne, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 246, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Consolidated School District of Whiting, in the County of Monona, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 251, a bill for an act to legalize and validate certain warrants of Pocahontas County, Iowa, and the proceedings taken by the Board of Supervisors of said county authorizing and providing for the issuance of bonds to fund and retire said warrants and the proceedings making provision for the levy of taxes to pay said bonds.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 254, a bill for an act to legalize acts and proceedings of board of directors of the rural independent school district number two, Fremont township, Winneshiek County, Iowa, and to legalize an election held in said school district and to legalize the school building bonds of said school district.

Read first and second times and referred to committee on judiciary No. 1.

Digitized by Google

SENATE FILES SUBSTITUTED FOR HOUSE FILES

Schmitz of Winneshiek asked and obtained unanimous consent to substitute Senate File No. 254 for House File No. 314.

Humeston of Wayne asked and obtained unanimous consent to substitute Senate File No. 244 for House File No. 301.

Osborn of Decatur offered the following Concurrent Resolution:

HOUSE CONCURRENT RESOLUTION NO. 10

Whereas, It appears from all indications that the Federal Land Bank officials of Omaha, are intending to close the Des Moines Land Bank office; and

Whereas, This office has been of great service to the people of Iowa in helping them to get their loans closed and assisting individuals with their correspondence with said Bank and matters pertaining to their loans; and

Whereas, The prompt closing of these incompleted loans is vital to relieve the farm mortgages in Iowa banks which are now frozen assets, and

Whereas, Under the present unsettled financial condition the applicants for these loans are lacking in funds and are not financially able in a large number of cases to finance a trip to the Federal Land Bank office at Omaha, on matters relating to said loans; and

Whereas, If the local Des Moines office is closed no service relating to said application and incompleted loans can be secured without a visit or a letter or letters to the Omaha office; and,

Whereas, The Omaha office through lack of help or for other reasons could not answer such correspondence, many items of which have run ninety days or more without reply; and,

Whereas, The paring down of appraisals has left the applicant with no other place to go, except the Omaha office, for service in relation to said incompleted loans, now, therefore,

Be It Resolved by the House of Representatives, the Senate concurring;

Section 1. That the Senate and House of the 45th General Assembly in special session assembled memorialize the Federal Land Bank office at Washington, D. C., through its Farm Credit Governor, the Honorable W. I. Myers, to exercise the authority vested in them under the Federal Land Bank Act and that the Des Moines office be continued for the use and convenience of the Iowa farmers who are now, and will be in the future making inquiries and seeking help on incompleted loans and that this service be not lost to them, and that this office be given the necessary authority to handle cases of this kind.

Section 2. That the Chief Clerk of the House of Representatives of the State of Iowa be and he is hereby authorized and directed to forward

Digitized by Google

a true copy of this resolution to the Honorable W. I. Myers, Farm Credit Governor, Federal Land Bank, Washington, D. C.

Laid over under Rule 34.

Stewart of Calhoun moved that the House resolve itself into a committee of the whole for the further consideration of tax revision measures. Motion prevailed.

COMMITTEE OF THE WHOLE

The House resolved itself into a committee of the whole for the purpose of considering tax revision bills, Speaker Miller presiding under the motion which prevailed at the morning session of January 16.

In accord with the motion adopted January 15, Louis H. Cook addressed the House on tax revision.

On the motion of Avery of Clay the House by rising vote extended to Mr. Cook a vote of thanks for his able discourse on tax revision.

On the motion of Malone of Cass, the committee recessed until 1:00 o'clock this afternoon.

AFTERNOON SESSION

The committee of the whole reconvened, Speaker Miller in the chair.

Moore of Benton asked and obtained unanimous consent to consider House File No. 185 at this time and that Mr. L. E. Powers, counsel for the Special Committee on Gasoline Tax Refunds, be asked to explain the provisions of the bill.

The Speaker called McCreery of Linn to the chair at 1:40 o'clock p. m.

The Speaker resumed the chair at 2:00 o'clock p. m.

Malone of Cass moved that the committee now arise. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Jensen of Audubon for balance of the day, on request of Aldrich of Wright.

Digitized by Google

SPECIAL ORDER MADE

Moore of Benton asked and obtained unanimous consent to have House File No. 185 made a special order for Thursday, January 18, at 10 o'clock a. m.

RESIGNATION OF CHIEF CLERK'S PAGE

I hereby tender my resignation as Chief Clerk's Page to take effect January 16, 1934. CLARK SCHRECK.

APPOINTMENT OF CHIEF CLERK'S PAGE

The Chief Clerk announced the appointment of Henry Bremhorst as his page.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 16th day of January, 1934, sent to the Governor for his approval: House Files No. 297 and 118. WM. KOCH, *Chairman.*

Report adopted.

AMENDMENTS FILED

Fabritz of Wapello filed the following amendments:

Amend House File 204 by inserting after the word "associations" in line 1 of section 5, the following:

", except fraternal beneficiary societies, orders, associations, and labor unions and their auxiliary organizations."

Amend House File 131 as follows:

Insert as subsection (g) following subsection (f) of section 3 the following:

"(g) Fraternal Beneficiary Societies, Orders, Associations, and labor unions and their auxiliary organizations."

McKinnon of Henry filed the following amendment:

Amend the amendment by Willis to House File No. 204, found on page 728 of the Journal of January 11, by adding the following:

Add after the word "charitable" the words "and labor" so it will read:

"However, all religious, educational, charitable, and labor organizations, and fraternal beneficiary associations, societies and orders, are to be fully exempt from all taxation resulting from the operation of this act."

McKinnon of Henry filed the following amendment:

Amend the amendment by Willis to House File No. 131, found on page 728 of the Journal of January 11, by adding the following words:

Digitized by Google

"And labor organizations and their auxiliaries" so that the amendment will read:

"B-1 fraternal beneficiary societies, orders or associations organized under Chapter 402 of the Code of 1931 and labor organizations and their auxiliaries."

Grau of Buena Vista and Treimer of O'Brien filed the following amendment:

Amend House File 185 by striking therefrom all following the enacting clause and by substituting in lieu thereof the following:

Section 1. That Section five thousand ninety-three a two (5093-a2), Code, 1931, is amended by striking the fourth paragraph and inserting in lieu thereof the following:

"The term 'Motor Vehicle Fuel' shall mean any petroleum product, and/or benzene product either alone or in combination with any petroleum product and/or other substance which has a flash point of less than 100 degrees Fahrenheit when tested in the Tagliabue closed cup, or has by the American Society for Testing Materials Methods for the distillation of petroleum products an initial boiling point of under 250 degrees Fahrenheit or a 90 per cent recovery temperature of under 450 degrees Fehrenheit; including, but not limited to, gasoline, naphtha, benzine, casinghead gasoline and benzol.

"Provided, further, that any product, either alone or when mixed, blended or compounded with any one or more products of petroleum and not within the above definition of 'Motor Vehicle Fuel', shall be deemed to be a 'Motor Vehicle Fuel' if sold or used to propel motor vehicles upon the highways."

"'Fuel Oil' shall mean any petroleum or benzene product which alone and not being combined with other petroleum products or other substances is incapable of successfully operating by combustion an internal combustion engine in a motor vehicle on the public highway, but is capable of being combined, mixed or blended to produce motor vehicle fuel including ordinary kerosene and distillate."

Section 2. That Section five thousand ninety-three a three (5093-a3), Code, 1931, is hereby repealed and the following is enacted in lieu thereof:

"Every distributor and other person selling motor vehicle fuel in this state, at retail, shall keep posted in a conspicuous place most accessible to the public, at their place or places of business, a placard showing in words and figures, of the same height and size but not less than one inch in height and size, the price per gallon of each grade of motor vehicle fuel offered for sale, the amount of state license fee per gallon thereon, the Federal Excise Tax per gallon thereon, and the total thereof. All price placards shall be subject to the approval of the Treasurer. Any person failing to post or keep posted the placard required by this section or posting price placards not approved by the Treasurer as provided in this section, shall be guilty of a misdemeanor and shall be punished by a fine of one hundred dollars or imprisonment in the county jail for a period of thirty days. Each day the required placard remains unposted or an unauthorized placard remains posted shall be considered a separate offense."

Digitized by Google

Section 3. That Section five thousand ninety-three a five (5093-a5), Code, 1931, is amended by striking the first paragraph and substituting in lieu thereof the following:

"Records Required to Be Kept by Distributor. Each Distributor must keep a true and accurate record on such form as the Treasurer of State may approve or prescribe of each consignment of motor vehicle fuel received by him showing the person from whom received, the method of transportation employed in delivering the same to the distributor and the identification of the tank car, and of the truck if delivered by truck, the character of the product and the disposition made thereof. Such distributor must also preserve all invoices, bills of lading and other pertinent papers in connection with the purchase and receipt of motor vehicle fuel and all sales tickets, invoices and other pertinent papers in connection with the sale of motor vehicle fuel, and to keep such records of purchases and sales as the Treasurer of State shall approve or prescribe. Said distributor must likewise keep a record of his receipts and sales of motor vehicle fuel on such form as the Treasurer of State may approve or prescribe and must make and transmit to the Treasurer of State an inventory of all petroleum products on hand upon call of the Treasurer of State, and each distributor must upon demand of the Treasurer of State, furnish a statement under oath reflecting the contents of any records to be kept under the provisions of this act. The records required by this section must be preserved by the distributor for a period of three years after the making thereof and all such records must be available at all times for the inspection of the Treasurer of State or his representatives.

"Monthly Report of Distributors. On or before the 20th day of each calendar month, each distributor of motor vehicle fuel shall file in the office of the Treasurer of State at Des Moines, Iowa, a report, duly verified under oath, on forms prescribed and furnished by said Treasurer, showing

1. The total number of gallons of motor vehicle fuel received by him from outside the State during the preceding calendar month, the person from whom received, the date of receipt, unloading point, tank car identification and invoice gallonage of each tank car or other receptacle in which motor vehicle fuel is imported into the State of Iowa. If said motor vehicle fuel was imported by truck, said report shall show the name of person from whom received, date of receipt, the unloading point, the invoiced gallonage of each truck load, the name of the manufacturer of the truck, the name of the owner, the name of the person in charge of the truck when delivery was made, and motor vehicle license number of the truck, and number of the record covering each shipment or load.

2. The total number of gallons of motor vehicle fuel produced, refined, manufactured, blended or compounded, and the date thereof, and the place where such processing occurred and the materials used therein and the source from which obtained.

3. The total number of gallons of motor vehicle fuel received by him from points within the State during the preceding calendar month, the name of the person from whom received, the date of receipt, unloading point, tank car identification and invoiced gallonage of each tank car or

Digitized by Google

other receptacle in which received. And if received by truck, said report shall show the name of the person from whom received, the date of receipt, unloading point, invoiced gallonage of each truck load, the name of the manufacturer of the truck, the name of the owner, the name of the person in charge of the truck when delivery was made, and motor vehicle license number of the truck. Said report shall also show whether the price paid for such motor vehicle fuel included the license fee payable under the provisions of this act. All such information as to gallonage received from points within the State shall be only for the use and guidance of the Treasurer, if the license fee has been previously paid on such gallonage and such gallonage shall not be included in the gallonage on which the license fees are payable by said distributor unless the license fees thereon have not been previously paid to the State of Iowa.

4. The total number of gallons exported from the State of Iowa, the date of export, name of person to whom exported, destination, tank car identification and railroad handling shipment, if by rail, and if shipped by truck, name of owner, name of person in charge of truck, name of manufacturer of truck, record number and motor vehicle license number of truck.

5. The total number of gallons of motor vehicle fuel sold to the United States of America or its agencies on which collection of a license fee is not permitted by the constitution or laws of the United States of America, and the name of the officer or particular agency of the United States to whom sold.

6. Said report shall contain such other information as the Treasurer may demand or may be called for by the forms prepared by him.

"Every distributor shall keep a record of all 'fuel oil' received and sold by him, which record shall be kept at his principal office or offices in the State of Iowa for a period of three years and shall contain the following information: The total number of gallons of fuel oil received by him during each calendar month, the name of the person or firm from whom received, the amount received, the amount of such fuel oil sold by him during such calendar month, and the name of the person or firm to whom any of such fuel oil was sold.

"If no motor vehicle fuel be received or produced during the preceding calendar month, a report shall be made to that effect on the forms prescribed herein, and in the same manner. At the same time he shall remit to the Treasurer the amount of the license fee on motor vehicle fuel produced or received by said distributor for sale or use within the State of Iowa during the preceding calendar month on which a license fee is payable under the provisions of this act; provided that a deduction shall be allowed for motor vehicle fuel sold and exported from the State of Iowa, or sold and delivered to the Federal Government, its instrumentalities and agencies; and provided, however, that in computing said amount a deduction of three per cent of the invoiced gallonage received from outside the State or produced, manufactured, compounded or blended within the State, and which remained within the State may be made for evaporation and loss."

On the motion of Moore of Benton the House adjourned until 9:00 o'clock a. m. Wednesday, January 17.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 17, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. R. Weed, pastor West Star and Worthington Churches, Winterset, Iowa.

Journal of January 16 corrected and approved.

INTRODUCTION OF BILLS

House File No. 319, by committee on agriculture, a bill for an act to amend sections ninety-seven hundred seventy-nine (9779) and ninety-seven hundred eighty (9780) of the Code, 1931, relating to insurance on grain stored and sealed under the provisions of Chapter 427, Code, 1931, providing that said insurance and the depositing of policies may be optional on all grain sealed after November 23, 1933.

Read first and second times and placed on calendar.

House File No. 320, by committee on claims, a bill for an act to make an appropriation to Doctor F. C. Schadt.

Read first and second times and referred to committee on appropriations.

House File No. 321, by committee on claims, a bill for an act to make appropriations to Fort Madison Coal and Coke Company, Harry Harding, LaVerne Harding, Clyde Fee, The Electrical Store, Jensen-Dunn Company, Standard Seed Company, Reformatory for Men at Anamosa, Yates American Machine Company, H. J. Nazett, W. H. Frazier, Warden, and T. H. Metfessel.

Read first and second times and referred to committee on appropriations.

CONSIDERATION OF COMMITTEE REPORT

Laughlin of Fremont asked unanimous consent to take up the

Digitized by Google

committee report recommending indefinite postponement of Senate File No. 105, found on page 418 of the Journal of December 14. Objections were offered.

Rice of Keokuk moved that the House resolve itself into a committee of the whole for the further consideration of tax revision measures.

Gallagher of Iowa offered as a substitute motion that the report of the committee recommending indefinite postponement of Senate File No. 105 be considered at this time.

McFarlane of Black Hawk raised the point of order that inasmuch as Laughlin of Fremont had asked consideration of the committee report in the regular order of business, therefore it was in order.

The Speaker held the point of order well taken.

McFarlane of Black Hawk moved that the report of the committee on indefinite postponement of Senate File No. 105 be taken up at this time.

A roll call was demanded and on the question, "Shall the report of the committee on the indefinite postponement of Senate File No. 105 be taken up at this time?"

The ayes were, 60.

Avery	Frizzell	Laughlin	Reed
Beath	Fuelling	Lichty	Ryder
Beswick	Gallagher	Lookingbill	Schmitz
Bouska	Gissel	McCarthy	Schroeder
Bowers	Gittinger	McCreery	Snyder
Burgess	Goode	McDermott	Sours
Casey	Grell	McFarlane	Speidel
Crouch	Hanson of Lyon	Malone	Strachan
Dean	Hartman	Maniece	Swift
Dole	Hook	Metcalf	Teter
Donlon	Hultman	Millhone	Weed
Doran	Humeston	Moore of Benton	Wieben
Dreessen	Jenkins	Mooty	Wiese
Ellsworth	Johnson	Paisley	Willis
Fabritz	Koch	Peaco	Wolf

The nays were, 25.

Alesch	Fuester	McLean	Stewart
Bonnstetter	Garner	Ostby	Stimpson
Davis	Grau	Rice	Thies
Falvey	Hough	Roe	Yager
Felter	Jensen	Schatter	Zipse
Fletcher	McKinnon	Smith	Zylstra
Foster			

Digitized by Google

Absent or not voting, 23.

Aldrich	Elliott	Moore of	Sheridan
Augustine	Hanson of	Harrison	Stansell
Brady	Winnebago	Osborn	Stanzel
Bruce	Hopp	Peet	Thiessen
Craven	Mercer	Porter	Treimer
Cunningham	Mitchell	Rawlings	Mr. Speaker
Durant			

Motion prevailed.

CALL OF THE HOUSE

A call of the House on the consideration of the report of the committee recommending indefinite postponement of Senate File No. 105 having been filed December 14, and found on page 464, was called up and a roll call showed all members present except Porter of Delaware, who had been previously excused, and Stansell of Clarke.

On the motion of McFarlane of Black Hawk, the House stood at ease until the fall of the gavel.

House reconvened at the fall of the gavel.

McFarlane of Black Hawk moved that Stansell of Clarke be excused from the call of the House. Motion prevailed.

Strachan of Humboldt moved the previous question. Motion prevailed.

On the motion of Hough of Fayette the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF COMMITTEE REPORT

The House resumed consideration of the report of the committee on roads and highways recommending indefinite postponement of Senate File No. 105.

On the question, "Shall the report of the committee recommending indefinite postponement of Senate File No. 105 be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 42.

Alesch	Fuester	McLean	Stanzel
Augustine	Garner	Osborn	Stewart
Beath	Gissel	Ostby	Stimpson
Bonnstetter	Goode	Rawlings	Teter
Craven	Grau	Rice	Thies
Davis	Hook	Roe	Weed
Dole	Hopp	Schlatter	Yager
Dreessen	Hough	Schroeder	Zipse
Felter	Humeston	Smith	Zylstra
Fletcher	Jensen	Speidel	Mr. Speaker
Foster	McKinnon		

The nays were, 62.

Aldrich	Fabritz	Lichty	Peaco
Avery	Falvey	Lookingbill	Peet
Beswick	Frizzell	McCarthy	Reed
Bouska	Fuelling	McCreery	Ryder
Bowers	Gallagher	McFarlane	Schmitz
Brady	Gittinger	Malone	Sheridan
Bruce	Grell	Maniece	Snyder
Burgess	Hanson of Lyon	Mercer	Sours
Casey	Hanson of Winnebago	Metcalf	Strachan
Crouch	Hartman	Millhone	Swift
Cunningham	Hultman	Mitchell	Thiessen
Dean	Jenkins	Moore of Benton	Treimer
Doran	Johnson	Moore of Harrison	Wieben
Durant	Koch	Mooty	Wiese
Elliott	Laughlin	Paisley	Willis
Ellsworth			Wolf

Absent or not voting, 4.

Donlon	McDermott	Porter	Stansell

So the House rejected the report of the committee recommending indefinite postponement of Senate File No. 105.

SPECIAL ORDER MADE

McFarlane of Black Hawk moved that Senate File No. 105 be made a special order for Friday morning at 10:00 o'clock.

Goode of Davis moved as a substitute motion that Senate File No. 105 be rereferred to the committee on roads and highways.

On the question, "Shall Senate File No. 105 be rereferred to the committee on roads and highways?" a roll call was demanded.

The ayes were, 38.

Alesch	Fuester	McKinnon	Stanzel
Augustine	Garner	McLean	Stewart
Beath	Gissel	Osborn	Stimpson
Bonnstetter	Goode	Ostby	Teter
Craven	Grau	Rawlings	Thiessen
Davis	Hook	Rice	Weed
Dreessen	Hopp	Schlatter	Yager
Felter	Hough	Smith	Zipse
Fletcher	Humeston	Speidel	Zylstra
Foster	Jensen		

Digitized by Google

The nays were, 62.

Aldrich	Fabritz	Lichty	Peaco
Avery	Falvey	Lookingbill	Peet
Beswick	Frizzell	McCarthy	Reed
Bouska	Fuelling	McCreery	Roe
Bowers	Gallagher	McFarlane	Schmitz
Brady	Gittinger	Malone	Sheridan
Bruce	Grell	Maniece	Snyder
Burgess	Hanson of Lyon	Mercer	Sours
Casey	Hanson of	Metcalf	Strachan
Cunningham	Winnebago	Millhone	Swift
Dean	Hartman	Mitchell	Thies
Dole	Hultman	Moore of Benton	Treimer
Doran	Jenkins	Moore of	Wieben
Durant	Johnson	Harrison	Wiese
Elliott	Koch	Mooty	Willis
Ellsworth	Laughlin	Paisley	Wolf

Absent or not voting, 8.

Crouch	McDermott	Ryder	Stansell
Donlon	Porter	Schroeder	Mr. Speaker

Motion to rerefer Senate File No. 105 lost.

On the question, "Shall Senate File No. 105 be made a special order for Friday morning at 10:00 o'clock?" a roll call was demanded.

The ayes were, 66.

Avery	Fabritz	Lichty	Peaco
Beswick	Falvey	Lookingbill	Peet
Bouska	Frizzell	McCarthy	Reed
Bowers	Fuelling	McCreery	Ryder
Brady	Gallagher	McDermott	Schmitz
Bruce	Gittinger	McFarlane	Sheridan
Burgess	Grau	Malone	Snyder
Casey	Grell	Maniece	Sours
Craven	Hanson of Lyon	Mercer	Strachan
Crouch	Hanson of	Metcalf	Swift
Cunningham	Winnebago	Millhone	Thies
Dean	Hartman	Mitchell	Treimer
Dole	Hultman	Moore of Benton	Weed
Doran	Jenkins	Moore of	Wieben
Durant	Johnson	Harrison	Wiese
Elliott	Koch	Mooty	Willis
Ellsworth	Laughlin	Paisley	Wolf

The nays were, 40.

Aldrich	Foster	McKinnon	Speidel
Alesch	Fuester	McLean	Stanzel
Augustine	Garner	Osborn	Stewart
Beath	Gissel	Ostby	Stimpson
Bonnstetter	Goode	Rawlings	Teter
Davis	Hook	Rice	Thiessen
Donlon	Hopp	Roe	Yager
Dreessen	Hough	Schlatter	Zipse
Felter	Humeston	Schroeder	Zylstra
Fletcher	Jensen	Smith	Mr. Speaker

Digitized by Google

Absent or not voting, 2.

Porter Stansell

Motion prevailed, and Senate File No. 105 was made a special order for 10:00 o'clock a. m. Friday, January 19.

CALL OF THE HOUSE ON CONSIDERATION OF SENATE FILE NO. 105 FILED

We ask a call of the House on the consideration of Senate File No. 105.

D. R. McCREERY. ROY J. SOURS.
E. A. JOHNSON. J. P. GALLAGHER.
L. H. WIESE.

AMENDMENTS FILED

Goode of Davis filed the following amendment:

Amend Senate File No. 105 as follows:

"Strike all after the enacting clause and substitute in lieu therefor the following:

"Section 1. That Section forty-seven hundred fifty-five-b thirty-two (4755-b32), code, 1931, is hereby amended by striking all after the period (.) in line 17 down to line 26.

Amend the title of Senate File No. 105 by changing the comma (,) in line 4 thereof to a period (.) and striking the remainder of the title.

Goode of Davis filed the following amendment:

Amend Senate File No. 105 by striking Section 1 thereof and substituting in lieu therefor the following:

"Section 1. That Section forty-seven hundred fifty-five-b thirty-two (4755-b32), code, 1931, is hereby amended by striking all of said section after the first fifteen lines thereof and adding the following:

"Nine Million Dollars ($9,000,000.00) to be applied on the interest and principal of such bonds maturing in such year."

Amend Section 2 by striking the word (six) and the figure (6) in line 9 thereof and insert in lieu thereof the word (nine) and the figure (9). Also strike the words and figures, "nor more than Nine Million Dollars ($9,000,000)" in lines 9 and 10.

Schroeder of Carroll filed the following amendment:

Amend Senate File No. 105 by striking the words "state highway commission" in line 1 of Sec. 2 and in line 3 of Sec. 4, and inserting in lieu thereof the words "state executive council".

Also strike the word "commission" in line 1 of Sec. 3, and insert in lieu thereof the word "council".

Dean of Cerro Gordo filed the following amendment:

Amend Senate File 105 by striking from Section 2, line 9, the words and figures, "Six Million Dollars ($6,000,000)" and substituting in lieu thereof, the words and figures, "Seven Million Five Hundred Thousand Dollars ($7,500,000)".

Digitized by Google

Goode of Davis filed the following amendments:

Amend House File No. 185 as follows:

Amendment No. 1.

Amend Section 7 by striking all of said section after the word "amount" in line 7, and inserting in lieu therefor the words "of one thousand dollars".

Also by striking Section 8.

Amendment No. 2.

Strike from Section 15, lines 42, 43 and 44.

Amendment No. 3.

Amend Section 20 by striking all in line 10 after the word "shall", also strike lines 11 and 12.

Further amend said section by striking the remainder of the paragraph after the period (.) in line 32.

Amendment No. 4.

Amend Section 22 by striking all after the word "number" in line 13 to the end of the paragraph.

Amendment No. 5.

Amend Section 30 by striking lines 34 to the word "provided" in line 50.

Also amend Section 31 by striking the word "annual" in line 5.

Also amend Section 31 by striking all of said section after the period (.) in line 20.

Amendment No. 6.

Amend Section 36 by striking all of the paragraph after the first comma (,) in line 12 thereof.

Foster of Cedar, Metcalf of Muscatine, Zylstra of Sioux, McKinnon of Henry, Smith of Cherokee, Hook of Taylor, Hanson of Winnebago, Schlatter of Jackson, Crouch of Greene and Donlon of Palo Alto filed the following amendment:

Amend House File No. 228, by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. It is hereby declared to be the policy and purpose of the State to conserve, develop and control the power resources of the State for the use and benefit of the people, under the regulations and provisions as set forth in this act.

Sec. 2. The Iowa State Electric Authority, hereinafter called the "Authority", is hereby established, composed of five members who shall be appointed by the Governor, with the approval of two-thirds of the Senate in executive session, one of whom he shall designate as chairman and executive officer, who shall devote all of his time to the duties of the office.

The members shall be qualified electors of the State, three of whom shall belong to the major party and two to the minority party, politically, and shall be so appointed as to be fairly representative of the State geographically and of its municipal interests. Two of the members must be graduate electrical engineers with practical business experience of not less than five years previous to appointment.

Members shall hold office for five years, except that of those first appointed, one shall hold office until January 1, 1936; one until January 1, 1937, one until January 1, 1938; one until January 1, 1939, and one until

Digitized by Google

January 1, 1940, and thereafter the members shall be appointed for a term of five years.

The chairman shall receive a salary of not to exceed Six Thousand Dollars ($6000.00) per annum as may be fixed by the Executive Council of the State of Iowa and the other members shall receive a per diem of Ten Dollars ($10.00) per day while engaged in the performance of duties and all members shall receive their necessary expenses.

Each member shall execute and deliver unto the State of Iowa such bonds as the Governor may require.

Any member of the Authority may be removed by the Governor with the approval of the Executive Council of the State of Iowa for incompetence, corruption, or dereliction of duty.

No member of the Authority appointed shall hold, purchase, take or become interested in any stock, share, bond, debenture, or other security or property of any company or individual engaged in the generation, distribution or supply of electrical power or energy or holding or controlling works for that purpose, or have any interest in any device, appliance, machine, patented process or article, or any part thereof, which may be required or used as part of the equipment required in the generation, distribution, or supplying of electrical power or energy, and if any such interest or part thereof shall come to or vest in any member of the authority by will or succession for his own benefit, he shall within three calendar months after the same shall so come to or vest in him, absolutely sell and dispose thereof and of his interest therein. No member of the Authority shall act as director or officer of any company which has power to invest any portion of its funds in the securities of a company generating, distributing, or supplying electrical power or energy or any appliance or source therefor. A member of the Authority who violates any of the provisions of this section shall forfeit his office and shall be disqualified to be appointed on or elected for any public office.

A majority of the Authority shall constitute a quorum for the transaction of business and no vacancy on the Authority shall impair the right of the remaining members to exercise all powers of the Authority.

The Iowa State Electric Authority shall maintain its office at Des Moines, Iowa.

Sec. 3. The Authority shall have power:

(a) To acquire by purchase, lease, condemnation, gift or other legal means or proceedings, land, coal mines, oil, gas, water, water-rights, easements, electric plants, and distribution systems, electric current or energy and any other property, article or thing necessary or convenient to carry out the purpose of this Act; and likewise to acquire, and also to construct, complete, repair, extend, enlarge and operate, works, dams, conduits, canals, reservoirs, tunnels, flumes, aqueducts, pipe-lines, structures, machinery, roads, equipment, power houses and transmission lines and to do any and all other things necessary and convenient for the conservation, development, storage and distribution of water and the generation, transmission, and distribution of electric current, steam or steam heat.

The powers of expropriation conferred by this act shall extend to lands, works, rights, powers and privileges notwithstanding that the same are

Digitized by Google

or may be deemed to be devoted to a public use or that the owner thereof possesses the power of taking lands compulsorily.

No electric current shall be purchased by the Authority at a price to exceed one-half of one cent ($.005) per kilowatt hour at the power plant, based upon a fifty (50) per cent load factor, except for standby service as hereinafter provided;

(b) To purchase, acquire, produce, manufacture and otherwise provide facilities, materials and supplies, raw or finished, and any property or thing necessary or convenient to the accomplishment of the purposes of this Act;

(c) To supply water, steam, heat, electric current, and its by-products, or all, to the State, political sub-division thereof, and to any person, firm, or corporation within the State of Iowa and subject to the provisions of this Act to prescribe the terms of contracts and fix the price therefor and collect the same, excepting always, that said Authority shall not render any such service within the limits of any city or town without the consent of the council thereof, or an affirmative vote of the majority of the electors thereof;

(d) To use the water and the lands of the State, or any material therein or thereon, and to require the reservation from sale or other disposition of such lands and materials as, in the judgment and opinion of the Authority, will be required for the purposes of this Act;

(e) In the name of the State to apply for and accept under the provisions of the laws of the United States or of any state, grants, permits, loans, obligations, licenses, and privileges, in the opinion of the Authority necessary and requisite to the accomplishment of the purposes of this Act;

(f) To cooperate and contract with political sub-divisions of this state including cities and towns, cities under city manager form of government, cities under commission form of government, and cities under special charter, and with the approval of the Executive Council of the State of Iowa, with the United States of America and other states concerning the conservation and use of interstate and other waters and the generation, use, distribution, and sale of electric current and the acquisition, construction, completion, maintenance, and operation of plants and works, and distribution systems, necessary and convenient for the accomplishment of the purposes of this Act;

(g) At the request of the political sub-divisions of this state including cities and towns, cities under commission form of government, cities under manager form of government, and cities under special charter, to acquire, or contract for such political sub-divisions distributing systems for water or electric current bought from the Authority upon terms that in the opinion of the Authority will repay to the state within twenty-five (25) years the cost thereof with interest thereon.

The title to or interest of the state in such systems shall vest in such political sub-divisions, cities and towns as above related when fully paid for;

(h) To sue and be sued, and to exercise in the name of the State the right and power of eminent domain for the purpose of acquiring any property, or the use or joint use of any property, deemed by the Authority necessary and requisite to carrying out the purpose of this Act;

Digitized by Google

(i) To provide itself with suitable office and field facilities, and to appoint, define the duties, and fix the compensation of such expert and technical officers and employees, legal, clerical, or otherwise as it may require, subject to such civil service regulations as the Authority may adopt and provide;

(j) To borrow money in the name of the State and to issue warrants for the payment thereof, pledging the revenue, or revenues, of the plants and systems for which such money is borrowed for a sufficient period of years to liquidate and pay the monies so borrowed and represented by said warrants with all accrued and accruing interest thereon;

(k) To define projects and to adopt rules and regulations to govern its activities;

(l) To exercise all powers needful for the accomplishment of the purpose of this Act and such additional powers as may be hereafter granted by the Legislature.

Sec. 4. In developing the power resources of the state, as herein provided, it shall be the duty of the Board of Conservation, the Park Commission and the Fish and Game commissioners, and each of them, to cooperate to the fullest extent with the Authority, to the end that the power resources, recreational facilities, and fish, game, and wild life resources may be developed to the best interest of all the people.

Sec. 5. The Authority shall establish such rates for service as in its judgment will provide, in addition to its expenses of operation, maintenance, depreciation, insurance, and reserve for losses, funds to pay the principal and interest of all warrants and claims incurred or issued under this Act, as the same fall due, together with all sums which may be advanced from the general fund and interest thereon of the State.

All proceeds and revenues of the Authority shall be paid into the state treasury and shall be applied first to the payment of the expenses of the Authority, costs of operation, maintenance, depreciation, insurance, and losses, and second to the payment of interest and principal of outstanding warrants issued by said Authority.

Sec. 6. If at any time the monies in the state treasury to the account of said authority shall be insufficient to pay any outstanding warrants as the same falls due, monies shall be temporarily advanced from the general fund for that purpose and there is hereby appropriated from the general fund in the state treasury such sum annually as will be necessary to pay such interest and principal, and there shall be collected each year and in the same manner and at the same time as other state revenues and taxes are collected such sum in addition to the other revenues of the state as shall be required to pay the sums appropriated for payment of principal and interest as herein provided and it is hereby made the duty of all officers charged by law with any duty with regard to the levy and collection of said tax revenue to do and perform each and every act which shall be necessary to collect this additional revenue, provided always, that all monies paid from the general fund in the state treasury for the principal or interest on such outstanding warrants shall be repaid and returned into said general fund of the state treasury out of the general revenues of the authority as soon as the same become available together with in-

Digitized by Google

terest thereon from the several dates of such advances until so returned at the rate of six per cent per annum compounded semi-annually.

Sec. 7. Out of any money in the state treasury not otherwise appropriated, the sum of two hundred fifty thousand dollars ($250,000.00) is hereby appropriated to be credited to the authority and an equivalent amount shall be returned into the general fund in the state treasury out of the first monies available from the revenues coming into the state treasury from said Authority.

Sec. 8. Monies herein provided for and which shall hereafter be deposited with the state treasury to the account of said Authority shall be drawn from the treasury upon warrants duly drawn by the Authority and executed on its behalf by its chairman and secretary.

Sec. 9. The state and political sub-divisions including cities and towns, cities under the commission form of government, cities under city manager form and cities acting under special charter shall have a preferred right to water and electric energy controlled by the Authority as against privately owned public utilities selling water or electric energy to the public and no contract or act of the Authority shall interfere with said preferred right. As between those equally entitled, the Authority shall supply water or electric energy to political sub-divisions, cities and towns as above mentioned near the source of supply, to the extent of their reasonable needs in preference to those more remote.

Sec. 10. The Authority shall in no event sell water to any privately owned public utility, firm or corporation, or to any other person, for the production of electric energy or current and shall not supply directly or indirectly to privately owned electric utilities more than fifty per cent of the total amount of electrical energy under its control, and contracts therefor shall not extend over a period of five years, or be renewed prior to one year prior to their expiration.

Sec. 11. Privately owned public utilities applying for and accepting contracts to supply them with electrical energy shall as a condition precedent be required to enter into a contract to provide the Authority with standby electric service at the same rate at their plant or plants as given them by said Authority.

Sec. 12. Nothing herein contained shall prevent any political subdivision of the state including cities acting under the commission form of government, cities under the city manager plan, and cities acting under special charters, or in cooperation with other political sub-divisions, from developing any water or electric energy plants, but plans for any such development hereafter proposed shall first be submitted to the Authority for suggestion and criticism so that the cooperation of the Authority may be secured if practicable to the fullest development of the project proposed.

The Authority may acquire and develop any such project unless the political sub-division claiming the same shall have adopted plans and estimates for the development and authorized bonds to cover the cost thereof, or shall do so, within one year after the Authority shall have notified such political subdivision of its readiness to proceed with such development.

Digitized by Google

Sec. 13. The term political subdivision as used in this Act is hereby declared to mean and include any public board, public quasi-corporation, public corporation, water district, drainage district, lighting district, township, county, school districts, municipal corporations, cities, towns, cities under commission form of government, cities under city manager plan of government, cities under special charter, but shall not be construed to mean or include any privately owned public utility, or private power corporation.

Sec. 14. The Authority shall have power to pay for any such plant, improvement, or extension thereof, out of the past earnings of the plant and/or out of the future earnings and/or may contract for the payment of, or any part of, the cost of such plants, distribution systems, improvements, or part of the cost of such plants, distribution systems, improvements, or extensions, out of the future earnings from such plant, or plants, and distribution system, and may secure such contract, or contracts, by the pledge of the property purchased or erected and/or the net earnings of said plants and distribution systems. Such contract, or contracts, shall not constitute a general obligation of the state and the Authority shall have the right and authority to borrow money in the name of such Authority from the government of the United States of America and secure any such monies so borrowed by a pledge of the properties under the control of said Authority and revenues thereof.

Sec. 15. Neither the State of Iowa nor the Authority nor any member thereof shall incur any liability by reason of any error or omission in any estimate, plan or specification prepared or furnished by the Authority.

Sec. 16. No action shall be brought against the Authority or against any member thereof for anything done or omitted in the exercise of his office without the consent of the Attorney General of the State of Iowa.

Sec. 17. All acts or parts of acts in conflict with this Act are hereby repealed.

Sec. 18. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the ..... a newspaper published at ....., Iowa, and in the ....., a newspaper published at ....., Iowa.

Yager of Dickinson and Strachan of Humboldt filed the following amendment:

Amend House File No. 286, as follows:

Strike out everything after the enacting clause and substitute in lieu thereof the following:

Section 1. Amend Chapter 251, Code, 1931, by adding the following thereto: The department is empowered to designate and appoint not to exceed thirty-eight persons, as a state road patrol, who shall be peace officers, and who shall be charged with the duty of enforcing the provisions of this Chapter.

Sec. 2. Qualifications. Before their selection or appointment to such patrol, each applicant shall submit to, and satisfactorily pass a uniform examination for physical and mental fitness, and as nearly as practicable, not more than fifty per cent of the personnel of said patrol shall be selected from the same political party.

Digitized by Google

Sec. 3. After six months service any of said appointees shall not be discharged except for the violation of a rule or regulation of the department or because of inefficiency or mental, moral or physical unfitness.

Sec. 4. Prior to entering upon the discharge of his duties, each of such appointees shall furnish to the department a surety bond to the State of Iowa, conditioned upon the faithful discharge of his duties, in the sum of five thousand dollars ($5,000.00).

Sec. 5. The monthly compensation of the members of such patrol shall be fixed by the department, but shall not exceed the following sums: for the chief of the patrol, not to exceed two hundred and fifty dollars ($250.00) per month; for two supervisors, not to exceed one hundred and seventy-five dollars ($175.00) each per month; for each patrolman, not to exceed one hundred twenty-five dollars.

Sec. 6. No officer or member of such patrol, while continuing as such, shall be a candidate for any public office, or take part in any political campaign.

Sec. 7. The department is authorized to purchase such equipment and supplies as may be necessary to render said patrol effective including the premiums on bonds of the members of said patrol, and all such expenditures shall be paid from the maintenance fund of the department.

Sec. 8. The department is authorized to adopt such administration rules and regulations as may be necessary to execute and render effective the provisions of this Act.

Sec. 9. On and after June first, 1934, it shall be unlawful to operate a motor vehicle licensed in this State on the highways of this state unless its number plates are fastened thereto with locking devices that will prevent the plates from being removed therefrom except by the destruction of such device, the device to be approved by the motor vehicle department and distributed by it to the various county treasurers of the state, to be sold to motor vehicle owners, at cost to the state, plus transportation charge.

Sec. 10. The state comptroller is hereby empowered to set up from the unallocated portion of the maintenance fund of the department a sufficient amount for the payment of expenditures set forth in this section.

Sec. 11. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa, and the Humboldt Republican, a newspaper published at Humboldt, Iowa.

Moore of Benton, Cunningham of Polk, Mitchell of Webster, Rice of Keokuk, Moore of Harrison, Doran of Boone, and Maniece of Emmet filed the following amendments:

1. Amend the committee amendment to House File 185 by striking from line 4 of paragraph (k) of Section 2 the word "only".

2. Further amend the committee amendment to House File 185 by adding to section 10 the following:

"A distributor handling fuel oil may, if he desires, make his report as to fuel oil on an inventory basis, by giving the Treasurer thirty (30)

Digitized by Google

days notice of an intention to so report. In that event he may deduct the fuel oil on hand at the end of each month to determine the gallonage on which the tax is to be computed. In such case, he must show on his monthly report the gallonage on hand at the commencement of each month, and so make his report on forms prescribed by the treasurer as to show the amount of fuel oil sold or used during the month, and the amount thereof covered by purchase certificates or exemption certificates and pay the tax on any balance.

A distributor may with the approval of the Treasurer, in connection with his fuel oil report, merely list the exemption certificates and certificates of purchase held by him covering fuel oil used or sold by him during the preceding calendar month, and such certificates so listed may be retained by the distributor subject to be inspected by the Treasurer or his representatives."

3. Amend the committee amendment to House File 185 by striking from section 16 all after the word "treasurer" in line 7 to and including the word "sale." in line 9 and inserting in lieu thereof the following:

"The holder of a fuel oil distributor's license may receive fuel oil from outside the state or manufacture/or compound fuel oil within the state either for sale or use, but may sell only to fuel oil dealers holding fuel oil permits and then only upon receipt of a certificate of purchase covering said sale."

The following amendments were filed by Moore of Benton, Cunningham of Polk, Mitchell of Webster, Rice of Keokuk, Moore of Harrison, Doran of Boone, and Maniece of Emmet.

1. Amend House File 185 by striking all of lines 2, 3 and 4 of section 3 and inserting in lieu thereof the following:

"A license fee of three cents (3c) per gallon or a fraction of a gallon is hereby imposed on the sale or use of all motor vehicle fuel sold or used in this State for any purpose."

2. Further amend House File 185 by striking from section 30 all of lines 26 to 33 inclusive and inserting in lieu thereof the following:

"state, the manner in which said motor vehicle fuel was used and the equipment in which used. Said claim shall also show whether or not the claimant used fuel for motor vehicle operated upon the public highway from the same tanks or other recepticles from which the motor vehicle fuel on which a refund is claimed was kept or withdrawn. And if said claimant used fuel for motor vehicle operated upon the highways from the same recepticles from which the fuel on which a refund is claimed was withdrawn, said claim shall show the kind and number of motor vehicle operated upon the highways, owned or used by said claimant and the number of miles covered by each during the period covered by the claim."

3. Also amend House File 185 by striking all of lines 34 to 53 inclusive and inserting in lieu thereof the following:

"No refund shall be made on claims for motor vehicle fuel purchased more than 90 days prior to the filing of the claim for refund."

Digitized by Google

4. Amend section twenty-one (21) by adding thereto the following:

"Persons transporting, for their own use not to exceed one hundred (100) gallons in barrels or drums, shall not be regarded as transporting in bulk."

5. Amend section two (2) by striking the forty-fifth (45) line of said section and substituting in lieu thereof the following:

"engine, including those contrivances used to transport passengers or freight and those used"

On the motion of Rice of Keokuk, the House adjourned until 9:30 o'clock a. m. Thursday, January 18, 1934.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 18, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. C. E. Lookingbill, M. E. Church, Nevada, Iowa.

Journal of January 17, corrected and approved.

REPORTS OF COMMITTEES

Augustine of Ringgold, from the committee on Motor Vehicle and Transportation, submitted the following report:

MR. SPEAKER: Your committee on motor vehicle and transportation to whom was referred House File No. 286, a bill for an act to amend Chapter Two hundred fifty-one (251), Code, 1931, relating to motor vehicles and the laws of the road, to provide for a road patrol and for the appointment, powers, duties, compensation and term of office of the members of said patrol, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. D. AUGUSTINE, *Chairman.*

Report adopted.

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 123, a bill for an act to legalize the corporate existence of the Modern Woodmen Commercial Club of Bryant Camp No. 4318, of Bryant, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 234, a bill for an act to legalize and validate proceedings taken by the Town Council of the Town of Lake View, Iowa, authorizing and providing for the issuance of Town Hall Bonds and making provisions for the levy of taxes to pay said bonds, beg leave to report

Digitized by Google

they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 241, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Burlington, Iowa, authorizing and providing for the issuance of Public Bonds of said City and making provisions for the levy of taxes to pay said bonds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 246, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Consolidated School District of Whiting, in the County of Monona, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary No. 2 to whom was referred Senate File No. 251, a bill for an act to legalize and validate certain warrants of Pocahontas County, Iowa, and the proceedings taken by the Board of Supervisors of said County authorizing and providing for the issuance of bonds to fund and retire said warrants and the proceedings making provisions for the levy of taxes to pay said bonds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. JOHN H. MITCHELL, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 322, by committee on cities and towns, a bill for an act providing for the segregation by the County Treasurer of taxes paid in the year 1934 which were due and owing prior to

Digitized by Google

January 1, 1934, and providing that the money so segregated shall be sent to the public taxing bodies in the amount due said taxing bodies and providing that the treasurer of any such taxing body shall keep an accurate list of all warrants which he stamped "unpaid for lack of funds," with the date of issuance, number of the warrant and the amount of same, and providing for the payment of the warrants which were stamped unpaid for lack of funds in the previous fiscal year out of the money so segregated, and providing for the disposition of any balance after the payment of all outstanding warrants, and authorizing the issuance of bonds in the event that the funds are insufficient to pay all outstanding warrants.

Read first and second times and placed on calendar.

House File No. 323, by committee on judiciary No. 2, a bill for an act to legalize the corporate acts and proceedings of the Hudson Co-Operative Dairy Association, of Hudson, Black Hawk County, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Hudson Co-Operative Dairy Association.

Read first and second times and placed on calendar.

CONSIDERATION OF BILLS

The time for the special order having arrived House File 185, a bill for an act to amend, revise and codify chapter two hundred fifty-one A one (251-A1) Code, 1931, and chapters seventy-five (75) and eighty-six (86) of the Acts of the Forty-fifth (45th) General Assembly relating to the collection of license fees on all motor vehicle fuel used or otherwise disposed on in the state of Iowa; to make provision for payment and collection of said license fee; to provide for the licensing of distributors of motor vehicle fuel, service station operators selling motor vehicle fuel, and conveyances used to transport motor vehicle fuel, in this state; to provide for the revocation of such licenses; to prescribe the records to be kept and reports to be made and duties to be performed by all persons so licensed; to require all carriers or other persons delivering motor vehicle fuel to persons in this state from outside the State to report to the Treasurer of State all such deliveries; to provide for refunding under certain conditions of all

Digitized by Google

motor vehicle fuel license fees paid on such fuel not used in connection with the operation of motor vehicles upon the public highway and to provide for the licensing of applicants for said refunds; to prescribe the purposes and objects for which said motor vehicle fuel license fees shall be used; and to provide penalties for the violation of the provisions of this act, with report of committee recommending amendment and passage, was taken up for consideration.

Mitchell of Webster moved the amendments proposed by the committee, found on pages 330, 331 and 332, of the Journal of December 7, be adopted.

Goode of Davis moved that the House resolve itself into a Committee of the Whole for the consideration of House File 185. Motion prevailed.

McCreery of Linn moved that the Speaker act as chairman of the Committee of the Whole. Motion prevailed.

COMMITTEE OF THE WHOLE

The House resolved itself into a Committee of the Whole for the consideration of House File 185, Speaker Miller presiding.

On the motion of Malone of Cass the committee recessed until 1:00 o'clock today.

AFTERNOON SESSION

The Committee of the Whole reconvened, Speaker Miller presiding.

Hanson of Winnebago moved that the committee now rise.

The House reconvened, Speaker Miller in the chair.

Speaker Miller, chairman of the committee of the whole, submitted the following report:

Your committee of the whole to whom was referred House File No. 185, a bill for an act to amend, revise and codify chapter two hundred fifty-one A one (251-A1) Code, 1931, and chapters seventy-five (75) and eighty-six (86) of the Acts of the Forty-fifth (45th) General Assembly relating to the collection of license fees on all motor vehicle fuel used or otherwise disposed of in the state of Iowa; to define motor vehicle fuel; to impose a license fee of three cents per gallon or fraction of a gallon on all motor vehicle fuel sold or used in the state of Iowa; to make pro-

Digitized by Google

vision for payment and collection of said license fee; to provide for the licensing of distributors of motor vehicle fuel, service station operators selling motor vehicle fuel, and conveyances used to transport motor vehicle fuel, in this state; to provide for the revocation of such licenses; to prescribe the records to be kept and reports to be made and duties to be performed by all persons so licensed; to require all carriers or other persons delivering motor vehicle fuel to persons in this state from outside the State to report to the Treasurer of State all such deliveries; to provide for refunding under certain conditions of all motor vehicle fuel license fees paid on such fuel not used in connection with the operation of motor vehicles upon the public highway and to provide for the licensing of applicants for said refunds; to prescribe the purposes and objects for which said motor vehicle fuel license fees shall be used; and to provide penalties for the violation of the provisions of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section two (2) as follows:

1. Strike subsection "b", lines 16 to 19, inclusive, and insert in lieu thereof:

"b. The term 'person' shall mean any individual, firm, partnership, joint stock company, association, trust, estate, joint adventure, and/or corporation, and any group or combination acting as a unit, and the plural as well as the singular number. The term 'person' shall also mean any receiver, trustee, conservator or representative appointed by any state or federal court."

2. Strike subsection "d", line 22 to 29, inclusive, and insert in lieu thereof:

"d. The term 'motor vehicle fuel' shall mean any petroleum product or other substance which alone or in combination with any other petroleum product or other substance is capable of being used to operate by combustion any internal combustion engine of the type used in automobiles, trucks, airplanes, motor boats, tractors, or other mechanical contrivances which are propelled by their own power and which is practicable for use for such purpose including the products commonly known as gasoline, kerosene, naptha, distillate, gas oil, tractor fuel, benzine and benzol.

"The treasurer of state is authorized to issue and have published, regulations which shall provide more particular descriptions and specifications of the various kinds of fuel which come within the above classification and to change such descriptions and specifications from time to time as advances are made in the production of motor vehicle fuel and in the devices for the consumption of motor vehicle fuel."

3. Strike subsection "e", lines 30 to 36, inclusive, and insert in lieu thereof:

"e. The term 'fuel oil' shall mean those motor vehicle fuels which alone and without being combined with other petroleum products or other substances are incapable of successfully operating by combustion an internal combustion engine of the type used in automobiles and trucks such as ordinary kerosene, distillate and gas oil or other petroleum products or other substances having a similar flash point."

Digitized by Google

4. Strike subsection "f", lines 37 to 39, inclusive, and insert in lieu thereof:

"f. The term 'service station' shall mean any place where motor vehicle fuel is sold and delivered into the fuel tanks of motor vehicles."

5. Strike line 45, and insert in lieu thereof:

"engine, including those contrivances used to transport passengers or freight and those used"

6. Add to said section two (2) the following subsections:

j. The term "fuel oil dealer" shall mean a person engaged in selling fuel oil at retail for use for purposes other than operating internal combustion engines of the type used in motor vehicles, tractors, or other mechanical devices propelled by their own power.

k. The term "fuel oil distributor" shall mean any person who receives fuel oil from outside the state or who produces or manufactures fuel oil within the state to be used or re-sold within the state only for purposes other than the operation of internal combustion engines of the type used to propel motor vehicles, tractors, and other mechanical devices which are propelled by their own power.

l. The term "tax free" when used in connection with the sale of fuel oil shall mean a sale or purchase without the payment of the motor vehicle fuel license fees imposed by the provisions of this act.

m. The term "certificate of purchase" shall mean a certificate in such form as the Treasurer shall prescribe or approve, issued by a fuel oil dealer to a distributor or fuel oil distributor, covering the purchase by said fuel oil dealer showing the kind and quantity of fuel oil purchased, from whom purchased, and such other information as the Treasurer shall prescribe and in such certificate the maker shall state and agree that he will not use or sell for use any of the products covered by such certificate either alone or in combination with other petroleum products as fuel for motor vehicles.

n. The term "certificate of exemption" shall mean a certificate in such form as the Treasurer may prescribe or approve, covering the sale by a fuel oil dealer to the user of fuel oil and shall be signed by the user and shall show the kind and quantity of fuel oil purchased, from whom purchased, and the purpose for which it is to be used and in such certificate the maker thereof shall state and agree that he will not use or sell or permit to be used any of the fuel oil covered by said certificate, either alone or in combination with other petroleum products or substances as fuel for motor vehicles.

Amend section three (3) by striking lines 1 to 4, inclusive, and inserting in lieu thereof:

"A license fee of three cents (3c) per gallon or a fraction of a gallon is hereby imposed on the sale or use of all motor vehicle fuel sold or used in this State for any purpose."

Further amend section three (3), line 8, by inserting after the word "its" the words "instrumentalities or".

Strike all of section four (4) and insert in lieu thereof:

"Sec. 4. Passing on the Tax.

Said tax shall be paid to the State of Iowa by the distributor, or other person who first receives said motor vehicle fuel in this State or who

Digitized by Google

manufactures, compounds, or blends motor vehicle fuel in this State, at the times and in the manner hereinafter provided, and such distributor or other person having paid said tax or being liable for the payment thereof, shall collect the amount thereof from any person to whom said motor vehicle fuel is sold in this State as a part of the selling price thereof. Every distributor and other person selling motor vehicle fuel in this state, at retail, shall keep posted in a conspicuous place most accessible to the public, at their place or places of business, a placard showing in words and figures, of the same height and size but not less than one inch in height or size, the price per gallon of each grade of motor vehicle fuel offered for sale, the amount of state license fee per gallon thereon, the Federal Excise Tax per gallon thereon, and the total thereof. All price placards shall be subject to the approval of the Treasurer. Any person failing to post or keep posted the placard required by this section or posting price placards not approved by the Treasurer as provided in this section, shall be guilty of a misdemeanor and shall be punished by a fine of one hundred dollars or imprisonment in the county jail for a period of thirty days. Each day the required placard remains unposted or an unauthorized placard remains posted shall be considered a separate offense."

Amend section five (5), line 21, by striking the words "twenty-five dollars" and inserting the words "one dollar".

Strike section seven (7) and insert in lieu thereof:

"Sec. 7. Security required of distributor before license issued. Each applicant for a distributor's license, except agencies of the State and municipal corporations in the state or other governmental subdivisions of the state shall, before the license is issued to him, file with the Treasurer of state a bond payable to the state of Iowa in the sum of one thousand dollars ($1,000.00) and such additional sum or satisfactory property statement as the Treasurer of State shall determine, which bond or property statement is to be approved by the Treasurer of State.

Strike all of section eight (8).

Amend section ten (10) by striking all of subsection six (6) and inserting in lieu thereof:

"6. If said distributor holds a permit to sell, or use fuel oil as provided by this act without the collection or payment of a tax thereon, such report shall also show, the amount of fuel oil received during the preceding calendar month and the amount disposed of and the purpose for which it was used or sold for use, and such other information in connection therewith as the Treasurer may require. Said report shall also be accompanied by the certificates of exemption covering the fuel oil sold for use in pursuance of said permit, and certificates of purchase covering fuel oil to fuel oil distributors for resale, and the gallonage thus sold or used shall not be included in the gallonage on which the license fees are payable."

"A distributor handling fuel oil may, if he desires, make his report as to fuel oil on an inventory basis, by giving the Treasurer thirty (30) days notice of an intention to so report. In that event he may deduct the fuel oil on hand at the end of each month to determine the gallonage on which the tax is to be computed. In such case, he must show on his

Digitized by Google

monthly report the gallonage on hand at the commencement of each month, and so make his report on forms prescribed by the treasurer as to show the amount of fuel oil sold or used during the month, and the amount thereof covered by purchase certificates or exemption certificates and pay the tax on any balance.

A distributor may with the approval of the Treasurer, in connection with his fuel oil report, merely list the exemption certificates and certificates of purchase held by him covering fuel oil used or sold by him during the preceding calendar month, and such certificates so listed may be retained by the distributor subject to be inspected by the Treasurer or his representatives."

Strike sections fifteen (15) to eighteen (18), inclusive, and insert in lieu thereof:

"Sec. 15. Permits to Sell Fuel Oil Tax Free.

Every person desiring to engage in business as a fuel oil dealer shall apply to the Treasurer for a fuel oil dealer's permit, which permit shall be in a form prescribed by the Treasurer and shall entitle the holder thereof to purchase fuel oil tax free from a distributor or a fuel oil distributor in this State by issuing to the seller a certificate of purchase therefor. But no such permit shall be issued until the applicant therefor files with the Treasurer a verified application on forms prepared and furnished by the Treasurer, stating the purpose for which the permit is desired, the use the holder desires to make of it and the nature of the business in which the applicant is engaged. In said application the applicant must also agree not to use said fuel oils either alone or in combination with other substances as fuel for motor vehicles or sell any of said products for such use or to sell said products for resale and to report to the Treasurer of State promptly any sales which may have been made where the amounts involved or the circumstances are such as to arouse suspicion that said products have been purchased for use as fuel for motor vehicles either alone or in combination with other substances. Said application must have endorsed thereon the affidavit of a freeholder of the State as to the good moral character of the applicant, if an individual or a group of individuals, and the officers of the corporation, if a corporation. The treasurer, if convinced by the showing made in the application or from any investigation he desires to make that the applicant is of good moral character and is actually engaged, or about to engage, in business as a fuel oil dealer, shall issue a permit as herein provided. The holder of a fuel oil permit may purchase fuel oil tax free only from distributors or fuel oil distributors within this State and shall sell only for the purpose or use otherwise than as fuel for motor vehicles, and shall sell only to such persons as furnish to him a certificate of exemption covering said sale.

Every holder of such fuel oil permit shall keep all certificates of exemption for a period of three years, and shall keep a record of all purchases and receipts of fuel oil and of all sales and deliveries thereof, which record is to be kept in the manner and form prescribed by the Treasurer or approved by the Treasurer or his representative and said certificates of exemption and record are to be at all reasonable times open to the inspection of the Treasurer or his representatives. Should any dealer be unable

Digitized by Google

to produce certificates of exemption covering all fuel oil sold or used by him, the difference shall be presumed to have been sold or used as motor vehicle fuel.

A fee of $1.00 shall be collected from all persons to whom the fuel oil permit is issued under the provisions of this section."

"Sec. 16. Fuel Oil Distributors.

Every person desiring to engage in business as a fuel oil distributor, except those who already hold a distributor's license, shall apply to the Treasurer for a fuel oil distributor's license on forms to be prescribed and furnished by the Treasurer. The Treasuerr shall, if satisfied that the applicant desires to honestly and in good faith engage in distributing fuel oil, issue to such applicant a fuel oil distributor's license in a form prescribed by the Treasurer. The holder of a fuel oil distributor's license may receive fuel oil from outside the state or manufacture/or compound fuel oil within the state either for sale or use, but may sell only to fuel oil dealers holding fuel oil permits and then only upon receipt of a certificate of purchase covering said sale.

Each fuel oil distributor shall keep his fuel oil purchase certificates for a period of three years, and shall keep a record on such form as the Treasurer shall prescribe or approve of all purchases and sales of fuel oil, and said purchase certificates and record shall at all reasonable times be open to the inspection of the Treasurer or his representatives. Should any distributor be unable to produce certificates of purchase covering all fuel oil sold or used by him, the difference shall be presumed to have been sold or used as motor vehicle fuel.

A fee of $1.00 shall be collected by the Treasurer for each fuel oil distributor's license."

"Sec. 17. Should a fuel oil dealer or a fuel oil distributor be a user of fuel oil, he may make out exemption certificates, or certificates of purchase as the case may be, and file them with other such certificates, when said fuel oil is withdrawn from stock."

"Sec. 18. Revocation of Fuel Oil Permits.

Any fuel oil permit or fuel oil distributor's license issued under the provisions of this act may be revoked by the Treasurer upon five days notice to the holder to show cause why it should not be revoked, when the Treasurer is convinced from any information available to him that the holder thereof, has violated the undertaking in his application or has issued or knowingly received any false exemption certificates or certificates of purchase and is knowingly either directly or indirectly, a party to the use of the fuel oil received by him as fuel for motor vehicles, or has violated any of the provisions of this act."

Amend section twenty-one (21), by adding thereto the following:

"Persons transporting, for their own use not to exceed one hundred sixty-five (165) gallons in barrels or drums, shall not be regarded as transporting in bulk."

Amend section twenty-two (22) by striking from lines 13 and 14 the words "and the treasurer shall make a charge of one dollar for each license issued by him".

Amend section twenty-eight (28) by striking the "period" (.) in line 10 and inserting the following:

Digitized by Google

", provided, however, that the treasurer shall make available for public information on or before the last day of the month following the month in which the tax is required to be paid the names of the distributors and the amount of the tax paid by each and the amount due, if any, from each of said distributors. The treasurer, upon request of officials entrusted with enforcement of the motor vehicle fuel tax laws of any other state, may forward to such officials any information which he may have relative to the exportation of motor vehicle fuel and fuel oil from this state to such other state, provided said officials of such other state furnish to the treasurer like information."

Amend section thirty (30) by striking lines 26 to 53, inclusive, and inserting in lieu thereof:

"state, the manner in which said motor vehicle fuel was used and the equipment in which used. Said claim shall also show whether or not the claimant used fuel for motor vehicle operated upon the public highway from the same tanks or other recepticles from which the motor vehicle fuel on which a refund is claimed was kept or withdrawn.

"No refund shall be made on claims for motor vehicle fuel purchased more than 90 days prior to the filing of the claim for refund."

Further amend section thirty (30) by adding thereto the following:

"The right of any person to a refund under this Act shall not be assignable and the application for a refund shall be made by the same person who purchased the motor vehicle fuel as shown in the invoice by the person selling the same and by no other person and the proceeds or amount of such refund, as determined by the treasurer, shall be paid to the person whose name appears on the seller's invoice and to no other person."

Amend section thirty-one (31) by striking from lines 5 and 6 the words "Director of Licenses" and inserting in lieu thereof the word "Treasurer."

Further amend section thirty-one (31) by striking the last sentence from lines 20 to 22, inclusive.

Amend section thirty-two (32) by adding thereto the following subsections:

"7. For any fuel oil dealer or permit holder to sell fuel oil for any purpose except for use for purposes other than as fuel for motor vehicles or to sell said fuel without obtaining a certificate of exemption from the purchaser covering said sale.

8. For any fuel oil distributor to receive in this State from outside the State any motor vehicle fuel, except those fuels which classify as fuel oil under the provisions of this act or to sell fuel oils except to the holders of fuel oil dealer's permits where a certificate of purchase is obtained from the purchaser, but nothing herein contained shall be construed to prevent a person being both a fuel oil distributor and a fuel oil dealer.

9. For any person to engage in business as a fuel oil dealer or a fuel oil distributor without the permit or license provided for in this act."

Amend section thirty-six (36) by striking all after the first "comma (,)" in line 12, up to and including line 25.

Strike all of section thirty-seven (37).

Strike section forty-three (43) and insert in lieu thereof:

"This Act deemed of immediate importance shall be in effect after its passage and publication in the Fort Dodge Messenger, a newspaper

Digitized by Google

published at Fort Dodge, Iowa, and the Cedar Valley Daily Times, a newspaper published at Vinton, Iowa."

Beginning with section nine (9) renumber the remaining sections of the bill.

Moore of Benton moved that the report of the Committee of the Whole on House File 185 be adopted. Motion prevailed, and the report of the Committee of the Whole on House File 185 was adopted.

Moore of Benton moved that the amendments proposed by the Committee of the Whole be adopted. Motion prevailed and the amendments were adopted.

Grau of Buena Vista moved that House File No. 185 as amended by the Committee of the Whole, be printed before further consideration.

On the question "Shall House File No. 185 as amended by the Committee of the Whole, be printed before further consideration?" a roll call was demanded.

The ayes were, 34.

Avery	Foster	Humeston	Smith
Beath	Goode	McKinnon	Stanzel
Beswick	Grau	McLean	Strachan
Dean	Grell	Mercer	Treimer
Doran	Hanson of Lyon	Osborn	Willis
Durant	Hanson of Winnebago	Ostby	Yager
Ellsworth	Hook	Paisley	Zipse
Felter	Hough	Reed	Zylstra
Fletcher		Roe	

The nays were, 58.

Aldrich	Fabritz	McCarthy	Schlatter
Alesch	Falvey	Malone	Schmitz
Augustine	Frizzell	Maniece	Schroeder
Bonnstetter	Fuelling	Metcalf	Sheridan
Bouska	Gallagher	Millhone	Snyder
Brady	Garner	Mitchell	Stewart
Bruce	Gittinger	Moore of Benton	Swift
Burgess	Hartman	Moore of Harrison	Thies
Casey	Hopp	Mooty	Thiessen
Crouch	Jenkins	Peaco	Weed
Cunninghom	Jensen	Peet	Wieben
Davis	Johnson	Rawlings	Wiese
Dole	Laughlin	Rice	Wolf
Donlon	Lichty	Ryder	Mr. Speaker
Dreessen	Lookingbill		

Absent or not voting, 16.

Bowers	Gissel	McDermott	Speidel
Craven	Hultman	McFarlane	Stansell
Elliott	Koch	Porter	Stimpson
Fuester	McCreery	Sours	Teter

Motion lost.

Digitized by Google

Grau of Buena Vista asked and obtained unanimous consent to withdraw the amendment filed by him and found on pages 753, 754 and 755 of the Journal of January 16.

Reed of Mahaska moved to amend House File No. 185 by striking lines 78 to 84 inclusive, of Section 30 and insert in lieu thereof the following:

"No tax refund shall be paid to any person, firm or corporation on any motor vehicle fuel used in any construction or maintenance work which is paid for from public funds."

Amendment adopted.

Goode of Davis moved to strike lines 45 and 46 in Sec. 15 of the reprinted bill of House File No. 185, which includes the following:

"A fee of $1.00 shall be collected from all persons to whom the fuel oil permit is issued under the provisions of this section."

Amendment adopted.

Moore of Benton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Ellsworth	Lookingbill	Roe
Alesch	Fabritz	McCarthy	Ryder
Augustine	Falvey	McCreery	Schlatter
Avery	Felter	McDermott	Schmitz
Beath	Fletcher	McFarlane	Schroeder
Beswick	Frizzell	McLean	Sheridan
Bonnstetter	Fuelling	Malone	Snyder
Bouska	Garner	Maniece	Sours
Bowers	Gissel	Mercer	Speidel
Brady	Gittinger	Metcalf	Stewart
Burgess	Goode	Millhone	Strachan
Casey	Grell	Mitchell	Swift
Craven	Hanson of Lyon	Moore of Benton	Teter
Crouch	Hartman	Moore of Harrison	Thies
Cunningham	Hopp	Mooty	Thiessen
Davis	Hough	Paisley	Treimer
Dean	Humeston	Peaco	Weed
Dole	Jenkins	Peet	Wieben
Donlon	Jensen	Rawlings	Wiese
Doran	Johnson	Reed	Willis
Dreessen	Koch	Rice	Wolf
Durant	Lichty		Yager

The nays were, 11.

Bruce	Hanson of Winnebago	Hultman	Smith
Foster	Hook	McKinnon	Stanzel
Grau		Ostby	Zipse

Digitized by Google

Absent or not voting, 10.

Elliott	Laughlin	Stansell	Zylstra
Fuester	Osborn	Stimpson	Mr. Speaker
Gallagher	Porter		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Moore of Benton moved that the vote by which House File No. 185 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrollel bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 89 and 188.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 89 and 188.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 18th day of January, 1934, sent to the Governor for his approval: House Files No. 89 and 188. WM. KOCH, *Chairman.*

Report adopted.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 17

MR. SPEAKER: Your Conference Committee appointed to consider the difference between the Senate and the House on House File No. 17, being a bill for an act to repeal Section seventy-two hundred three (7203), Code, 1931, and to enact a substitute therefor relating to the lien of poll taxes and all taxes on personal property, begs leave to report that it has had the same under consideration and recommends that the bill be passed in

Digitized by Google

its original form and all amendments proposed or made thereto be disregarded.

Respectfully submitted,

CLAUDE STANLEY.
MYRON D. TRIPP.
CHAS. D. BOOTH.
JOHN N. CALHOUN.
On the Part of the Senate.

JOHN F. BRADY.
ELMER A. JOHNSON.
PAUL H. CUNNINGHAM.
A. H. BONNSTETTER.
On the Part of the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 148, a bill for an act to make an appropriation to Mercy Hospital of Oelwein, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 177, a bill for an act to make an appropriation to Violet Bencke, Nellie Powers and Opal McGarvey.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 188, a bill for an act to make permanent the transfer of Ten Thousand Dollars from the Bovine Tubercular Eradication Fund, in Hancock County, to the Poor Fund of said County.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 89, a bill for an act to legalize the proceedings relating to an election held in the Town of Grand Junction, Greene County, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 255, a bill for an act to legalize action of the Board of Supervisors of Story County, Iowa, in making expenditures from the Story County Insane Fund for the purpose of paying the expenses and maintenance of the Story County Home.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 270, a bill for an act to make an appropriation to the state board of education from the primary road fund for the purpose of defraying a portion of the expense attending the construction of a viaduct under highway Number 218 at Vinton, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 267, a bill for an act to amend sections 9779 and 9780, Code, 1931, relating to insurance on grain stored and sealed under the provisions of Chapter 427, Code, 1931, providing that same may be optional on all grain sealed after November 23, 1933.

BYRON G. ALLEN, *Secretary.*

Digitized by Google

AMENDMENTS FILED

Grau of Buena Vista filed the following amendment:

Amend Senate File No. 105, section one (1), line three (3), by striking the word and figure eight (8) and inserting in lieu thereof the word and figure "twenty-five (25)".

Jensen of Audubon, Yager of Dickinson and McKinnon of Henry filed the following amendment:

Amend House File No. 85 by striking Section one (1) and inserting in lieu thereof the following:

"There is hereby created a department of public works which shall be under the direction and control of a state board of public works, the members of which shall be appointed by the Governor with the approval of two-thirds (⅔) of the Senate. Said board shall consist of three members, one shall be director of construction, one shall be director of maintenance and repair, and one shall be director of administration. The work of the board shall be divided into three corresponding bureaus or divisions with the appropriate member of the board as the director or administrative head thereof. No member of the board shall have any financial interest, directly or indirectly, in any individual or any firm, partnership, corporation or other association engaged in furnishing material or services to said department, or any persons, firms or corporation furnishing materials or services to any personal firm or corporation holding a contract with said department. Any one having any such interest shall be disqualified to accept or hold office as a member of said board. The Governor, in making the first appointment of members of the board, shall designate the bureau or division of which said member is to serve as director or administrative head, and shall also designate the length of the term of office of the first appointees, one of whom shall serve until the last Monday in February, 1935; one of whom shall serve until the last Monday in February, 1937; and one of whom shall serve until the last Monday in February, 1938. Thereafter each member of said board shall hold office for six years and until a successor is appointed and qualified. No more than two members of said board shall belong to the same political party.

Further amend House File No. 85 by striking Section two (2) and inserting in lieu thereof the following:

Vacancies in the office of members of the State Board of Public Works which may occur while the General Assembly is not in session shall be filled by appointment of the Governor, and the member so appointed to fill said vacancy shall serve until sixty (60) days after the convening of the next General Assembly.

Amend section four (4) by striking from line one (1) thereof the word "director" and substituting in lieu thereof the words "state board".

Amend section five (5) by striking from line one (1) thereof the words "directors of" and substituting in lieu thereof the words "members of the state board of".

Amend section eleven (11) by striking from line one (1) thereof the

Digitized by Google

word "directors" and substituting in lieu thereof the words "state board".

Amend section twelve (12) by striking from line nineteen (19) thereof the word "directors" and substituting in lieu thereof the word "department".

Amend section fourteen (14) by striking from line eleven (11) thereof the word "directors" and substituting in lieu thereof the word "department", and by striking from line fifteen (15) thereof the word "director" and substituting in lieu thereof the word "department".

Amend section fifteen (15) by striking from line seven (7) thereof the word "director" and substituting in lieu thereof the word "department", and by striking from said line the word "are" and substituting the word "is".

Amend section sixteen (16) by striking from line nine (9) thereof the word "director" and substituting the word "department".

Amend section twenty (20) by striking from line five (5) thereof the word "directors" and substituting therefor the words "members of the state board".

On the motion of Zylstra of Sioux the House adjourned until 9:30 o'clock a. m. Friday, January 19.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 19, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Mr. C. L. Beswick, Representative from Van Buren county, Stockport, Iowa.

Journal of January 18, corrected and approved.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores, Snyder, from the business men of Hamilton county. Referred to the committee on tax revision.

Favoring the Gross Income Tax Bill. Snyder, from the voters of Hamilton county. Referred to the committee on tax revision.

Favoring an old age pension bill. Bonnstetter, from the citizens of Kossuth county. Referred to the committee on appropriations.

Opposing the two per cent retail tax. Schmitz of Winneshiek and Bouska, from the voters of Howard county. Referred to the committee on tax revision.

REPORTS OF COMMITTEES

Durant of Hancock, from the committee on Public Health, submitted the following report:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 178, a bill for an act to amend sections twenty-five hundred eighty-five-b one (2585-b1), twenty-five hundred eighty-five-c eleven (2585-c11), twenty-five hundred eighty-five-c twelve (2585-c12), twenty-five hundred twelve (2512), twenty-five hundred thirteen (2513), twenty-five hundred twenty-two (2522), twenty-two hundred seventeen (2217), and to amend Chapter one hundred twenty-four-B one (124-B1) by adding thereto section twenty-five hundred eighty-five-f one (2585-f1), Code of 1931, relating to the practice of cosmetology, (including manicuring), and providing penalties for the violation of the laws of Iowa and the

Digitized by Google

rules of the department of health relating to cosmetology, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

"Amend House File No. 178, section one, by striking all of lines three and four and renumbering the remaining paragraphs of said section."

S. B. DURANT, *Chairman.*

Report adopted.

Rawlings of Monona, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture, to whom was referred Senate File No. 57, a bill for an act to amend the law as it appears in chapter three hundred thirty-two (332), Code, 1931, relating to assessment of moneys and credits and providing for abatement or return of such assessment under certain conditions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. RAWLINGS, *Chairman.*

Passed on file.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 10

Osborn of Decatur called up House Concurrent Resolution No. 10, found on page 750 of the Journal of January 16, and moved its adoption.

Resolution adopted.

SENATE MESSAGES CONSIDERED

Senate File 148, a bill for an act to make an appropriation to Mercy Hospital of Oelwein, Iowa.

Read first and second times and referred to committee on appropriations.

Senate File 177, a bill for an act to make an appropriation to Violet Bencke, Nellie Powers and Opal McGarvey.

Read first and second times and referred to committee on appropriations.

Senate File 255, a bill for an act to legalize action of the Board of Supervisors of Story County, Iowa, in making expenditures from the Story County Insane Fund for the purpose of paying the expenses and maintenance of the Story County Home.

Digitized by Google

Read first and second times and referred to committee on judiciary No. 2.

Senate File 267, a bill for an act to amend sections ninety-seven hundred seventy-nine (9779) and ninety-seven hundred eighty (9780) of the Code, 1931, relating to insurance on grain stored and sealed under the provisions of Chapter 427, Code, 1931, providing that said insurance and the depositing of policies may be optional on all grain sealed after November 23, 1933.

Read first and second times and referred to committee on agriculture.

Senate File 270, a bill for an act to make an appropriation to the state board of education from the primary road fund for the purpose of defraying a portion of the expense attending the construction of a viaduct under highway Number 218 at or near its intersection with Tenth Street in the city of Vinton, Iowa, for the protection in part, of the inmates of the state school for the blind.

Read first and second times and referred to committee on appropriations.

HOUSE FILE NO. 246 PLACED ON CALENDAR

Dreessen of Crawford asked that House File No. 246 be placed on the calendar. So ordered by the Speaker.

CONSIDERATION OF BILLS

The time for the special order having arrived Senate File 105, a bill for an act to amend section forty-seven hundred fifty-five-b thirty-two (4755-b32) of the Code, 1931, to remove the present limitations on the use of Primary road funds for the payment of principal and interest of primary road bonds and bonds issued to refund primary road bonds, to provide a comprehensive plan for the financing of primary road bonds and bonds issued to refund primary road bonds, and to make more certain that primary road bonds and bonds issued to refund primary road bonds and the interest on such bonds will be paid out of the primary road fund, was taken up for consideration.

CALL OF THE HOUSE

A Call of the House on the consideration of Senate File No.

Digitized by Google

105 having been filed January 17, and found on page 761, was called up and a roll call showed all members present except Porter of Delaware, who had been previously excused, and Stansell of Clarke.

McCreery of Linn moved that Stansell of Clarke be excused temporarily.

Motion prevailed.

Goode of Davis called up the first amendment filed by him and found on page 761 of the Journal of January 17, and moved its adoption.

Zylstra of Sioux offered the following amendment as a substitute for the Goode amendment:

Amend Senate File No. 105, by adding to Sec. 5, the following:

The remainder of the primary road funds shall be spent in counties not now bonded, for new road construction purposes. Each of these counties shall receive for such purpose such share of the total primary road funds as its area bears to the area of the state.

Stansell of Clarke appeared in the chamber and the Call of the House was declared complete.

Dole of Jefferson moved the previous question on the Zylstra substitute amendment and the Goode amendment.

On the question "Shall the Zylstra amendment be substituted for the Goode amendment?" a roll call was demanded.

The ayes were, 9.

Bruce	Jenkins	Ostby	Strachan
Grau	McLean	Stanzel	Zylstra
Hanson of Lyon			

The nays were, 95.

Aldrich	Dole	Gissel	Lookingbill
Alesen	Doran	Gittinger	McCarthy
Augustine	Dreessen	Goode	McCreery
Avery	Durant	Grell	McDermott
Beath	Elliott	Hanson of Winnebago	McFarlane
Beswick	Ellsworth	Hartman	McKinnon
Bonnstetter	Fabritz	Hook	Malone
Bouska	Falvey	Hopp	Maniece
Bowers	Felter	Hough	Mercer
Brady	Fletcher	Hultman	Metcalf
Burgess	Foster	Jensen	Millhone
Casey	Frizzell	Johnson	Mitchell
Craven	Fuelling	Koch	Moore of Benton
Crouch	Fuester	Laughlin	Moore or Harrison
Cunningham	Gallagher	Lichty	Mooty
Dean	Garner		

Digitized by Google

Osborn	Schlatter	Stansell	Weed
Paisley	Schmitz	Stewart	Wieben
Peaco	Schroeder	Stimpson	Wiese
Peet	Sheridan	Swift	Willis
Rawlings	Smith	Teter	Wolf
Reed	Snyder	Thies	Yager
Rice	Sours	Thiessen	Zipse
Roe	Speidel	Treimer	Mr. Speaker
Ryder			

Absent or not voting, 4.

Davis	Donlon	Humeston	Porter

So the House refused to substitute.

On the question "Shall the Goode amendment be adopted?" a roll call was demanded.

The ayes were, 38.

Alesch	Garner	Metcalf	Stanzel
Bonnstetter	Gissel	Ostby	Stewart
Craven	Goode	Rawlings	Stimpson
Davis	Hanson of Lyon	Rice	Teter
Donlon	Hook	Roe	Thies
Dreessen	Hopp	Schlatter	Thiessen
Felter	Hough	Schroeder	Yager
Fletcher	Humeston	Smith	Zipse
Foster	Jensen	Speidel	Mr. Speaker
Fuester	McKinnon		

The nays were, 67.

Aldrich	Ellsworth	Lichty	Peaco
Augustine	Fabritz	Lookingbill	Peet
Avery	Falvey	McCarthy	Reed
Beath	Frizzell	McCreery	Ryder
Beswick	Fuelling	McFarlane	Schmitz
Bouska	Gallagher	McLean	Sheridan
Bowers	Gittinger	Malone	Snyder
Brady	Grau	Maniece	Sours
Bruce	Grell	Mercer	Stansell
Burgess	Hanson of	Millhone	Swift
Casey	Winnebago	Mitchell	Treimer
Crouch	Hartman	Moore of Benton	Weed
Cunningham	Hultman	Moore of	Wieben
Dean	Jenkins	Harrison	Wiese
Dole	Johnson	Mooty	Willis
Doran	Koch	Osborn	Wolf
Durant	Laughlin	Paisey	Zylstra
Elliott			

Absent or not voting, 3.

McDermott	Porter	Strachan

Amendment lost.

Goode of Davis called up the second amendment filed by him and found on page 761 of the Journal of January 17, and moved its adoption.

Digitized by Google

Dean of Cerro Gordo moved to substitute the amendment filed by him and found on page 761 of the Journal of January 17, for the amendment by Goode.

McFarlane of Black Hawk moved to amend the amendment offered as a substitute by Dean of Cerro Gordo, by striking the words and figures "seven million, five hundred thousand dollars ($7,500,000); and insert in lieu thereof the words and figures "eight million dollars, ($8,000.000)".

On the question "Shall the McFarlane amendment to the Dean amendment be adopted?" a roll call was demanded.

The ayes were, 77.

Adrich	Fabritz	Lichty	Roe
Avery	Falvey	Lookingbill	Ryder
Beath	Felter	McCreery	Schlatter
Beswick	Fletcher	McFarlane	Schmitz
Bouska	Foster	McKinnon	Schroeder
Bowers	Frizzell	McLean	Sheridan
Brady	Fuester	Malone	Snyder
Bruce	Gissel	Maniece	Sours
Burgess	Gallagher	Metcalf	Stansell
Casey	Gittinger	Millhone	Stanzel
Craven	Hanson of Lyon	Mitchell	Stewart
Cunningham	Hanson of Winnebago	Moore of Benton	Stimpson
Dean	Hook	Moore of Harrison	Swift
Dole	Hough	Mooty	Treimer
Donlon	Hultman	Paisley	Weed
Doran	Jensen	Peaco	Wieben
Dreessen	Johnson	Peet	Wiese
Durant	Koch	Rawlings	Willis
Elliott	Laughlin	Reed	Mr. Speaker
Ellsworth			

The nays were, 21.

Alesch	Hopp	Osborn	Thiessen
Bonnstetter	Humeston	Rice	Wolf
Garner	Jenkins	Smith	Yager
Goode	McCarthy	Strachan	Zipse
Grell	Mercer	Thies	Zylstra
Hartman			

Absent or not voting, 10.

Augustine	Fuelling	Ostby	Speidel
Crouch	Grau	Porter	Teter
Davis	McDermott		

Amendment to amendment adopted.

McFarlane of Black Hawk asked and obtained unanimous consent to excuse Zylstra of Sioux for the balance of the day.

On the question "Shall the Dean amendment as amended be substituted for the Goode amendment?" a roll call was demanded.

Digitized by Google

The ayes were, 75.

Aldrich	Felter	Lichty	Reed
Alesch	Fletcher	Lookingbill	Ryder
Avery	Frizzell	McCarthy	Schmitz
Beswick	Fuelling	McCreery	Sheridan
Bonnstetter	Fuester	McFarlane	Smith
Bouska	Gallagher	McLean	Snyder
Bowers	Gittinger	Malone	Sours
Brady	Goode	Maniece	Speidel
Bruce	Grau	Mercer	Stansell
Casey	Hanson of Lyon	Metcalf	Strachan
Cunningham	Hanson of	Millhone	Swift
Dean	Winnebago	Mitchell	Thies
Dole	Hartman	Moore of Benton	Treimer
Donlon	Hultman	Moore of	Weed
Doran	Humeston	Harrison	Wieben
Durant	Jenkins	Mooty	Wiese
Elliott	Johnson	Paisley	Willis
Ellsworth	Koch	Peaco	Yager
Fabritz	Laughlin	Peet	Zipse
Falvey			

The nays were, 27.

Beath	Grell	Ostby	Stimpson
Burgess	Hook	Rawlings	Teter
Davis	Hopp	Rice	Thiessen
Dreessen	Hough	Roe	Wolf
Foster	Jensen	Schlatter	Zylstra
Garner	McKinnon	Schroeder	Mr. Speaker
Gissel	Osborn	Stewart	

Absent or not voting, 6.

Augustine	Crouch	Porter	Stanzel
Craven	McDermott		

Amendment as amended substituted.

On the question "Shall the substitute amendment as amended be adopted?" a roll call was demanded.

The ayes were, 81.

Aldrich	Ellsworth	Koch	Moore of
Alesch	Fabritz	Laughlin	Harrison
Avery	Falvey	Lichty	Mooty
Beath	Felter	Lookingbill	Paisley
Beswick	Fletcher	McCarthy	Peaco
Bonnstetter	Frizzell	McCreery	Peet
Bouska	Fuelling	McDermott	Rawlings
Bowers	Gallagher	McFarlane	Reed
Bruce	Gissel	McKinnon	Roe
Burgess	Gittinger	McLean	Ryder
Casey	Hanson of Lyon	Malone	Schlatter
Cunningham	Hanson of	Maniece	Schmitz
Dean	Winnebago	Mercer	Sheridan
Dole	Hartman	Metcalf	Smith
Donlon	Hook	Millhone	Snyder
Doran	Hultman	Mitchell	Sours
Durant	Humeston	Moore of Benton	Speidel
Elliott	Johnson		Stansell

Digitized by Google

Stanzel	Teter	Treimer	Willis
Strachan	Thies	Weed	Yager
Swift	Thiessen	Wiese	Zylstra

The nays were, 15.

Augustine	Grell	Ostby	Wieben
Davis	Hough	Rice	Wolf
Foster	Jensen	Stewart	Zipse
Garner	Osborn	Stimpson	

Absent or not voting, 12.

Brady	Dreessen	Grau	Porter
Craven	Fuester	Hopp	Schroeder
Crouch	Goode	Jenkins	Mr. Speaker

Substitute amendment as amended adopted.

Schroeder of Carroll called up the amendment filed by him and found on page 761 of the Journal of January 17, and moved its adoption.

On the motion of Hanson of Lyon the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

Rawlings of Monona asked and obtained unanimous consent to substitute Senate File No. 267 for House File No. 319.

Rawlings of Monona asked and obtained unanimous consent for the immediate consideration of Senate File No. 267, a bill for an act to amend sections ninety-seven hundred seventy-nine (9779) and ninety-seven hundred eighty (9780) of the Code, 1931, relating to insurance on grain stored and sealed under the provisions of Chapter 427, Code, 1931, providing that said insurance and the depositing of policies may be optional on all grain sealed after November 23, 1933.

Rawlings of Monona moved that the rules prohibiting the second and third reading of the bill on the same day, be suspended. Motion prevailed.

Rawlings of Monona moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 98.

Aldrich	Fletcher	Lichty	Schmitz
Alesch	Foster	Lookingbill	Schroeder
Avery	Frizzell	McCarthy	Sheridan
Beath	Fuelling	McCreery	Smith
Beswick	Fuester	McDermott	Snyder
Bonnstetter	Garner	McFarlane	Sours
Bouska	Gissel	Malone	Speidel
Bowers	Gittinger	Maniece	Stansell
Brady	Goode	Mercer	Stanzel
Bruce	Grau	Metcalf	Stewart
Burgess	Grell	Millhone	Stimpson
Casey	Hanson of Lyon	Mitchell	Strachan
Craven	Hanson of Winnebago	Moore of Harrison	Swift
Davis	Hartman	Mooty	Teter
Dean	Hook	Osborn	Thies
Dole	Hopp	Ostby	Thiessen
Donlon	Hough	Paisley	Treimer
Doran	Hultman	Peet	Weed
Dreessen	Humeston	Rawlings	Wieben
Durant	Jenkins	Reed	Wiese
Elliott	Jensen	Rice	Willis
Ellsworth	Johnson	Roe	Wolf
Fabritz	Koch	Ryder	Yager
Falvey	Laughlin	Schlatter	Zipse
Felter			Mr. Speaker

The nays were, none.

Absent or not voting, 10.

Augustine	Gallagher	Moore of Benton	Porter
Crouch	McKinnon	Peaco	Zylstra
Cunningham	McLean		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that vote by which Senate File No. 267 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

The House returned to its special order and resumed consideration of Senate File No. 105.

On the question "Shall the Schroeder amendment be adopted?" a roll call was demanded.

The ayes were, 18.

Alesch	Felter	Jensen	Schroeder
Beswick	Fuester	McKinnon	Stanzel
Bonnstetter	Garner	Ostby	Stewart
Davis	Grau	Paisley	Thiessen
Dreessen	Hanson of Lyon		

The nays were, 72.

Aldrich	Bouska	Bruce	Cunningham
Augustine	Bowers	Burgess	Dole
Avery	Brady	Casey	Donlon

Digitized by Google

Doran	Hopp	Metcalf	Snyder
Durant	Hough	Millhone	Sours
Elliott	Hultman	Mitchell	Stansell
Ellsworth	Humeston	Moore of Harrison	Stimpson
Fabritz	Jenkins	Mooty	Strachan
Falvey	Johnson	Osborn	Swift
Foster	Koch	Peaco	Teter
Frizzell	Laughlin	Peet	Thies
Fuelling	Lichty	Reed	Treimer
Gallagher	Lookingbill	Roe	Weed
Gittinger	McCarthy	Ryder	Wieben
Grell	McCreery	Schmitz	Wiese
Hanson of Winnebago	McFarlane	Sheridan	Willis
Hartman	Malone	Smith	Wolf
Hook	Maniece		Zipse
	Mercer		

Absent or not voting, 18.

Beath	Gissel	Porter	Speidel
Craven	Goode	Rawlings	Yager
Crouch	McDermott	Rice	Zylstra
Dean	McLean	Schlatter	Mr. Speaker
Fletcher	Moore of Benton		

Amendment lost.

Grau of Buena Vista called up the amendment filed by him and found on page 785 of the Journal of January 18 and moved its adoption.

On the question "Shall the Grau amendment be adopted?" a roll call was demanded.

The ayes were, 38.

Alesch	Frizzell	Jenkins	Schlatter
Augustine	Fuester	Jensen	Smith
Beath	Garner	McKinnon	Stanzel
Bonnstetter	Gissel	McLean	Stewart
Davis	Goode	Osborn	Stimpson
Donlon	Grau	Ostby	Weed
Dreessen	Hanson of Lyon	Rawlings	Yager
Felter	Hook	Rice	Zipse
Fletcher	Hopp	Roe	Mr. Speaker
Foster	Humeston		

The nays were, 59.

Aldrich	Elliott	Koch	Mitchell
Avery	Ellsworth	Laughlin	Moore of Benton
Beswick	Falvey	Lichty	Moore of Harrison
Bouska	Fuelling	Lookingbill	Mooty
Bowers	Gallagher	McCarthy	Paisley
Brady	Gittinger	McCreery	Peaco
Burgess	Grell	McFarlane	Peet
Casey	Hanson of Winnebago	Malone	Reed
Cunningham	Hartman	Maniece	Ryder
Dole	Hultman	Mercer	Schmitz
Doran	Johnson	Metcalf	Schroeder
Durant		Millhone	

Digitized by Google

Sheridan	Stansell	Thies	Wiese
Snyder	Swift	Treimer	Willis
Sours	Teter	Wieben	Wolf
Speidel			

Absent or not voting, 11.

Bruce	Dean	McDermott	Thiessen
Craven	Fabritz	Porter	Zylstra
Crouch	Hough	Strachan	

Amendment lost.

Foster of Cedar offered the following amendment and moved its adoption:

Amend Senate File 105 by striking lines nine (9) and ten (10) in section two (2), and inserting in lieu thereof the words "than sixty per cent of the entire receipts of the primary road fund in any year.".

On the question "Shall the Foster amendment be adopted?" a roll call was demanded.

The ayes were, 39.

Aldrich	Foster	McKinnon	Schroeder
Alesch	Fuester	McLean	Smith
Beath	Garner	Maniece	Snyder
Bonnstetter	Gissel	Metcalf	Stanzel
Craven	Goode	Osborn	Stewart
Davis	Hanson of Lyon	Ostby	Stimpson
Donlon	Hook	Rawlings	Weed
Dreessen	Hopp	Rice	Yager
Felter	Hough	Roe	Zipse
Fletcher	Jensen	Schlatter	

The nays were, 58.

Augustine	Falvey	Lookingbill	Peet
Avery	Frizzell	McCarthy	Reed
Beswick	Fuelling	McCreery	Ryder
Bouska	Gallagher	McDermott	Schmitz
Bowers	Gittinger	McFarlane	Sheridan
Brady	Grell	Malone	Sours
Bruce	Hanson of Winnebago	Mercer	Stansell
Burgess	Hartman	Millhone	Strachan
Casey	Hultman	Mitchell	Swift
Cunningham	Jenkins	Moore of Benton	Thies
Dole	Johnson	Moore of Harrison	Treimer
Doran	Koch	Mooty	Wieben
Durant	Laughlin	Paisley	Wiese
Elliott	Lichty	Peaco	Willis
Ellsworth			Wolf

Absent or not voting, 11.

Crouch	Grau	Speidel	Zylstra
Dean	Humeston	Teter	Mr. Speaker
Fabritz	Porter	Thiessen	

Amendment lost.

Digitized by Google

Goode of Davis offered the following amendment and moved its adoption:

Amend Senate File No. 105 by inserting after Section 4 as Section 5 the following and renumbering the remaining sections:

Section 5. If in any year the available primary road funds are in excess of the amount required in said year to maintain the primary roads and to pay the interest and principal accruing and maturing on primary road bonds in said year, the State Executive Council shall require that said excess primary road funds over $2,000,000 in said year, shall be used to call in and pay off additional primary road bonds which do not mature in said year, provided however that if the Federal Government appropriate funds for road construction purposes in Iowa in excess of $2,000,000 in any one year, the State Executive Council shall increase the excess primary road fund available for said year to match said Federal aid up to $3,500,000.

Hanson of Lyon moved to amend the Goode amendment to Senate File No. 105, by adding thereto at the end of Section five (5) the following:

"It is further provided in the allocation of funds for any new road construction purposes that the group of counties not now bonded shall be entitled to a portion equal to fifty per cent of the funds available for construction purposes, each of the unbonded counties to receive as nearly an equal portion as practical, unpaved portions of arterial highways to have the preference in funds for new paving."

On the question, "Shall the Hanson amendment to the Goode amendment be adopted?" a roll call was demanded.

The ayes were, 24.

Alesch	Fuester	Hook	Rice
Bonnstetter	Garner	Humeston	Smith
Davis	Gissel	Jenkins	Stanzel
Donlon	Goode	Jensen	Stewart
Fletcher	Grau	McKinnon	Yager
Foster	Hanson of Lyon	McLean	Zipse

The nays were, 74.

Aldrich	Dreessen	Hopp	Millhone
Augustine	Durant	Hough	Mitchell
Avery	Elliott	Hultman	Moore of Harrison
Beath	Ellsworth	Johnson	Mooty
Beswick	Fabritz	Koch	Osborn
Bouska	Falvey	Laughlin	Ostby
Bowers	Felter	Lichty	Paisley
Brady	Frizzell	Lookingbill	Peaco
Burgess	Fuelling	McCarthy	Peet
Casey	Gallagher	McCreery	Rawlings
Craven	Gittinger	McFarlane	Reed
Crouch	Grell	Malone	Roe
Cunningham	Hanson of Winnebago	Maniece	Ryder
Dole	Hartman	Mercer	Schlatter
Doran		Metcalf	

Digitized by Google

Schmitz	Sours	Teter	Wieben
Schroeder	Stansell	Thies	Wiese
Sheridan	Strachan	Treimer	Willis
Snyder	Swift	Weed	Wolf

Absent or not voting, 10.

Bruce	Moore of Benton	Stimpson	Zylstra
Dean	Porter	Thiessen	Mr. Speaker
McDermott	Speidel		

Amendment to the amendment lost.

Elliott of Polk moved the previous question on the Goode amendment. Motion prevailed.

On the question, "Shall the Goode amendment be adopted?" a roll call was demanded.

The ayes were, 52.

Alesch	Fuester	McLean	Speidel
Beath	Garner	Malone	Stanzel
Beswick	Gissel	Maniece	Stewart
Bonnstetter	Goode	Mercer	Stimpson
Burgess	Grau	Metcalf	Teter
Craven	Hanson of Lyon	Osborn	Thies
Davis	Hook	Ostby	Thiessen
Donlon	Hopp	Rawlings	Weed
Dreessen	Hough	Rice	Willis
Felter	Humeston	Roe	Wolf
Fletcher	Jensen	Schlatter	Yager
Foster	Koch	Schroeder	Zipse
Frizzell	McKinnon	Smith	Mr. Speaker

The nays were, 54.

Aldrich	Elliott	Laughlin	Peaco
Augustine	Ellsworth	Lichty	Peet
Avery	Fabritz	Lookingbill	Reed
Bouska	Falvey	McCarthy	Ryder
Bowers	Fuelling	McCreery	Schmitz
Brady	Gallagher	McDermott	Sheridan
Bruce	Gittinger	McFarlane	Snyder
Casey	Grell	Millhone	Sours
Crouch	Hanson of	Mitchell	Stansell
Cunningham	Winnebago	Moore of Benton	Strachan
Dean	Hartman	Moore of	Swift
Dole	Hultman	Harrison	Treimer
Doran	Jenkins	Mooty	Wieben
Durant	Johnson	Paisley	Wiese

Absent or not voting, 2.

Porter	Zylstra

Amendment lost.

McKinnon of Henry offered the following amendment and moved its adoption:

Amend Senate File No. 105, Sec. 2, line 9, by placing a period (.) after

Digitized by Google

the figures ($8,000,000) and by striking the rest of the sentence, which includes "nor more than nine million ($9,000,000) in any year."

On the question, "Shall the McKinnon amendment be adopted?" a roll call was demanded.

The ayes were, 90.

Aldrich	Falvey	Lookingbill	Schroeder
Alesch	Felter	McCarthy	Smith
Augustine	Fletcher	McDermott	Snyder
Beath	Foster	McFarlane	Sours
Beswick	Frizzell	McKinnon	Speidel
Bonnstetter	Fuelling	McLean	Stansell
Bouska	Fuester	Malone	Stanzel
Bowers	Garner	Maniece	Stewart
Brady	Gittinger	Mercer	Stimpson
Burgess	Goode	Metcalf	Swift
Casey	Grau	Mitchell	Teter
Craven	Hanson of Lyon	Mooty	Thies
Crouch	Hanson of Winnebago	Osborn	Thiessen
Cunningham	Hartman	Ostby	Treimer
Dean	Hook	Paisley	Weed
Dole	Hopp	Peet	Wieben
Donlon	Hough	Rawlings	Wiese
Doran	Humeston	Reed	Willis
Dreessen	Jensen	Rice	Wolf
Durant	Johnson	Roe	Yager
Elliott	Koch	Ryder	Zipse
Ellsworth	Lichty	Schlatter	Mr. Speaker
Fabritz		Schmitz	

The nays were, 9.

Avery	Grell	McCreery	Peaco
Bruce	Laughlin	Moore of Benton	Strachan
Gallagher			

Absent or not voting, 9.

Davis	Jenkins	Moore of Harrison	Porter
Gissel	Millhone		Sheridan
Hultman			Zylstra

Amendment adopted.

Beswick of Van Buren offered the following amendment and moved its adoption:

Amend Senate File No. 105 by inserting after the word "plan" in line 2 of Sec. 2, the following words: "subject to the approval of the executive council".

Beswick of Van Buren asked and obtained unanimous consent to withdraw his amendment.

Bonnstetter of Kossuth moved the previous question on the main bill. Motion prevailed.

Elliott of Polk asked and obtained unanimous consent to be

Digitized by Google

excused for the balance of the day and to file his vote on Senate File No. 105 with the Chief Clerk.

Laughlin of Fremont moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 64.

Aldrich	Fabritz	McCarthy	Ryder
Avery	Falvey	McCreery	Schmitz
Beswick	Fuelling	McFarlane	Sheridan
Bouska	Gallagher	Malone	Snyder
Bowers	Gittinger	Maniece	Sours
Brady	Grell	Mercer	Stansell
Bruce	Hanson of Lyon	Millhone	Stewart
Burgess	Hanson of Winnebago	Mitchell	Strachan
Casey	Hartman	Moore of Benton	Swift
Crouch	Hultman	Moore of Harrison	Teter
Cunningham	Jenkins	Mooty	Thies
Dean	Johnson	Paisley	Treimer
Dole	Koch	Peaco	Wieben
Doran	Laughlin	Peet	Wiese
Durant	Lichty	Reed	Willis
Elliott	Lookingbill		Wolf
Ellsworth			

The nays were, 42.

Alesch	Frizzell	McDermott	Schroeder
Augustine	Fuester	McKinnon	Smith
Beath	Garner	McLean	Speidel
Bonnstetter	Gissel	Metcalf	Stanzel
Craven	Goode	Osborn	Stimpson
Davis	Grau	Ostby	Thiessen
Donlon	Hook	Rawlings	Weed
Dreessen	Hopp	Rice	Yager
Felter	Hough	Roe	Zipse
Fletcher	Humeston	Schlatter	Mr. Speaker
Foster	Jensen		

Absent or not voting, 2.

Porter	Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Laughlin of Fremont moved that the vote by which Senate File No. 105 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

51

Digitized by Google

House File No. 134, a bill for an act to amend Chapter one hundred fifty-six (156), Section one (1), Acts of the Forty-fifth General Assembly, relating to the possession of banking institutions without insolvency proceedings.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 12, a bill for an act to amend section eleven thousand seven hundred seventy-four (11774) of the Code, 1931, relating to redemption by debtor of real property from Execution Sale.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 206, a bill for an act to authorize conversion of building and loan associations into federal savings and loan associations organized under the Act of Congress known as "Home Owners' Loan Act of 1933"; etc.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 268, a bill for an act to amend Section 6607, Code, 1931, with reference to financing the cost of swimming pools, bathing beaches, bath houses, armories, ice rinks, dance pavilions, shelter houses, wading pools and river walls, by cities under the commission form of government.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 269, a bill for an act providing for the segregation by the County Treasurer of taxes paid in the year 1934 which were due and owing prior to January 1, 1934. BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 134.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 134.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

January 18: House Files No. 188 and 89.

Digitized by Google

AMENDMENT FILED

Cunningham of Polk filed the following amendment:

Amend House File No. 135 as follows:

1. By striking from lines one (1), two (2) and three (3) of the title thereof the following words and figures, to-wit: "To amend section twenty-eight hundred twelve (2812), Code 1931, relating to the annual license fee to be paid by restaurants, and"; and by striking the period at the end of said title and adding in lieu thereof the following: "and providing for the transfer of said fund."

2. By striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That Chapter one hundred thirty-three (133) Code, 1931, be amended by adding thereto immediately following section 2812 the following:

2812-f1. In addition to the annual license fee required by sections 2809 and 2812, each restaurant hereafter opened and each restaurant hereafter changing ownership shall, before it opens for business or before the new owner assumes the management and control of same, pay to the department an inspection fee of fifteen dollars ($15.00). This section shall not apply to any temporary restaurant located within the grounds of the state fair or any county or district fair.

2812-f2. All inspection fees required by this act shall upon receipt thereof by the department be paid to and receipted for by the Treasurer of State and shall be kept by him in a separate fund to be known as the "Restaurant Fund". Such restaurant fund shall be continued from year to year and the treasurer shall keep a separate account thereof showing receipts and disbursements as authorized by law. No part of such fund shall be used for any other purpose than the administration and enforcement of the laws relating to restaurants; provided, however, if on July first of any year there is a balance remaining in said restaurant fund which, in the opinion of the secretary of agriculture, is greater than is necessary for the proper administration of such laws, the treasurer of state is hereby authorized, on the recommendation and with the approval of the secretary of agriculture, to transfer to the general fund of the state such portion of said restaurant fund as the secretary of agriculture shall deem advisable to so transfer."

On the motion of Frizzell of Poweshiek the House adjourned until 9:30 o'clock a. m. Saturday, January 20.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 20, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. R. H. Aurand, pastor of the First Evangelical Church, Des Moines, Iowa.

Journal of January 19, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Fuelling of Clayton for the day, on request of Swift of Dubuque; Hartman of Des Moines for the day, on request of Hough of Fayette; Maniece of Emmet for the day, on request of Stimpson of Jones; Moore of Harrison for the day, on request of Bonnstetter of Kossuth; Gallagher of Iowa for the day, on request of Burgess of Woodbury; Fuester of Ida for the day, on request of Smith of Cherokee; Thies of Pottawattamie for the day, on request of Metcalf of Muscatine; Mitchell of Webster for the day, on request of Cunningham of Polk; Snyder of Hamilton for the day, on request of Jenkins of Louisa; Millhone of Page for the day, on request of Bowers of Union; Mercer of Johnson for the day, on request of Koch of Bremer.

REPORTS OF COMMITTEES

Gallagher of Iowa, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred Senate File No. 90, a bill for an act to amend and clarify Section 4179, Code, 1931, relating to the transportation of pupils attending school in consolidated school districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. P. GALLAGHER, *Chairman.*

Report adopted.

Schmitz of Winneshiek, from the committee on fish and game, submitted the following report:

MR. SPEAKER: Your committee on fish and game, to whom was referred Senate File No. 242, a bill for an act to amend chapter eighty-six (86), Code of Iowa, 1931, by amending section seventeen hundred four (1704),

Digitized by Google

section seventeen hundred forty-five, (1745), and section seventeen hundred ninety-four (1794), all relating to the propagation and protection of fish, game, wild birds, and animals, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend Section One (1), Line nine (9), by striking the words "or both".

T. F. SCHMITZ, *Chairman.*

Report adopted.

Burgess of Woodbury, from the committee on aeronautics, submitted the following report:

MR. SPEAKER: Your committee on aeronautics, to whom was referred Senate File No. 252, a bill for an act to amend chapter four hundred twenty-seven (427), code, 1931, as amended by Senate File sixty-nine (69), acts of the Forty-fifth General Assembly in extraordinary session, relating to the charges to be paid by the owner of grain at the time of the sealing of his warehouse; changing the fees of the sealer and the fees accruing to the secretary of agriculture; providing that the sealers appointed by the secretary of agriculture shall not be members of the local board—all under the unbonded agricultural warehouse board, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JAS. BURGESS, *Chairman.*

Passed on file.

SENATE MESSAGES CONSIDERED

Senate File No. 12, a bill for an act to amend section eleven thousand seven hundred seventy-four (11774) of the Code, 1931, relating to redemption by debtor of real property from Execution Sale.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 206, a bill for an act to authorize conversion of building and loan associations and savings and loan associations into federal savings and loan associations organized under the Act of Congress known as "Home Owners' Loan Act of 1933"; to provide for complete or partial transfer of assets to such federal savings and loan associations and to provide the procedure for such conversion and transfer.

Read first and second times and referred to committee on banks and banking.

Digitized by Google

Senate File No. 268, a bill for an act to amend section sixty-six hundred seven (6607), of the Code, 1931, with reference to financing the cost of swimming pools, bathing beaches, bath houses, armories, ice rinks, dance pavilions, shelter houses, wading pools and river walls, by cities under the commission form of government.

Read first and second times and referred to committee on cities and towns.

Senate File No. 269, a bill for an act providing for the segregation by the County Treasurer of taxes paid in the year 1934 which were due and owing prior to January 1, 1934, and providing that the money so segregated shall be sent to the public taxing bodies in the amount due said taxing bodies and providing that the Treasurer of any such taxing body shall keep an accurate list of all warrants which he stamped "unpaid for lack of funds," with the date of issuance, number of the warrant and the amount of same, and providing for the payment of the warrants which were stamped unpaid for lack of funds in the previous fiscal year out of the money so segregated, and providing for the disposition of any balance after the payment of all outstanding warrants, and authorizing the issuance of bonds in the event that the funds are insufficient to pay all outstanding warrants.

Read first and second times and referred to committee on judiciary No. 1.

CONSIDERATION OF SENATE AMENDMENTS

On request of Bonnstetter of Kossuth, unanimous consent having been given, Senate File No. 85, an act to repeal sections three thousand eighty-nine (3089), three thousand ninety (3090), three thousand ninety-one (3091), and three thousand ninety-two (3092), Code, 1931, and to enact substitutes therefor, relating to the Iowa Butter Trademark; and to create the Iowa Butter Control Board, to define its powers and duties, and to vest title to the Iowa State Butter Trademark in the Iowa Trademark Butter Association, with Senate amendments to House amendments, was taken up and the amendments read and considered.

Digitized by Google

SENATE AMENDMENTS TO HOUSE AMENDMENTS

Amend Senate File 85, as amended and passed by the House, by inserting after the word "inspection", in line thirty-three (33), section one (1), the word "is".

Further amend by striking the word "or" in line fifty-three (53) of section one (1), and inserting the word "of".

Further amend by striking the word "to" from line eleven (11) of section one (1).

Further amend by striking from section one (1), the code section numbers as they appear in lines five (5), eighteen (18), twenty-two (22), forty (40), forty-six (46) and fifty-two (52).

Further amend by striking the word "trade-mark" where it appears in lines thirteen (13), eighteen (18), twenty (20), twenty-three (23), twenty-seven (27), thirty-one (31), thirty-five (35), forty-one (41), forty-five (45), forty-six (46), forty-seven (47), forty-eight (48), and fifty-one (51), and inserting in lieu thereof the word "trademark".

Further amend by striking from line twenty-nine (29) of section one (1), the words "acidity, must be" and inserting in lieu thereof the words "acidity and shall have been".

Further amend by striking the word "State" where it appears the second time in line thirteen (13) of section one (1).

Further amend by striking the word "State" in line forty-three (43) of section one (1), and insert in lieu thereof the word "Iowa".

Further amend by striking the word "State" in lines forty-five (45), forty-six (46), fifty-two (52) and fifty-five (55).

Further amend by adding thereto as Section two (2) the following:

"Sec. 2. Section three thousand eighty-eight (3088), line one (1), is amended by striking the word "state" and inserting in lieu thereof the word "Iowa".

Further amend by renumbering section two (2) as section three (3).

Further amend by striking the title and inserting in lieu thereof the following:

"An act to amend section three thousand eighty-eight (3088), and to repeal sections three thousand eighty-nine (3089), three thousand ninety (3090), three thousand ninety-one (3091), and three thousand ninety-two (3092), Code, 1931, and to enact substitutes therefor, relating to the Iowa Butter Trademark; and to create the Iowa Butter Control Board, to define its powers and duties, and to create standards for the manufacture of Iowa Trademark Butter and to vest the title of said Iowa Butter Trademark in the Iowa Trademark Butter Association."

Mr. Bonnstetter moved that the House concur in the Senate amendments to the House amendments.

On the question "Shall the House concur?"

The ayes were, 73.

Aldrich	Beath	Bowers	Casey
Alesch	Bonnstetter	Bruce	Craven
Avery	Bouska	Burgess	Crouch

Digitized by Google

Cunningham	Grau	Mooty	Stansell
Davis	Hanson of Lyon	Ostby	Stewart
Dole	Hook	Paisley	Stimpson
Donlon	Hopp	Peaco	Strachan
Doran	Hough	Rawlings	Swift
Dreessen	Hultman	Reed	Teter
Durant	Humeston	Rice	Thiessen
Ellsworth	Jenkins	Roe	Treimer
Falvey	Jensen	Ryder	Weed
Felter	Johnson	Schlatter	Wieben
Fletcher	Koch	Schmitz	Wiese
Foster	Laughlin	Schroeder	Willis
Frizzell	McLean	Smith	Zipse
Garner	Malone	Sours	Zylstra
Gittinger	Metcalf	Speidel	Mr. Speaker
Goode			

The nays were, none.

Absent or not voting, 35.

Augustine	Grell	McFarlane	Osborn
Beswick	Hanson of Winnebago	McKinnon	Peet
Brady	Hartman	Maniece	Porter
Dean	Lichty	Mercer	Sheridan
Elliott	Lookingbill	Millhone	Snyder
Fabritz	McCarthy	Mitchell	Stanzel
Fuelling	McCreery	Moore of Benton	Thies
Fuester	McDermott	Moore of Harrison	Wolf
Gallagher			Yager
Gissel			

The House concurred in Senate amendments to House amendments to Senate File No. 85.

SPECIAL ORDER

Speidel of Washington asked unanimous consent that House File No. 1 be made a special order for 10.30 o'clock a. m., Monday, January 22. Objections were offered.

Speidel of Washington moved that House File No. 1 be made a special order for 10:30 o'clock a. m., Monday, January 22.

On the question "Shall House File No. 1 be made a special order for 10:30 o'clock a. m., Monday, January 22?" a roll call was demanded.

The ayes were, 48.

Alesch	Durant	Grau	Laughlin
Bonnstetter	Fabritz	Hanson of Lyon	McCarthy
Bouska	Fletcher	Hook	McKinnon
Craven	Foster	Hopp	Malone
Davis	Garner	Humeston	Metcalf
Dole	Gissel	Jensen	Moore of Benton
Donlon	Gittinger	Johnson	Mooty
Dreessen	Goode	Koch	Osborn

Digitized by Google

Ostby	Schlatter	Stimpson	Willis
Rawlings	Schroeder	Thiessen	Zipse
Rice	Smith	Treimer	Zylstra
Roe	Speidel	Wieben	Mr. Speaker

The nays were, 32.

Aldrich	Doran	McLean	Stanzel
Avery	Ellsworth	Paisley	Stewart
Beswick	Falvey	Peaco	Strachan
Bowers	Felter	Peet	Swift
Bruce	Frizzell	Reed	Teter
Burgess	Grell	Ryder	Weed
Crouch	Hough	Sours	Wiese
Cunningham	Jenkins	Stansell	Wolf

Absent or not voting, 28.

Augustine	Gallagher	McDermott	Porter
Beath	Hanson of Winnebago	McFarlane	Schmitz
Brady	Hartman	Maniece	Sheridan
Casey	Hultman	Mercer	Snyder
Dean	Lichty	Millhone	Thies
Elliott	Lookingbill	Mitchell	Yager
Fuelling	McCreery	Moore of Harrison	
Fuester			

The motion requiring a constitutional majority was declared to have been lost.

COSIDERATION OF SENATE AMENDMENTS

On request of Davis of Appanoose, unanimous consent having been given, House File No. 264, a bill for an act to amend section fifteen forty-six-a one (1546-a1), Code, 1931, by striking out certain provisions relating to the limitation of fee for the furnishing or procurement of employment by an employment agency and enacting a substitute therefor, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS

Amend line 1 of the title by inserting the word "hundred" after the word "fifteen"; also by inserting in line 1 of section 1 after the word "fifteen" the word "hundred".

Mr. Davis moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 82.

Aldrich	Beswick	Bruce	Cunningham
Alesch	Bonnstetter	Burgess	Davis
Avery	Bouska	Casey	Dole
Beath	Bowers	Crouch	Donlon

Digitized by Google

Doran	Hanson of Lyon	Mooty	Stansell
Dreessen	Hook	Osborn	Stanzel
Durant	Hopp	Ostby	Stewart
Ellsworth	Hough	Paisley	Stimpson
Fabritz	Hultman	Peaco	Strachan
Falvey	Humeston	Peet	Teter
Felter	Jenkins	Rawlings	Thiessen
Fletcher	Jensen	Reed	Treimer
Foster	Johnson	Roe	Weed
Frizzell	Koch	Ryder	Wieben
Gallagher	Laughlin	Schlatter	Wiese
Garner	McCarthy	Schmitz	Willis
Gissel	McDermott	Schroeder	Wolf
Gittinger	McKinnon	Smith	Zipse
Goode	McLean	Sours	Zylstra
Grau	Malone	Speidel	Mr. Speaker
Grell	Metcalf		

The nays were, none.

Absent or not voting, 26.

Augustine	Hanson of Winnebago	Maniece	Porter
Brady	Hartman	Mercer	Rice
Craven	Lichty	Millhone	Sheridan
Dean	Lookingbill	Mitchell	Snyder
Elliott	McCreery	Moore of Benton	Swift
Fuelling	McFarlane	Moore of Harrison	Thies
Fuester			Yager

The House concurred in the Senate amendment to House File No. 264.

CONSIDERATION OF BILLS

Hook of Taylor asked and obtained unanimous consent for immediate consideration of House File No. 304, a bill for an act to amend section forty-four hundred three (4403), Code, 1931, relating to the levy to pay interest and principal on lawful bonded indebtedness.

Hook of Taylor moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Aldrich	Craven	Fabritz	Hanson of Lyon
Alesch	Crouch	Felter	Hook
Avery	Cunningham	Fletcher	Hopp
Beath	Davis	Foster	Hough
Beswick	Dole	Frizzell	Hultman
Bonnstetter	Donlon	Garner	Humeston
Bouska	Doran	Gissel	Jenkins
Bowers	Dreessen	Gittinger	Jensen
Bruce	Durant	Goode	Johnson
Burgess	Ellsworth	Grell	Koch

Digitized by Google

Laughlin	Peaco	Sours	Weed
McCarthy	Rawlings	Stansell	Wieben
McKinnon	Reed	Stanzel	Wiese
McLean	Rice	Stewart	Willis
Malone	Roe	Stimpson	Wolf
Metcalf	Ryder	Strachan	Yager
Moore of Benton	Schlatter	Swift	Zipse
Mooty	Schmitz	Teter	Zylstra
Osborn	Schroeder	Thiessen	Mr. Speaker
Paisley	Smith	Treimer	

The nays were, none.

Absent or not voting, 29.

Augustine	Gallagher	McDermott	Ostby
Brady	Grau	McFarlane	Peet
Casey	Hanson of Winnebago	Maniece	Porter
Dean	Hartman	Mercer	Sheridan
Elliott	Lichty	Millhone	Snyder
Falvey	Lookingbill	Mitchell	Speidel
Fuelling	McCreery	Moore of Harrison	Thies
Fuester			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Bruce of Pocahontas asked and obtained unanimous consent for immediate consideration of Senate File No. 251, a bill for an act to legalize and validate certain warrants of Pocahontas County, Iowa, and the proceedings taken by the Board of Supervisors of said county authorizing and providing for the issuance of bonds to fund and retire said warrants and the proceedings making provision for the levy of taxes to pay said bonds, with report of committee recommending passage.

Bruce of Pocahontas moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Cunningham	Foster	Hough
Alesch	Davis	Frizzell	Hultman
Augustine	Dole	Garner	Humeston
Avery	Donlon	Gissel	Jenkins
Beath	Doran	Gittinger	Jensen
Beswick	Dreessen	Goode	Johnson
Bonnstetter	Durant	Grau	Koch
Bouska	Elliott	Grell	Laughlin
Bowers	Ellsworth	Hanson of Lyon	Lookingbill
Bruce	Fabritz	Hanson of Winnebago	McCarthy
Burgess	Falvey	Hook	McKinnon
Craven	Felter	Hopp	McLean
Crouch	Fletcher		Malone

Digitized by Google

Metcalf	Reed	Stanzel	Weed
Moore of Benton	Rice	Stewart	Wieben
Mooty	Roe	Stimpson	Wiese
Osborn	Ryder	Strachan	Willis
Paisley	Schlatter	Swift	Wolf
Peaco	Schmitz	Teter	Yager
Peet	Schroeder	Thiessen	Zylstra
Rawlings	Sours	Treimer	Mr. Speaker

The nays were, none.

Absent or not voting, 25.

Brady	Lichty	Mitchell	Smith
Casey	McCreery	Moore of Harrison	Snyder
Dean	McDermott	Ostby	Speidel
Fuelling	McFarlane	Porter	Stansell
Fuester	Maniece	Sheridan	Thies
Gallagher	Mercer		Zipse
Hartman	Millhone		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Humeston of Wayne asked and obtained unanimous consent for the immediate consideration of Senate File No. 244, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Independent School District of Corydon, in the County of Wayne, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District.

Humeston of Wayne moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Durant	Hook	Metcalf
Alesch	Elliott	Hopp	Moore of Benton
Beath	Ellsworth	Hough	Mooty
Beswick	Fabritz	Hultman	Osborn
Bouska	Falvey	Humeston	Paisley
Bowers	Fletcher	Jenkins	Peaco
Brady	Foster	Jensen	Peet
Burgess	Frizzell	Johnson	Rawlings
Casey	Garner	Koch	Reed
Craven	Gissel	Laughlin	Rice
Crouch	Gittinger	Lookingbill	Roe
Cunningham	Goode	McCarthy	Ryder
Davis	Grau	McCreery	Schlatter
Dole	Grell	McDermott	Schmitz
Donlon	Hansón of Lyon	McKinnon	Schroeder
Doran	Hanson of Winnebago	McLean	Smith
Dreessen		Malone	Sours

Digitized by Google

Speidel	Swift	Weed	Wolf
Stanzel	Thiessen	Wieben	Yager
Stewart	Treimer	Wiese	Mr. Speaker
Strachan			

The nays were, none.

Absent or not voting, 28.

Augustine	Gallagher	Mitchell	Stansell
Avery	Hartman	Moore of	Stimpson
Bonnstetter	Lichty	Harrison	Teter
Bruce	McFarlane	Ostby	Thies
Dean	Maniece	Porter	Willis
Felter	Mercer	Sheridan	Zipse
Fuelling	Millhone	Snyder	Zylstra
Fuester			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Stanzel of Sac asked and obtained unanimous consent for the immediate consideration of Senate File No. 234, a bill for an act to legalize and validate proceedings taken by the Town Council of the Town of Lake View, Iowa, authorizing and providing for the issuance of Town Hall Bonds and making provisions for the levy of taxes to pay said bonds, with report of committee recommending passage.

Stanzel of Sac moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Falvey	Koch	Schlatter
Alesch	Felter	Laughlin	Schmitz
Beath	Fletcher	Lookingbill	Schroeder
Beswick	Foster	McCarthy	Smith
Bouska	Frizzell	McCreery	Sours
Bowers	Garner	McDermott	Speidel
Brady	Gissel	McLean	Stanzel
Bruce	Gittinger	Malone	Stewart
Burgess	Grau	Metcalf	Strachan
Casey	Grell	Moore of Benton	Swift
Craven	Hanson of Lyon	Mooty	Teter
Crouch	Hanson of	Osborn	Thiessen
Cunningham	Winnebago	Paisley	Treimer
Dole	Hook	Peaco	Weed
Donlon	Hopp	Peet	Wieben
Doran	Hough	Rawlings	Wiese
Dreessen	Hultman	Reed	Willis
Durant	Humeston	Rice	Wolf
Elliott	Jenkins	Roe	Zylstra
Ellsworth	Jensen	Ryder	Mr. Speaker
Fabritz	Johnson		

Digitized by Google

The nays were, 1.

Zipse

Absent or not voting, 26.

Augustine	Gallagher	Mercer	Sheridan
Avery	Goode	Millhone	Snyder
Bonnstetter	Hartman	Mitchell	Stansell
Davis	Lichty	Moore of Harrison	Stimpson
Dean	McFarlane	Ostby	Thies
Fuelling	McKinnon	Porter	Yager
Fuester	Maniece		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Johnson of Linn asked and obtained unanimous consent for the immediate consideration of House File No. 323, a bill for an act to legalize the corporate acts and proceedings of the Hudson Co-Operative Dairy Association, of Hudson, Black Hawk County, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Hudson Co-Operative Dairy Association.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Fabritz	Lookingbill	Schmitz
Alesch	Falvey	McCarthy	Schroeder
Beath	Felter	McCreery	Smith
Beswick	Fletcher	McDermott	Sours
Bouska	Foster	McKinnon	Speidel
Bowers	Frizzell	McLean	Stanzel
Brady	Gissel	Malone	Stewart
Bruce	Gittinger	Metcalf	Strachan
Burgess	Grau	Moore of Benton	Swift
Casey	Grell	Mooty	Teter
Craven	Hanson of Lyon	Osborn	Thiessen
Crouch	Hanson of Winnebago	Ostby	Treimer
Cunningham	Hopp	Peaco	Weed
Davis	Hough	Peet	Wieben
Dole	Hultman	Rawlings	Wiese
Donlon	Humeston	Reed	Willis
Doran	Jenkins	Rice	Wolf
Dreessen	Johnson	Roe	Zipse
Durant	Koch	Ryder	Zylstra
Elliott	Laughlin	Schlatter	Mr. Speaker
Ellsworth			

The nays were, none.

Digitized by Google

Absent or not voting, 27.

Augustine	Garner	Maniece	Porter
Avery	Goode	Mercer	Sheridan
Bonnstetter	Hartman	Millhone	Snyder
Dean	Hook	Mitchell	Stansell
Fuelling	Jensen	Moore of	Stimpson
Fuester	Lichty	Harrison	Thies
Gallagher	McFarlane	Paisley	Yager

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Peaco of Clinton asked and obtained unanimous consent for the immediate consideration of Senate File No. 123, a bill for an act to legalize the corporate existence of the Modern Woodmen Commercial Club of Bryant Camp No. 4318, of Bryant, Iowa, with report of committee recommending passage.

Peaco of Clinton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Fabritz	Koch	Schlatter
Alesch	Falvey	Laughlin	Schmitz
Beath	Felter	Lookingbill	Schroeder
Beswick	Fletcher	McCarthy	Smith
Bouska	Foster	McCreery	Sours
Bowers	Frizzell	McDermott	Speidel
Brady	Garner	McKinnon	Stansell
Bruce	Gissel	McLean	Stanzel
Burgess	Gittinger	Metcalf	Stewart
Casey	Grau	Moore of Benton	Strachan
Craven	Grell	Mooty	Swift
Crouch	Hanson of Lyon	Osborn	Teter
Cunningham	Hanson of	Ostby	Thiessen
Davis	Winnebago	Paisley	Treimer
Dole	Hook	Peaco	Weed
Donlon	Hopp	Peet	Wieben
Doran	Hough	Rawlings	Wiese
Dreessen	Hultman	Reed	Willis
Durant	Humeston	Rice	Wolf
Elliott	Jenkins	Roe	Zipse
Ellsworth	Johnson	Ryder	Mr. Speaker

The nays were, none.

Absent or not voting, 25.

Augustine	Goode	Mercer	Sheridan
Avery	Hartman	Millhone	Snyder
Bonnstetter	Jensen	Mitchell	Stimpson
Dean	Lichty	Moore of	Thies
Fuelling	McFarlane	Harrison	Yager
Fuester	Malone	Porter	Zylstra
Gallagher	Maniece		

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Craven of Jasper asked and obtained unanimous consent for the immediate consideration of House File No. 146, a bill for an act giving the operator of a hospital in this State a lien upon all causes of action for damages securing to a patient therein, or to the legal representatives of such patient, for the reasonable charges for hospital care necessitated by the injuries giving rise to such causes of action, with report of committee recommending passage.

Craven of Jasper called up the substitute amendment filed by him and found on pages 726, 727 and 728 of the Journal of January 11, and moved its adoption.

McKinnon of Henry moved to amend the Craven amendment to House File No. 146 by adding in line 1, section 1, after the word "corporation" the following: ", county".

Amendment to substitute amendment adopted.

The Craven substitute amendment as amended was adopted.

Craven of Jasper moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Falvey	Koch	Schroeder
Alesch	Felter	Laughlin	Smith
Beath	Fletcher	Lookingbill	Sours
Beswick	Foster	McCarthy	Speidel
Bouska	Frizzell	McCreery	Stanzel
Bowers	Garner	McDermott	Stewart
Bruce	Gissel	McKinnon	Stimpson
Burgess	Gittinger	McLean	Strachan
Casey	Goode	Metcalf	Swift
Craven	Grau	Moore of Benton	Teter
Crouch	Hanson of Lyon	Mooty	Treimer
Cunningham	Hanson of Winnebago	Osborn	Weed
Davis	Hook	Paisley	Wieben
Dole	Hopp	Peaco	Wiese
Donlon	Hough	Rawlings	Willis
Doran	Hultman	Reed	Wolf
Dreessen	Jenkins	Rice	Yager
Durant	Jensen	Ryder	Zylstra
Elliott	Johnson	Schlatter	Mr. Speaker
Fabritz		Schmitz	

The nays were, none.

Digitized by Google

Absent or not voting, 30.

Augustine	Gallagher	Mercer	Roe
Avery	Grell	Millhone	Sheridan
Bonnstetter	Hartman	Mitchell	Snyder
Brady	Humeston	Moore of	Stansell
Dean	Lichty	Harrison	Thies
Ellsworth	McFarlane	Ostby	Thiessen
Fuelling	Malone	Peet	Zipse
Fuester	Maniece	Porter	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Koch of Bremer asked and obtained unanimous consent for the immediate consideration of Senate File No. 88, a bill for an act to make permanent the transfer of funds from the secondary road fund of Buchanan county to the poor fund of said county, with report of committee recommending passage. Objections were offered.

Fabritz of Wapello moved that Senate File 88 be considered at this time. Motion prevailed.

Doran of Boone moved to defer action on Senate File 88.

Doran of Boone asked and obtained unanimous consent to withdraw his motion to defer action on Senate File 88.

McKinnon of Henry moved action be deferred on Senate File 88.

On the question "Shall action be deferred on Senate File 88?" a roll call was demanded.

The ayes were, 8.

Bowers	Doran	McKinnon	Schmitz
Cunningham	Elliott	Reed	Zylstra

The nays were, 70.

Aldrich	Fletcher	Jensen	Schlatter
Alesch	Foster	Johnson	Schroeder
Beswick	Frizzell	Koch	Smith
Bouska	Garner	Laughlin	Sours
Brady	Gissel	Lookingbill	Speidel
Bruce	Gittinger	McCarthy	Stanzel
Burgess	Goode	McCreery	Stewart
Casey	Grau	McDermott	Stimpson
Craven	Grell	McLean	Strachan
Crouch	Hanson of Lyon	Metcalf	Swift
Davis	Hanson of	Moore of Benton	Treimer
Dole	Winnebago	Mooty	Weed
Donlon	Hook	Ostby	Wieben
Dreessen	Hopp	Paisley	Wiese
Ellsworth	Hough	Peaco	Wolf
Fabritz	Hultman	Rawlings	Yager
Falvey	Humeston	Rice	Zipse
Felter	Jenkins	Ryder	

52

Digitized by Google

Absent or not voting, 30.

Augustine	Gallagher	Mitchell	Snyder
Avery	Hartman	Moore of	Stansell
Beath	Lichty	Harrison	Teter
Bonnstetter	McFarlane	Osborn	Thies
Dean	Malone	Peet	Thiessen
Durant	Maniece	Porter	Willis
Fuelling	Mercer	Roe	Mr. Speaker
Fuester	Millhone	Sheridan	

Motion lost.

Swift of Dubuque moved the previous question on the main bill. Motion prevailed.

Zylstra of Sioux moved that the rules be suspended and McKinnon of Henry be permitted to ask Gissel of Buchanan a question.

Roll call was demanded.

The ayes were, 23.

Aldrich	Elliott	McKinnon	Teter
Alesch	Falvey	Moore of Benton	Treimer
Cunningham	Felter	Rawlings	Yager
Davis	Fletcher	Schmitz	Zipse
Donlon	Gissel	Stanzel	Zylstra
Durant	Humeston	Stimpson	

The nays were, 50.

Beswick	Foster	Jensen	Peaco
Bouska	Frizzell	Johnson	Reed
Bowers	Garner	Koch	Ryder
Brady	Gittinger	Laughlin	Smith
Bruce	Grau	Lookingbill	Sours
Burgess	Grell	McCarthy	Speidel
Casey	Hanson of Lyon	McCreery	Stewart
Craven	Hanson of	McDermott	Strachan
Crouch	Winnebago	McLean	Swift
Dole	Hook	Metcalf	Weed
Doran	Hopp	Mooty	Wieben
Ellsworth	Hough	Ostby	Wolf
Fabritz	Hultman	Paisley	

Absent or not voting, 35.

Augustine	Goode	Mitchell	Schroeder
Avery	Hartman	Moore of	Sheridan
Beath	Jenkins	Harrison	Snyder
Bonnstetter	Lichty	Osborn	Stansell
Dean	McFarlane	Peet	Thies
Dreessen	Malone	Porter	Thiessen
Fuelling	Maniece	Rice	Wiese
Fuester	Mercer	Roe	Willis
Gallagher	Millhone	Schlatter	Mr. Speaker

Motion lost.

Koch of Bremer moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 21.

Bouska	Fabritz	Koch	Schmitz
Brady	Falvey	Laughlin	Smith
Craven	Felter	McCarthy	Swift
Cunningham	Gittinger	Moore of Benton	Treimer
Elliott	Grell	Peaco	Wiese
		Ryder	

The nays were, 60.

Aldrich	Ellsworth	Humeston	Schlatter
Alesch	Fletcher	Jenkins	Schroeder
Augustine	Foster	Jensen	Sours
Avery	Frizzell	Johnson	Speidel
Beswick	Garner	McCreery	Stanzell
Bowers	Gissel	McDermott	Stewart
Bruce	Goode	McKinnon	Stimpson
Burgess	Grau	McLean	Strachan
Casey	Hanson of Lyon	Metcalf	Teter
Crouch	Hanson of	Mooty	Weed
Davis	Winnebago	Ostby	Wieben
Dole	Hook	Paisley	Wolf
Donlon	Hopp	Rawlings	Yager
Doran	Hough	Reed	Zipse
Dreessen	Hultman	Rice	Zylstra
Durant			

Absent or not voting, 27.

Beath	Lichty	Mitchell	Sheridan
Bonnstetter	Lookingbill	Moore of	Snyder
Dean	McFarlane	Harrison	Stansell
Fuelling	Malone	Osborn	Thies
Fuester	Maniece	Peet	Thiessen
Gallagher	Mercer	Porter	Willis
Hartman	Millhone	Roe	Mr. Speaker

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Gissel of Buchanan moved that the vote by which Senate File No. 88 failed to pass the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Laughlin of Fremont asked and obtained unanimous consent for the immediate consideration of House File No. 210, a bill for an act to authorize and direct the Governor of the State of Iowa to Execute and Deliver to Lloyd Martin and Edith M. Martin, his wife, a patent to the following described Real Estate, to-wit: The Northwest one-quarter (NW¼) of the Southeast one-quarter (SE¼) of Section Eight (8), Township sixty-eight (68), Range

Digitized by Google

Forty-two (42), West of the fifth P. M., situated in Fremont County, Iowa, with report of committee recommending passage.

Laughlin of Fremont moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Ellsworth	Jensen	Schroeder
Alesch	Fabritz	Johnson	Smith
Beath	Falvey	Koch	Sours
Beswick	Felter	Laughlin	Speidel
Bouska	Fletcher	Lookingbill	Stanzel
Bowers	Foster	McCarthy	Stewart
Brady	Frizzell	McCreery	Stimpson
Burgess	Gittinger	McKinnon	Strachan
Casey	Goode	McLean	Swift
Craven	Grau	Metcalf	Teter
Crouch	Grell	Mooty	Treimer
Cunningham	Hanson of Lyon	Osborn	Weed
Davis	Hanson of	Paisley	Wieben
Dole	Winnebago	Peaco	Wiese
Donlon	Hook	Rawlings	Wolf
Doran	Hough	Reed	Yager
Dreessen	Hultman	Ryder	Zipse
Durant	Humeston	Schlatter	Mr. Speaker
Elliott	Jenkins	Schmitz	

The nays were, none.

Absent or not voting, 34.

Augustine	Gissel	Millhone	Roe
Avery	Hartman	Mitchell	Sheridan
Bonnstetter	Hopp	Moore of Benton	Snyder
Bruce	Lichty	Moore of	Stansell
Dean	McDermott	Harrison	Thies
Fuelling	McFarlane	Ostby	Thiessen
Fuester	Malone	Peet	Willis
Gallagher	Maniece	Porter	Zylstra
Garner	Mercer	Rice	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Teter of Marion asked and obtained unanimous consent for the immediate consideration of Senate File No. 132, a bill for an act to legalize the corporate acts and proceedings of Star Automobile Company, of Pella, Marion County, Iowa, and to provide for the renewal and extension of the period of corporate existence and the adoption of renewal, amended and substituted articles of incorporation of said Star Automobile Company, with report of committee recommending passage.

Digitized by Google

Teter of Marion moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Elliott	Johnson	Schmitz
Alesch	Ellsworth	Koch	Schroeder
Augustine	Fabritz	Laughlin	Smith
Beath	Fletcher	McCarthy	Sours
Beswick	Foster	McCreery	Stanzel
Bouska	Frizzell	McDermott	Stewart
Bowers	Garner	McKinnon	Strachan
Brady	Gissel	Metcalf	Swift
Bruce	Gittinger	Moore of Benton	Teter
Burgess	Goode	Mooty	Treimer
Casey	Grau	Osborn	Weed
Crouch	Grell	Ostby	Wieben
Cunningham	Hanson of Lyon	Paisley	Wiese
Davis	Hanson of Winnebago	Peaco	Wolf
Dole	Hook	Rawlings	Yager
Donlon	Hough	Reed	Zipse
Doran	Hultman	Rice	Zylstra
Dreessen	Jenkins	Schlatter	Mr. Speaker
Durant			

The nays were, none.

Absent or not voting, 35.

Avery	Hartman	Maniece	Ryder
Bonnstetter	Hopp	Mercer	Sheridan
Craven	Humeston	Millhone	Snyder
Dean	Jensen	Mitchell	Speidel
Falvey	Lichty	Moore of Harrison	Stansell
Felter	Lookingbill	Peet	Stimpson
Fuelling	McFarlane	Porter	Thies
Fuester	McLean	Roe	Thiessen
Gallagher	Malone		Willis

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

McKinnon of Henry asked and obtained unanimous consent for the immediate consideration of Senate File No. 241, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Burlington, Iowa, authorizing and providing for the issuance of Public Building Bonds of said City and making provisions for the levy of taxes to pay said bonds, with report of committee recommending passage.

McKinnon of Henry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Durant	Jenkins	Schroeder
Alesch	Elliott	Johnson	Smith
Augustine	Ellsworth	Koch	Sours
Beath	Fabritz	Laughlin	Speidel
Beswick	Fletcher	McCarthy	Stanzel
Bouska	Foster	McCreery	Stewart
Bowers	Frizzell	McDermott	Strachan
Brady	Garner	McKinnon	Swift
Bruce	Gissel	McLean	Teter
Burgess	Gittinger	Metcalf	Treimer
Casey	Goode	Mooty	Weed
Craven	Grell	Osborn	Wieben
Crouch	Hanson of Lyon	Paisley	Wiese
Cunningham	Hanson of Winnebago	Peaco	Wolf
Davis	Hook	Rawlings	Yager
Dole	Hough	Reed	Zipse
Donlon	Hultman	Rice	Zylstra
Doran	Humeston	Schlatter	Mr. Speaker
Dreessen		Schmitz	

The nays were, none.

Absent or not voting, 34.

Avery	Hartman	Millhone	Ryder
Bonnstetter	Hopp	Mitchell	Sheridan
Dean	Jensen	Moore of Benton	Snyder
Falvey	Lichty	Moore of Harrison	Stansell
Felter	Lookingbill	Ostby	Stimpson
Fuelling	McFarlane	Peet	Thies
Fuester	Malone	Porter	Thiessen
Gallagher	Maniece	Roe	Willis
Grau	Mercer		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

McKinnon of Henry moved that the vote by which Senate File No. 241 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Rawlings of Monona asked and obtained unanimous consent for the immediate consideration of House File No. 280, a bill for an act to repeal Chapter two hundred forty-six (246), Code, 1931, and enacting a substitute therefor, providing for the appointment of weed commissioners; defining noxious weeds; providing for destruction and assessment of costs, and penalties for the violation thereof.

Rawlings of Monona moved to substitute House substitute for House File No. 280 for House File No. 280.

Digitized by Google

Reed of Mahaska moved that action on House substitute for House File No. 280 be deferred. Motion prevailed.

Speidel of Washington moved that the House adjourn until 10:00 o'clock a. m. Monday. Motion lost.

Ellsworth of Hardin asked and obtained unanimous consent for the immediate consideration of Senate File No. 240, a bill for an act to amend Section seven (7), Chapter one hundred fifty-nine (159) of the Acts of the 45th General Assembly relating to Public Funds in any bank whose deposit liabilities have been assumed by another bank.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 63.

Aldrich	Dreessen	Hough	Peet
Alesch	Durant	Hultman	Rawlings
Augustine	Elliott	Humeston	Reed
Beath	Ellsworth	Jenkins	Schlatter
Beswick	Fabritz	Johnson	Schmitz
Bouska	Falvey	Koch	Schroeder
Bowers	Felter	Lookingbill	Sours
Bruce	Fletcher	McCarthy	Stanzel
Burgess	Foster	McCreery	Stewart
Casey	Gissel	McKinnon	Swift
Craven	Gittinger	McLean	Treimer
Cunningham	Goode	Metcalf	Weed
Davis	Grell	Mooty	Wieben
Dole	Hanson of Lyon	Osborn	Wiese
Donlon	Hanson of Winnebago	Paisley	Yager
Doran		Peaco	Mr. Speaker

The nays were, 2.

Smith	Zipse

Absent or not voting, 43.

Avery	Hartman	Millhone	Snyder
Bonnstetter	Hook	Mitchell	Speidel
Brady	Hopp	Moore of Benton	Stansell
Crouch	Jensen	Moore of Harrison	Stimpson
Dean	Laughlin	Ostby	Strachan
Frizzell	Lichty	Porter	Teter
Fuelling	McDermott	Rice	Thies
Fuester	McFarlane	Roe	Thiessen
Gallagher	Malone	Ryder	Willis
Garner	Maniece	Sheridan	Wolf
Grau	Mercer		Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Digitized by Google

HOUSE FILE NO. 162 PLACED ON CALENDAR

Rice of Keokuk asked that House File No. 162 be withdrawn from the committee on judiciary No. 2 and placed on the calendar. So ordered by the Speaker.

SENATE FILE NO. 269 SUBSTITUTED FOR HOUSE FILE NO. 322

Willis of Dallas asked and obtained unanimous consent to substitute Senate File No. 269 for House File No. 322.

HOUSE FILE NO. 285 WITHDRAWN

Augustine of Ringgold asked and obtained unanimous consent to withdraw House File No. 285 from the further consideration of the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following House Concurrent Resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 10, protesting against the removal of the branch office of the Federal Land Bank of Omaha from the city of Des Moines.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 17, a bill for an act to amend subsection 10, section fifty-one hundred ninety-one (5191), Code, 1931, as amended by section 6, chapter 90, Acts of the Forty-fifth General Assembly, relating to mileage of sheriffs and their deputies.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 140, a bill for an act to repeal section five thousand six hundred sixty-six (5666), Code, 1931, relating to fees of police judges and enacting a substitute therefor.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 168, a bill for an act to amend the law having preference to the preferring of domestic materials, products and supplies as it appears in Sec. 1171-b1 and 1171-b2, Code, 1931, and requiring a preference for products and provisions grown in Iowa.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

Digitized by Google

MR. SPEAKER: Your joint commitee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 267.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 267.

BILL SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 20th day of January, 1934, sent to the governor for his approval: House File No. 134. WM. KOCH, *Chairman.*

Report adopted.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

January 16: House Files No. 118 and 297.

On the motion of Speidel of Washington the House adjourned until 10:00 o'clock a. m. Monday, January 22.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 22, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Philip L. Shutt, lay-reader St. James Episcopal Church, Independence, Iowa.

Journal of January 20 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Crouch of Greene for part of the day, on request of Foster of Cedar; Moore of Harrison for the day, on request of Maniece of Emmet; Brady of Pottawattamie for the day, on request of Koch of Bremer; Lichty of Black Hawk for indefinitely, on request of McFarlane of Black Hawk; Thiessen of Clinton for the day, on request of Peaco of Clinton.

SENATE MESSAGES CONSIDERED

Senate File No. 17, a bill for an act to amend sub-section ten (10), section fifty-one hundred ninety-one (5191), Code of Iowa, 1931, as amended by section six (6), chapter ninety (90), Acts of the forty-fifth general assembly, relating to mileage of sheriffs and their deputies.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 168, a bill for an act to amend the law having reference to the preferring of domestic materials, products and supplies as it appears in Sections eleven hundred seventy-one b-one (1171-b1), and eleven hundred seventy-one b-two (1171-b2), Code, 1931, and requiring a preference for products and provisions grown in Iowa.

Read first and second times and referred to committee on mines and mining.

Senate File No. 140, a bill for an act to repeal section five thou-

Digitized by Google

sand six hundred sixty-six (5666), Code, 1931, relating to fees of police judges and enacting a substitute therefor.

Read first and second times and referred to committee on judiciary No. 1.

Craven of Jasper offered the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 11

Memorializing the President and Congress of the United States to grant the Philippine Islands their promised freedom.

Whereas, The United States Government, through the Agricultural Adjustment Act, is endeavoring to control and limit the production of cotton, hogs, corn, peanuts and dairy products and to raise farm prices for such products through the production control program; and

Whereas, There has been imported into this country annually, for the last five years, an average of over 1,400,000,000 pounds of foreign vegetable oil such as cocoanut and palm oil, largely from the Philippine Islands, all duty free, and, since this oil is produced by labor which receives only a few cents per day wages, and such oil can be shipped into this country at prices which have definitely proven to be ruinous to our own cotton, hog, dairy, corn and other agricultural interests, and

Whereas, The Philippine Islands have rejected the proposed method of getting their freedom as set out in the legislation enacted by the last session of Congress, and now the Philippines are endeavoring to secure their freedom, which was promised when the United States first entered the Islands to help straighten out their government, now, therefore,

Be It Resolved by the House, the Senate concurring, That we hereby memorialize the President of the United States and the United States Congress to take immediate steps to grant the Philippine Islands their long-promised freedom at once.

May we respectfully urge Mr. President and members of Congress that conditions demand boldness of action and definiteness of purpose in this very fundamental problem of the United States. The American farmer has been promised and will soon demand that he be given the American market.

If Congress is unable to set the Philippine Islands free at this time, then we would urge that our Secretary of Agriculture Wallace, through powers conferred upon him by the Agricultural Adjustment Act, place a tax on all foreign oils which come in competition with cottonseed oil, hog fat, corn oil, butterfat, beef fat, or any other domestic fats; such tax to be high enough to place agricultural prices on a fair parity with industrial prices in the near future.

Be It Further Resolved, That the chief clerk of the House be instructed to forward a copy of this resolution to the President of the United States, the Secretary of Agriculture, the Iowa members of Congress, and to our own state farm organizations.

Laid over under Rule 34.

Digitized by Google

CONSIDERATION OF BILLS

House File No. 1, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; and to repeal all laws or parts of laws in conflict herewith, was taken up for consideration.

Speidel of Washington offered the following amendment and moved its adoption:

Amend House File No. 1 by striking all after the enacting clause and inserting in lieu thereof the following: (which is the same as Senate File No. 1 as printed after being amended by the Senate in committee of the whole):

Division I. Introductory Provisions

Section 1. Classification of chapter. The provisions of this act are herein classified and designated as follows:

Division I. Introductory Provisions.
Division II. Personal Net Income Tax.
Division III. Business Tax on Corporations.
Division IV. Retail Sales Tax.
Division V. Administration.
Division VI. Allocation of Revenue.
Division VII. General Provisions.

Sec. 2. Purpose or object. This act shall be known as the "Property Relief Act," and shall have for its purpose the direct replacement of taxes already levied or to be levied on property to the extent of the net revenue obtained from the taxes imposed herein, which shall be apportioned back to the credit of individual taxpayers on the basis of the assessed valuation of taxable property as provided in Division VI of this act.

Sec. 3. Definitions controlling chapter. For the purpose of this act and unless otherwise required by the context:

1. The word "board" means the State Board of Assessment and Review.
2. The word "taxpayer" includes any person, corporation, or fiduciary who is subject to a tax imposed by this act.

Division II. Personal Net Income Tax

Sec. 4. Definitions controlling division. For the purpose of this division and unless otherwise required by the context:

1. The words "taxable income" means all net income as computed in this division.
2. The word "person" includes individuals and fiduciaries.

Digitized by Google

3. The words "income year" means the calendar year or the fiscal year upon the basis of which the net income is computed under this division.

4. The words "tax year" mean the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this division.

5. The words "fiscal year" mean an accounting period of twelve months, ending on the last day of any month other than December.

6. The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, trust, or estate.

7. The word "paid", for the purposes of the deductions under this division, means "paid or accrued" or "paid or incurred", and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this division. The term "received", for the purpose of the computation of net income under this division, means "received or accrued", and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this division.

8. The word "resident" applies only to individuals and includes, for the purpose of determining liability to the tax imposed by this division upon or with reference to the income of any tax year, any individual domiciled in the state of Iowa, and any other individual who maintains a permanent place of abode within the state, or spends in the aggregate more than six months of the tax year within the state.

9. The words "foreign country" mean any jurisdiction other than one embraced within the United States. The words "United States", when used in a geographical sense, include the states, the territories of Alaska and Hawaii, the District of Columbia, and the possessions of the United States.

10. The word "individual" means a natural person.

11. The word "dividend" means any distribution made by a corporation out of its earnings or profits to its shareholders or members, whether in cash or in other property of the corporation.

12. The term "head of a family" means an individual who, during the taxable year, maintained a household and supported therein himself and one or more persons who were dependent upon him for support; provided, however, that such dependents must be of blood relation, marriage or adoption.

Sec. 5. Tax imposed. A tax is hereby imposed, beginning the first day of January, 1934, upon every resident of the state, which tax shall be levied, collected and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

(a) On the first one thousand dollars of taxable income, or any part thereof, one per cent (1%).

(b) On the second thousand dollars of taxable income, or any part thereof, two per cent (2%).

(c) On the third thousand dollars of taxable income, or any part thereof, three per cent (3%).

Digitized by Google

(d) On the fourth thousand dollars of taxable income, or any part thereof, four per cent (4%).

(e) On the fifth thousand dollars of taxable income, or any part thereof, five per cent (5%), and on all taxable income in excess of five thousand dollars, five per cent (5%).

The tax herein levied shall be computed and collected as hereinafter provided.

Sec. 6. Income from estates or trusts. 1. The tax imposed by this division shall apply to and become a charge against estates or trusts, which tax shall be levied, collected and paid annually upon and with respect to the income of estates or any kind of property held in trust, including:

(a) Income received by estates of deceased persons during the period of administration or settlement of the estate.

(b) Income accumulated in trust for the benefit of unborn or unascertained persons, or persons with contingent interest.

(c) Income held for future distribution under the terms of the will or trust.

(d) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a fiduciary to be held or distributed, as the court may direct.

(e) Income of an estate during the period of administration or settlement upon which the tax is to be paid as provided in sub-section 4 of this section.

(f) The net income received during the year by deceased individuals who have died on or after the date a return was due to be filed without having made a return.

2. The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts, whether such income be taxable to the estate or trust or to the beneficiaries thereon. The net income of an estate or trust shall be computed in the same manner and on the same basis as provided in this division for individual taxpayers, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is, during the taxable year, paid to or permanently set aside for the United States, any state, territory, or any political subdivision thereof, or the District of Columbia, or any corporation or association organized and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; and, in cases under paragraph (d) and (e) of subdivision one (1) of this section, the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made.

3. In cases under paragraph (a), (b) and (c) of subdivision one (1) of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary, except that in determining the net income of the estate of any

Digitized by Google

deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee, heir or other beneficiary. In cases under (a), (b) and (c) the estate or trust shall be allowed the same exemptions as are allowed to single persons under this division, and in cases under paragraph (f) the same exemption as would be allowed the deceased, if living.

4. In cases under paragraphs (d) and (e) of subdivision one (1) of this section, if the distribution of income is in the discretion of the fiduciary, either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled, the tax shall be imposed upon the estate or trust in the manner provided in subdivision three (3) of this section, but without the deduction of any amounts of income paid or credited to any such beneficiary. In all other cases under paragraphs (d) and (e) of subdivision one (1) of this section, the tax shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not, of the net income of the estate or trust for the taxable year, or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed, then his distributive share of the net income of the estate or trust for any accounting period of such estate or trust ending within the fiscal or calendar year upon the basis of which such beneficiary's net income is computed.

Sec. 7. "Net income" defined. The term "net income" means the gross income of the taxpayer less the deductions allowed by this division.

Sec. 8. "Gross income" defined—exceptions. 1. The term "gross income" includes gains, profits and incomes derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, business, commerce, or reoccurring profits and income growing out of the ownership or use of or interest in property, real or personal; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit; or gains or profits, and income derived from any source whatever and in whatever form paid. The amount of all such items shall be included in the gross income of the tax year in which received by the taxpayer, unless, under the methods of accounting permitted under this division, any such amounts are to be properly accounted for as of a different period.

2. The term "gross income" does not include the following items, which shall be exempted from taxation under this division:

(a) Capital gains and profits arising from the sale or exchange of real or personal property of the taxpayer.

(b) (1) Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or in installments (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income).

(2) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts) under a life insurance, endowment, or annuity contract, but if such amounts (when

Digitized by Google

added to amounts received before the taxable year under such contract) exceed the aggregate premium or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration shall be exempt from taxation under paragraph 1 or this paragraph.

(c) The value of property acquired by good faith gift, bequest, devise, or descent (but the income from such property shall be included in gross income).

(d) Interest upon the obligations of the United States or its possessions, agencies, or instrumentalities, which is or shall be exempt from state taxation by federal law.

(e) Salaries, wages, pensions and other compensation received from the United States by officials, employees or veterans thereof which are or shall be exempt from state taxation by federal law.

(f) Any amounts received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness, plus the amount of damages received, whether by suit or agreement, on account of such injuries or sickness.

(g) Stock dividends of a corporation distributed to its own stockholders.

3. Every individual, taxable under this division, who is a beneficiary of an estate or trust, shall include in his gross income the distributive share of the net income of the estate or trust, received by him or distributable to him during the income year. Unless otherwise provided in the law, the will, the deed or other instrument creating the estate, trust or fiduciary relation, the net income shall be deemed to be distributed or distributable to the beneficiaries (including the fiduciary as a beneficiary, in the case of income accumulated for future distribution) ratably, in proportion to their respective interests.

Sec. 9. Allowable deductions on gross income. In computing net income there shall be allowed as deductions:

1. All the ordinary and necessary expenses, paid or incurred, in case of report on an accrual basis, during the tax year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal service actually rendered, traveling expenses while away from home in pursuit of trade or business, and including rentals or other payments required to be made as a condition to the continued use or possession, for the purpose of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

2. All interest paid or accrued during the tax year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities, the interest on which is exempt from taxation under this division.

3. Taxes paid or accrued within the income year, imposed by the authority of the United States or of any of its possessions or of any state, territory or the District of Columbia or of any foreign country;

Digitized by Google

except inheritance taxes, Federal estate taxes or estate taxes of this or any other state, and except income taxes imposed by this division and taxes assessed for local benefit, of a kind tending to increase the value of the property assessed.

4. Credits ascertained to be worthless and charged off within the tax year if the amount has previously been included in gross income in a return under this division.

5. A reasonable allowance for the damage, destruction, depreciation, exhaustion, wear and tear and obsolescence of property used in the trade or business, and in the case of mines or other natural deposits and timber a reasonable allowance for depletion; provided, that in computing the allowances granted under this paragraph the basis shall be the cost of such property (including, in the case of mines and other natural deposits, the cost of development not otherwise deducted), except where the property was acquired prior to January 1, 1934, the basis shall be the cost less reasonable depreciation accrued thereon up to January 1, 1934, but in no event less than its fair market value on said date. The reasonable allowance under this paragraph shall be made under rules and regulations to be prescribed by the board. In the case of leases the allowances granted may be equitably apportioned between the lessor and the lessee.

6. Donations made within the taxable year to or for the use of:

(a) The United States, any state, territory or political subdivision thereof, or the District of Columbia, for exclusively public purposes;

(b) Any corporation or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals;

(c) Gifts and donations made and accepted under section thirty-eight hundred fifty-five (3855), Code, 1931.

(d) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations;

(e) Fraternal societies operating under the lodge system, if such contributions are to be used exclusively for religious, charitable or educational purposes.

The foregoing deductions are limited to an amount which, in all of the above cases combined, does not exceed fifteen per cent (15%) of the taxpayer's net income, computed without the benefit of such deductions.

7. For the purpose of simplifying returns, in all cases where the taxpayer's gross income does not exceed, in the case of a single individual, one thousand dollars, and in the case of husband and wife or head of a family, one thousand six hundred dollars, the taxpayer may claim a deduction of ten per cent (10%) of the gross income, in lieu of all other deductions which might be claimed under this division.

Sec. 10. Unallowable deductions on gross income. In computing the income no deductions shall in any case be allowed in respect to the following:

1. Personal, living or family expenses.

2. Any amount paid out for new buildings or for permanent improve-

Digitized by Google

ments or betterments, made to increase the value of any property or estate.

3. Any amount expended in restoring property on which an allowance for depreciation or depletion is or has been made.

4. Premiums paid on any life insurance policy covering the life of any officer or employee or of any individual financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

5. Capital losses resulting from the sale or exchange of real or personal property of the taxpayer, or in connection with stocks, bonds, or other securities determined to be worthless and charged off during the taxable year.

Sec. 11. Credit on tax. A credit shall be allowed against the amount of tax computed to be due and payable under this division, to the extent of the tax which has been assessed against and paid by a corporation under Division III of this act on income which is represented by dividends on stock in said corporations, received by the taxpayer and included in his gross income within the tax year; provided that when only part of the income of any corporation shall have been assessed and income tax paid under said division, only a corresponding amount of tax shall be deducted; and provided further that such corporation has reported the name and address of each person owning stock and the amount of dividends paid each such person during the year.

Sec. 12. Deduction from computed tax. 1. There shall be deducted from the tax after the same shall have been computed as set forth in this division a personal exemption as follows:

(a) For a single individual, six dollars.

(b) For husband and wife or head of a family, twelve dollars.

(c) For each child under the age of twenty-one years who is actually supported by and dependent upon the taxpayer for his support, an additional two dollars.

(d) For each actual dependent other than as specified in division (c) of this section, an additional two dollars.

2. The personal exemptions provided by this section shall be determined according to regulations to be prescribed by the board.

Sec. 13. Return by individual. 1. Every individual having a net income for the tax year from sources taxable under this division, of six hundred dollars or over, if single, or if married and not living with husband or wife; or having a net income for the tax year of eleven hundred dollars or over if married and living with husband or wife, shall make a return under oath, stating specifically the items of gross income and the deductions and exemptions allowed by this division.

2. If husband and wife living together have an aggregate net income of eleven hundred dollars or over, each shall make such a return, unless the income of each is included in a single joint return.

3. If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

Digitized by Google

4. Provided, also that every individual having a gross income of three thousand dollars a year or over, shall file a return.

Sec. 14. Return by fiduciary. 1. Every fiduciary subject to taxation under the provisions of this division, as provided in section six (6) hereof, shall make a return under oath for the individual, estate or trust for whom or for which he acts, if the net amount thereof amounts to six hundred dollars or more or the gross amount thereof amounts to two thousand dollars or more.

2. The return made by a fiduciary shall state specifically the items of gross income and the deductions and exemptions allowed by this division and such other facts as the board may prescribe. Under such regulations as the board may prescribe, a return may be made by one of two or more joint fiduciaries.

3. Fiduciaries required to make returns under this division shall be subject to all the provisions of this division which apply to individuals.

Sec. 15. Information at source. 1. Every person or corporation being a resident of or having a place of business in this state, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of the state or of any political subdivision of the state, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any resident of this state, shall make complete return thereof under oath, to the board, under such regulations and in such form and manner and to such extent as may be prescribed by it.

2. Every partnership, having a place of business in the state, shall make a return, stating specifically the items of its gross income and the deductions allowed by this division, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed, and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

3. Every fiduciary shall make, under oath, a return for the individual, estate, or trust for whom or for which he acts, and shall set forth in such returns the items of the gross income, the deductions allowed by this division, the net income, the names and addresses of the beneficiaries, the amounts distributed or distributable to each and the amount, if any, lawfully retained by him for future distribution. Such return may be made by one or two or more joint fiduciaries.

Sec. 16. Base of returns. 1. Taxpayers, who customarily determine their income on a basis other than that of actual cash receipts and disbursements, may, with the approval of the board, return their net income under this division upon a similar basis. Taxpayers who customarily determine their income on the basis of an established fiscal year instead of on that of the calendar year, may, with the approval of the board, and subject to such rules and regulations as it may establish, return their

Digitized by Google

net income under this division on the basis of such fiscal year, in lieu of that of the calendar year.

2. A taxpayer may, with the approval of the state board, and under such regulations as it may prescribe, change his income year from the fiscal year to the calendar year or otherwise, in which case his net income shall be computed upon the basis of such new tax year.

3. An individual carrying on business in partnership shall be liable for income tax only in his individual capacity and shall include in his gross income his share of the net income of the partnership during the income year.

4. Every individual, taxable under this division, who is a beneficiary of an estate or trust, shall include in his gross income the distributive share of the net income of the estate or trust, received by him or distributable to him during the income year. Unless otherwise provided in the law, the will, the deed or other instrument creating the estate, trust or fiduciary relation, the net income shall be deemed to be distributed or distributable to the beneficiaries (including the fiduciary as a beneficiary, in the case of income accumulated for future distribution) ratably, in proportion to their respective interests.

Sec. 17. Form and time of return. Returns shall be in such form as the board may, from time to time, prescribe, and shall be filed with the board within ninety days after the expiration of the tax year. In case of sickness, absence or other disability, or whenever, in its judgment, good cause exists, the board may allow further time for filing returns. The return shall be made under oath. The board shall cause to be prepared blank forms for said returns and shall cause them to be distributed throughout the state and to be furnished upon application, but failure to receive or secure the form shall not relieve the taxpayer from the obligation of making any return herein required.

Sec. 18. Supplementary returns. If the board shall be of the opinion that any taxpayer required under this division to file a return has failed to file such a return or to include in a return filed, either intentionally or through error, items of taxable income, it may require from such taxpayer a return or supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this division. If from a supplementary return, or otherwise, the board finds that any items of income, taxable under this division, have been omitted from the original return, it may require the items so omitted to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provisions of this division, whether or not the board required a return or a supplementary return under this section.

Sec. 19. Return by administrator. The return by an individual, who, while living, was subject to income tax in the state during the tax year, and who has died before making the return, shall be made in his name and behalf by the administrator or executor of the estate and the tax shall be levied upon and collected from his estate.

Sec. 20. Installment payments—interest. 1. The tax may be paid

Digitized by Google

in two installments, each consisting of one-half of the total amount of the tax. The first installment shall be remitted with the return and the second installment shall be paid on or before six months after the date fixed for filing the return; provided, however, that in case the total amount of the tax shall be ten dollars or less, then, and in that case, the whole amount of the tax shall be paid at the time of filing the return.

2. When, at the request of the taxpayer, the time for filing the return is extended, interest at the rate of six per cent (6%) per annum on one-half of the total tax, from the time when the return was originally required to be filed to the time of payment, shall be added and paid.

Sec. 21. Computation of tax, interest and penalties.

1. As soon as practicable after the return is filed the board shall examine it and determine the correct amount of tax, and the amount so determined by the board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess, together with interest and penalty as hereinafter provided shall be paid by the taxpayer within ten days after the board shall have given notice thereof to the taxpayer by registered mail.

2. If the board discovers from the examination of the return or otherwise that the income of the taxpayer, or any portion thereof, has not been listed in the return, or that no return was filed when one was due, it may at any time within five years after the time when such return was due, determine the correct amount of the tax together with interest and penalty as hereinafter provided. The amount thereof shall be paid within ten days after the board shall have given notice thereof to the taxpayer by registered mail.

3. To the tax or additional tax as determined by the board under the provisions of paragraphs one (1) and two (2) of this section there shall be added and made a part thereof an additional amount, by way of penalty, equal to five per cent (5%) of such tax and additional tax, but in no case less than one dollar ($1.00), and an additional one per cent (1%) interest for each month or fraction of a month during which the tax and/or additional tax remains unpaid. The interest provided for herein shall in all cases be computed from the date the return was originally required to be filed.

4. If the amount of the tax as determined by the board shall be less than the amount theretofore paid, the excess shall be refunded with interest after sixty days from the date of payment at six per cent (6%) per annum under the provisions of such regulations as may be prescribed by the board.

5. All payments received must be credited first, to the penalty and interest accrued, and then to the tax due.

6. The board shall have power, upon making a record of its reasons therefor, to waive or reduce any of the penalties and/or interest provided for herein.

7. Any person who, with fraudulent intent, refuses to pay any tax or to make, render, sign or verify any return, or to supply any information within the time required by or under the provisions of this division, shall be liable to a penalty of not more than one thousand dollars

Digitized by Google

($1,000.00) to be recovered by the attorney general in the name of the state by action in the district court. The board shall have the power to compromise the penalty imposed by this sub-section. Such penalties shall be in addition to all other penalties in this division provided.

8. Any person required to make, render, sign or verify any return or supplemental return, who makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall be guilty of a felony and shall upon conviction, for each such offense, be fined not more than five thousand dollars ($5,000.00) and be imprisoned not exceeding one year, or be subject to both fine and imprisonment, in the discretion of the court.

9. The certificate of the board to the effect that a tax has not been paid, that a return has not been filed, or that information has not been supplied, as required under the provisions of this division shall be prima facie evidence thereof.

Sec. 22. Lien of tax—collection—action authorized. Whenever any taxpayer liable to pay a tax and/or penalty imposed refuses or neglects to pay the same, the amount, including any interest, penalty, or addition to such tax, together with the costs that may accrue in addition thereto, shall be a lien in favor of the State of Iowa upon all property and rights to property, whether real or personal, belonging to said taxpayer.

The lien aforesaid shall attach at the time the tax becomes due and payable and shall continue until the liability for such amount is satisfied.

In order to preserve the aforesaid lien against subsequent mortgagees, purchasers or judgment creditors, for value and without notice of the lien, on any property situated in a county, the board shall file with the recorder of the county, in which said property is located, a notice of said lien.

The county recorder of each county shall prepare and keep in his office a book to be known as "Index of Income Tax Liens", so ruled as to show in appropriate columns the following data, under the names of taxpayers, arranged alphabetically:

1. The name of the taxpayer.
2. The name "State of Iowa" as claimant.
3. Time notice of lien was received.
4. Date of notice.
5. Amount of lien then due.
6. When satisfied.

The recorder shall indorse on each notice of lien the day, hour and minute when received and preserve the same and shall forthwith index said notice in said index book, and the said notice shall be effective from the time of receipt thereof.

Upon the payment of a tax as to which the board has filed notice with a county recorder, the board shall forthwith file with said recorder a satisfaction of said tax and the recorder shall enter said satisfaction on the notice on file in his office and indicate said fact on the index aforesaid.

The board shall, substantially as provided in sections seventy-one hundred eighty-nine (7189) and seventy-one hundred eighty-nine-d one

Digitized by Google

(7189-d1) of the Code, proceed to collect all taxes and/or penalties as soon as practicable after the same become delinquent, except that no property of the taxpayer shall be exempt from the payment of said tax.

The attorney general shall, upon the request of the board, bring an action at law or in equity, as the facts may justify, without bond, to enforce payment of any taxes and/or penalties, and in such action he shall have the assistance of the county attorney of the county in which the action is pending.

It is expressly provided that the foregoing remedies of the state shall be cumulative and that no action taken by the board or attorney general shall be construed to be an election on the part of the state or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy provided by law.

Sec. 23. Final report of fiduciary—conditions. 1. No final account of a fiduciary shall be allowed by any court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this division upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax to the extent of said certificate.

2. For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the board may, on behalf of the state, agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this division, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

Sec. 24. Revision of tax. A taxpayer may appeal to the board for revision of the tax, interest and/or penalties assessed against him at any time within ninety days from the date of the notice of the assessment of such tax, additional tax, interest and/or penalties. The board shall grant a hearing thereon and if, upon such hearing, it shall determine that the tax, interest and/or penalties are excessive or incorrect, it shall revise the same according to the law and the facts and adjust the computation of the tax, interest and/or penalties accordingly. The board shall notify the taxpayer by registered mail of its findings and shall refund to the taxpayer the amount, if any, paid in excess of the tax, interest and/or penalties found by it to be due with interest after sixty days from the date of payment by the taxpayer at six per cent (6%) per annum.

Sec. 25. Appeals. 1. An appeal may be taken by the taxpayer to the district court of the county in which he resides, or in which his principal place of business is located, within sixty days after he shall have received notice from the board of its determination as provided for in the preceding section.

2. The appeal shall be taken by a written notice to the chairman of the board and served as an original notice. When said notice is so served it shall, with the return thereon, be filed in the office of the clerk of said district court, and docketed as other cases, with the taxpayer as plaintiff and the board as defendant. The plaintiff shall file with such clerk a

Digitized by Google

bond for the use of the defendant, with sureties approved by such clerk, in penalty at least double the amount of tax appeals from, and in no case shall the bond be less than fifty dollars ($50.00), conditioned that the plaintiff shall perform the orders of the court.

3. The court shall hear the appeal in equity and determine anew all questions submitted to it on appeal from the determination of the board. The court shall render its decree thereon and a certified copy of said decree shall be filed by the clerk of said court with the board who shall then correct the assessment in accordance with said decree. An appeal may be taken by the taxpayer or the board to the supreme court of this state in the same manner that appeals are taken in suits in equity, irrespective of the amount involved.

Sec. 26. Jeopardy assessments. 1. If the board believes that the assessment or collection of taxes will be jeopardized by delay, the board may immediately make an assessment of the estimated amount of tax due, together with all interest, additional amounts or penalties, as provided by law, and demand payment thereof from the taxpayer. If such payment is not made, a distress warrant may be issued or a lien filed against such taxpayer immediately.

The board shall be permitted to accept a bond from the taxpayer to satisfy collection until the amount of tax legally due shall be determined. Such bond to be in an amount deemed necessary, but not more than double the amount of the tax involved, and with securities satisfactory to the board.

Division III. Business Tax on Corporations

Sec. 27. Definitions. For the purpose of this division and unless otherwise required by the context:

1. The word "corporation" includes joint stock companies, limited partnerships, and associations organized for pecuniary profit.

2. The words "domestic corporation" mean any corporation organized under the laws of this state.

3. The words "foreign corporation" mean any corporation other than a domestic corporation.

The words, terms, and phrases defined in paragraphs one (1) and three (3) to eleven (11), section four (4), Division II of this act, when used in this division, shall have the meanings ascribed to them in said section except where the context clearly indicates a different meaning.

Sec. 28. Corporate tax imposed. A tax is hereby imposed, beginning the first day of January, 1934, upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount equivalent to two per cent of the net income as herein defined, received by such corporation during the income year.

(a) If the trade or business of the corporation is carried on entirely within the state, the tax shall be imposed on the entire net income, but if such trade or business is carried on partly within and partly without the state, the tax shall be imposed only on the portion of the net income reasonably attributable to the trade or business within the state, said net income attributable to the State of Iowa to be determined as follows:

Digitized by Google

(1) Interest, dividends, rents and royalties (less related expenses) received in connection with business in the state, shall be allocated to the state, and where received in connection with business outside the state, shall be allocated outside of the state.

(2) Net income of the above class having been separately allocated and deducted as above provided, the remainder of the net income of the taxpayer shall be allocated and apportioned as follows:

Where income is derived from business other than the manufacture and sale of tangible personal property, such income shall be specifically allocated or equitably apportioned within and without the state under rules and regulations of the board.

Where income is derived from the manufacture or sale of tangible personal property, the part thereof attributable to business within the state shall be in that proportion which the gross sales made within the state bear to the total gross sales.

The gross sales of the corporation within the state shall be taken to be the gross sales from goods sold and delivered within the state, excluding deliveries for transportation out of the state.

For the purpose of this section, the word "sale" shall include exchange, and the word "manufacture" shall include the extraction and recovery of natural resources and all processes of fabricating and curing. The words "tangible personal property" shall be taken to mean corporeal personal property, such as machinery, tools, implements, goods, wares, and merchandise, and shall not be taken to mean money deposits in banks, shares of stock, bonds, notes, credits, or evidence of an interest in property and evidences of debt.

(b) If any taxpayer believes that the method of allocation and apportionment hereinbefore prescribed, as administered by the board and applied to his business, has operated or will so operate as to subject him to taxation on a greater portion of his net income than is reasonably attributable to business or sources within the state, he shall be entitled to file with the board a statement of his objections and of such alternative method of allocation and apportionment as he believes to be proper under the circumstances with such detail and proof and within such time as the board may reasonably prescribe; and if the board shall conclude that the method of allocation and apportionment theretofore employed is in fact inapplicable and inequitable, it shall re-determine the taxable income by such other method of allocation and apportionment as seems best calculated to assign to the state for taxation the portion of the income reasonably attributable to business and sources within the state, not exceeding, however, the amount which would be arrived at by application of the statutory rules for apportionment.

Sec. 29. Exempted corporations and organizations. The following organizations and corporations shall be exempt from taxation under this division:

(a) All state, national, cooperative and savings banks, title insurance and trust companies, building and loan associations, domestic corporations operating under the provisions of chapter 392 of the Code, 1931, insurance companies and/or insurance associations, fraternal beneficiary associa-

Digitized by Google

tions, now or hereafter organized or incorporated by or under the laws of this state or lawfully operating in the state of Iowa.

(b) Cemetery corporations, organizations and associations and corporations organized for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(c) Business leagues, chambers of commerce, labor unions and auxiliary organizations, or boards of trade not organized for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(d) Civic leagues or organizations not organized for profit, but operated exclusively for the promotion of social welfare.

(e) Clubs, organizations or associations organized and operated exclusively for pleasure, recreation, and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member.

Sec. 30. Applicable statutes. All the provisions of sections seven (7), eight (8), nine (9), ten (10), and eleven (11) of Division II of this act, insofar as the same are applicable, shall apply in computing the amount of net ncome of a corporation taxable under this division.

Sec. 31. Returns. 1. Every corporation shall make a return and the same shall be sworn to by the president, vice president, or other principal officer and by the treasurer or assistant treasurer. Before a corporation shall be dissolved and its assets distributed it shall make a return for any settlement of the tax for any income earned in the income year up to its final date of dissolution.

2. When any corporation, liable to taxation under this division, conducts its business in such a manner as either directly or indirectly to benefit the members or stockholders thereof or any person interested in such business by selling its products or the goods or commodities in which it deals at less than the fair price which might be obtained therefor, or where a corporation, a substantial portion of whose capital stock is owned either directly or indirectly by another corporation, acquires and disposes of the products, goods or commodities of the corporation so owning a substantial portion of its stock in such a manner as to create a loss or improper net income for either of said corporations, or where a corporation, owning directly or indirectly a substantial portion of the stock of another corporation, acquires and disposes of the products, goods or commodities, of the corporation of which it so owns a substantial portion of the stock, in such a manner as to create a loss or improper net income for either of said corporations, the board may determine the amount of taxable income of either or any of such corporations for the calendar or fiscal year, having due regard to the reasonable profits which, but for such arrangement or understanding, might or could have been obtained, by the corporation or corporations liable to taxation under this division, from dealing in such products, goods or commodities.

3. Where the state board has reason to believe that any person or corporation so conducts his trade or business as either directly or indirectly to distort his true net income and the net income properly attribu-

Digitized by Google

table to the state, whether by the arbitrary shifting of income, through price fixing, charges for services, or otherwise, whereby the net income is arbitrarily assigned to one or another unit in a group of taxpayers carrying on business under a substantially common control, it may require such facts as it deems necessary for the proper computation of the entire net income and the net income properly attributable to the state, and shall determine the same, and in the determination thereof the board shall have regard to the fair profits which would normally arise from the conduct of the trade or business.

Sec. 32. Consolidated returns. 1. Any corporation capable of exercising directly or indirectly substantially the entire control of the business of another corporation doing business in the United States either by ownership or control of substantially the entire capital stock of such other corporation, or otherwise, may, under regulations to be prescribed by the board, be permitted, and upon demand of the board shall be required, to make a consolidated return, showing the consolidated net income of all of such corporations, and such other information as the board may require in order to compute the net income properly attributable to the state and to impose the tax upon the taxpayers concerned.

2. The board may require he filing of a consolidated return where substantially the entire control of two or more such corporations liable to taxation under this division is exercised by the same interests, or under such other circumstances as the effective administration of this act may require. Any corporation liable to report under this division and owned or controlled, either directly or indirectly, by another corporation, may be required to make a consolidated report showing the combined net income, such assets of the corporation as are required for the purpose of this division, and such other information as the board may require.

3. In case it shall appear to the board that any arrangement exists in such a manner as improperly to reflect the business done, the segregable assets or the entire net income earned from business done in the state, the board is authorized and empowered, in such manner and under such rules and regulations as it may determine, equitably to adjust the tax.

4. When any corporation required to make a return under this division conducts the business, whether under arrangement or otherwise, in such manner as either directly or indirectly to benefit the members or stockholders of the corporation, or any of them, or any person or persons directly or indirectly interested in such business, by selling its products, or the goods or commodities in which it deals, at less than a fair price which might be obtained therefrom, or where such a corporation, a substantial portion of whose capital stock is owned either directly or indirectly by another corporation, acquires or disposes of the products of the corporation so owning the substantial portion of its capital stock in such manner as to create a loss or improper net income, the board may require such facts as it deems necessary for the proper computation provided by this division, and may for the purpose of the division determine the amount which shall be deemed to be the entire net income of the business of such corporation for the calendar or fiscal year, and in determining such entire net income the board shall have regard to the fair profits

Digitized by Google

which, but for any agreement, arrangement or understanding, might be or could have been obtained from dealing in such products, goods or commodities.

Sec. 33. Applicable statutes. All the provisions of sections fifteen (15), sixteen (16), seventeen (17), and eighteen (18) of Division II of this act, insofar as the same are applicable, shall apply to corporations taxable under this division.

Sec. 34. Applicable statutes. All the provisions of sections twenty (20), twenty-one (21), twenty-two (22), and twenty-three (23) of Division II of this act, respecting payment and collection, shall apply in respect to the tax due and payable by a corporation taxable under this division.

Sec. 35. Cancellation of authority—penalty—offenses. 1. If a corporation required by the provisions of this division to file any report or return or to pay any tax or fee, either as a corporation organized under the laws of this state, or as a foreign corporation doing business in this state for profit, or owning and using a part or all of its capital or plant in this state, fails or neglects to make any such report or return or to pay any such tax or fee for ninety days after the time prescribed in this division for making such report or return, or for paying such tax or fee, the board may in its discretion certify such fact to the secretary of state. The secretary of state shall thereupon cancel the articles of incorporation of any such corporation which is organized under the laws of this state by appropriate entry upon the margin of the record thereof, or cancel the certificate of authority of any such foreign corporation to do business in this state by proper entry. Thereupon all the powers, privileges, and franchises conferred upon such corporation by such articles of incorporation or by such certificate of authority shall cease and determine. The secretary of state shall immediately notify by registered mail such domestic or foreign corporation of the action taken by him.

2. Any person or persons who shall exercise or attempt to exercise any powers, privileges, or franchises under articles of incorporation or certificate of authority after the same are cancelled, as provided in any section of this division, shall pay a penalty of not less than one hundred dollars nor more than one thousand dollars, to be recovered by an action to be brought by the board.

3. Any corporation whose articles of incorporation or certificate of authority to do business in this state have been cancelled by the secretary of state, as provided in subsection one (1), or similar provisions of prior revenue acts, upon the filing, within ten years after such cancellation, with the secretary of state, of a certificate from the board that it has complied with all the requirements of this division and paid all state taxes, fees, or penalties due from it, and upon the payment to the secretary of state of an additional penalty of fifty dollars, shall be entitled again to exercise its rights, privileges, and franchises in this state; and the secretary of state shall cancel the entry made by him under the provisions of subsection one (1) or similar provisions of prior revenue acts, and shall issue his certificate entitling such corporation to exercise its rights, privileges, and franchises.

4. Any person, or any officer or employee of any corporation, or mem-

Digitized by Google

ber or employee of any partnership, who, with intent to evade any requirement of this division or any lawful requirement of the board thereunder, shall fail to pay any tax or to make, sign, or verify any return or to supply any information required by or under the provisions of this division, shall be guilty of a misdemeanor and punished accordingly. Any person, corporation, or any officer or employee of a corporation, or member or employee of any partnership, who, with intent to evade any of the requirements of this division, or any lawful requirements of the board thereunder, shall make, render, sign, or verify any false or fraudulent return or statement, or shall supply any false or fraudulent information, or who shall aid, abet, direct, cause, or who shall procure anyone so to do, shall be liable to a penalty of not more than five thousand dollars, to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction, and shall also upon conviction be punished by imprisonment in the penitentiary for a term not exceeding one year, or by a fine of not less than five hundred dollars nor more than five thousand dollars, or both. Such penalty shall be in addition to all other penalties in this division provided.

Sec. 36. Applicable statutes. All the provisions of section twenty-four (24) and section twenty-five (25) of Division II of this act, in respect to revision and appeal, shall be applicable to corporations taxable under this division.

Division IV. Retail Sales Tax

Sec. 37. Definitions. The following words, terms, and phrases, when used in this division, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation municipal corporation, estate, trust, business trust, receiver, or any other group or combination acting as a unit, and the plural as well as the singular number.

(b) "Sale" means any transfer, exchange, or barter, conditional or otherwise, in any manner or by any means whatsoever, for a consideration.

(c) "Retail sale" or "sale at retail" means the sale to a consumer or to any person for any purpose other than for proceedings, or for resale, in the form of tangible personal property or the sale of gas, electricity, water, and communication service to retail consumers or users.

(d) "Business" includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit, or advantage, either direct or indirect.

(e) "Retailer" includes every person engaged in the business of selling tangible goods, wares, or merchandise at retail, or the furnishing of gas, electricity, water and communication service, and tickets or admissions to places of amusement and athletic events as provided in this division.

(f) "Gross receipts" means the total amount of the sales of retailers, valued in money, whether received in money or otherwise, provided, however, that discounts for any purpose allowed and taken on sales shall not be included, nor shall the sale price of property returned by customers, when the full sale price thereof is refunded either in cash or by credit. Provided, further, that on all sales of retailers, valued in money, when

Digitized by Google

such sales are made under conditional sales contract, or under other forms of sale wherein the payment of the principal sum thereunder be extended over a period longer than sixty (60) days from the date of sale thereof, that only such portion of the sale amount thereof shall be accounted, for the purpose of imposition of tax imposed by this bill, as has actually been received in cash by the retailer during the accounting period as defined herein.

(g) "Relief agency" means the state, any county, city and county, city or district thereof, or any agency engaged in actual relief work.

Sec. 38. Tax imposed. There is hereby imposed, beginning the first day of January, 1934, and ending December 31, 1935, a tax of two per cent (2%), upon the gross receipts from all sales of tangible personal property, consisting of goods, wares, or merchandise, except as otherwise provided in this division, sold at retail in the state of Iowa to consumers or users; a like rate of tax upon the gross receipts from the sales, furnishing or service of gas, electricity, water and communication service, including the gross receipts from such sales by any municipal corporation furnishing gas, electricity, water and communication service to the public in its proprietary capacity, except as otherwise provided in this division, when sold at retail in the state of Iowa to consumers or users; and a like rate of tax upon the gross receipts from all sales of tickets or admissions to places of amusement and athletic events, except as otherwise provided in this division.

Every resident of this state who purchases for consumption and not for resale any tangible personal property, consisting of goods, wares or merchandise, from other than an established retailer within the state, shall forthwith present to the county treasurer of the county of his residence, an invoice covering every such purchase, and shall pay to such county treasurer two per cent (2%) tax upon such purchase. The county treasurer thus collecting said tax shall report the same to the state board of assessment and review.

The tax herein levied shall be computed and collected as hereinafter provided.

Sec. 39. Exemptions. There are hereby specifically exempted from the provisions of this division and from the computation of the amount of tax imposed by it, the following:

(a) The gross receipts from sales of tangible personal property which this state is prohibited from taxing under the constitution or laws of the United States or under the constitution of this state.

(b) The gross receipts from the sales, furnishing or service of transportation service.

(c) The gross receipts from sales of tangible personal property used for the performance of a contract on public works executed prior to the effective date of this division.

(d) The gross receipts from sales of tickets or admissions to state, county, district and local fairs, and the gross receipts from educational, religious, or charitable activities, where the entire amount of such receipts is expended for educational, religious, or charitable purposes.

Digitized by Google

Sec. 40. Credit on tax. A credit shall be allowed against the amount of tax computed to be due and payable on the gross receipts from sales at retail of any tangible personal property upon which the state of Iowa now imposes a special tax, whether in the form of a license tax, stamp tax, or otherwise, to the extent of the amount of such tax levied and paid. Taxes paid on gross receipts represented by accounts found to be worthless and actually charged off for income tax purposes may be credited upon a subsequent payment of the tax herein provided; provided, that if such accounts are thereafter collected by the retailer, a tax shall be paid upon the amount so collected.

Sec. 41. Credit to relief agency. 1. A relief agency may apply to the board for refund of the amount of tax imposed hereunder and paid upon sales to it of any goods, wares, or merchandise used for free distribution to the poor and needy.

2. Such refunds may be obtained only in the following amounts and manner and only under the following conditions:

(a) On forms furnished by the board, and during the time herein provided for the filing of quarterly tax returns by retailers, the relief agency shall report to the board the total amount or amounts, valued in money, expended directly or indirectly for goods, wares, or merchandise used for free distribution to the poor and needy.

(b) On these forms the relief agency shall separately list the persons making the sales to it or to its order, together with the dates of the sales, and the total amount so expended by the relief agency.

(c) The relief agency must prove to the satisfaction of the board that the person making the sales has included the amount thereof in the computation of the gross receipts of such person and that such person has paid the tax levied by this division, based upon such computation of gross receipts.

3. If the board is satisfied that the foregoing conditions and requirements have been complied with, it shall refund the amount claimed by the relief agency.

Sec. 42. Unlawful acts. It shall be unlawful for any retailer to advertise or hold out or state to the public or to any consumer, directly or indirectly, that the tax or any part thereof imposed by this division will be assumed or absorbed by the retailer or that it will not be considered as an element in the price to the consumer, or if added, that it or any part thereof will be refunded.

Sec. 43. Records required. It shall be the duty of every retailer required to make a report and pay any tax under this division, to preserve such records of the gross proceeds of sales as the board may require and it shall be the duty of every retailer to preserve for a period of two years all invoices and other records of goods, wares, or merchandise purchased for resale; and all such books, invoices, and other records shall be open to examination at any time by the board or any one of its duly authorized agents.

Sec. 44. Return of gross receipts. 1. The retailer shall, on or before the 15th day of the month following the close of the first quarterly period

Digitized by Google

as defined in the following section, and on or before the 15th day of the month following each subsequent quarterly period of three months, make out a return for the preceding quarterly period in such form and manner as may be prescribed by the board, showing the gross receipts of the retailer, the amount of the tax for the period covered by such return, and such further information as the board may require to enable it correctly to compute and collect the tax herein levied; provided, however, that the board may, upon request by any retailer and a proper showing of the necessity therefor, grant unto such retailer an extension of time of not to exceed thirty (30) days for making such return. If such extension is granted to any such retailer, the time in which he is required to make payment as provided for in section forty-six (46) of this act shall be extended for the same period.

2. The board, if it deems it necessary or advisable in order to insure the payment of the tax imposed by this division, may require returns and payment of the tax to be made for other than quarterly periods, the provisions of section forty-six or elsewhere to the contrary notwithstanding.

3. Returns shall be signed by the retailer or his duly authorized agent, and must be verified by oath.

Sec. 45. Payment of tax—bond. 1. The tax levied hereunder shall be due and payable in quarterly installments on or before the 15th day of the month next succeeding each quarterly period, the first of such quarterly periods being the period commencing with January 1, 1934, and ending on the 31st day of March, 1934.

2. Every retailer, at the time of making the return required hereunder, shall compute and pay to the board the tax due for the preceding period.

3. The board may, when in its judgment it is necessary and advisable to do so in order to secure the collection of the tax levied under this division, require any person subject to such tax to file with it a bond, issued by a surety company authorized to transact business in this state and approved by the insurance commissioner as to solvency and responsibility, in such amount as the board may fix, to secure the payment of any tax and/or penalties due or which may become due from such person. In lieu of such bond, securities approved by the board, in such amount as it may prescribe, may be deposited with it, which securities shall be kept in the custody of the board and may be sold by it at public or private sale, without notice to the depositor thereof, if it becomes necessary so to do in order to recover any tax and/or penalties due. Upon any such sale, the surplus, if any, above the amounts due under this division shall be returned to the person who deposited the securities.

4. The tax by this division imposed upon those sales of motor vehicle fuel which are subject to tax and refund under sections 5093-a1 to 5093-a12, Code of Iowa (1931), shall be collected by the state treasurer by way of deduction from refunds otherwise allowable under sections 5093-a8, 5093-a10 of that act. The amount of such deductions he shall transfer from the motor vehicle fuel fund to the special tax fund.

Sec. 46. Permits—applications for. 1. Sixty days after the effective

Digitized by Google

date of this act, it shall be unlawful for any person to engage in or transact business as a retailer within this state, unless a permit or permits shall have been issued to him as hereinafter prescribed. Every person desiring to engage in or conduct business as a retailer within this state shall file with the board an application for a permit or permits. Every application for such a permit shall be made upon a form prescribed by the board and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place or places of business, and such other information as the board may require. The application shall be signed by the owner if a natural person; in the case of an association or partnership, by a member or partner thereof; in the case of a corporation, by an executive officer thereof or some person specifically authorized by the corporation to sign the application, to which shall be attached the written evidence of his authority.

2. At the time of making such application, the applicant shall pay to the board a permit fee of fifty cents (50c) for each permit, and the applicant must have a permit for each place of business.

3. Upon the payment of the permit fee or fees herein required, the board shall grant and issue to each applicant a permit for each place of business within the state. A permit is not assignable and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated therein. It shall at all times be conspicuously displayed at the place for which issued.

4. Permits issued under the provisions of this division shall be valid and effective without further payment of fees until revoked by the board.

5. Whenever the holder of a permit fails to comply with any of the provisions of this division or any rules or regulations of the board prescribed and adopted under this division, the board upon hearing after giving ten days' notice of the time and place of the hearing to show cause why his permit should not be revoked, may revoke the permit. The board shall also have the power to restore licenses after such revocation.

6. The board shall charge a fee of one dollar for the issuance of a permit to a retailer whose permit has been previously revoked.

Sec. 47. Failure to file return—incorrect return. If a return required by this division is not filed, or if a return when filed is incorrect or insufficient and the maker fails to file a corrected or sufficient return within twenty days after the same is required by notice from the board, such board shall determine the amount of tax due from such information as it may be able to obtain and, if necessary, may estimate the tax on the basis of external indices, such as number of employees of the person concerned, rentals paid by him, his stock on hand, and/or other factors. The board shall give notice of such determination to the person liable for the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is asessed shall, within thirty days after the giving of notice of such determination, apply to the board for a hearing or unless the board of its own motion shall reduce the same. At such hearing evidence may be offered to support such determination or to prove that it is incorrect. After such hearing the board shall give notice of its decision to the person liable for the tax.

Digitized by Google

Sec. 48. Appeals. 1. An appeal may be taken by the taxpayer to the district court of the county in which he resides, or in which his principal place of business is located, within sixty days after he shall have received notice from the board of its determination as provided for in the preceding section.

2. The appeal shall be taken by a written notice to the chairman of the board and served as an original notice. When said notice is so served it shall, with the return thereon, be filed in the office of the clerk of said district court, and docketed as other cases, with the taxpayer as plaintiff and the board as defendant. The plaintiff shall file with such clerk a bond for the use of the defendant, with sureties approved by such clerk, in penalty at least double the amount of tax appealed from, and in no case shall the bond be less than fifty dollars ($50.00), conditioned that the plaintiff shall perform the orders of the court.

3. The court shall hear the appeal in equity and determine anew all questions submitted to it on appeal from the determination of the board. The court shall render its decree thereon and a certified copy of said decree shall be filed by the clerk of said court with the board who shall then correct the assessment in accordance with said decree. An appeal may be taken by the taxpayer or the board to the supreme court of this state in the same manner that appeals are taken in suits in equity, irrespective of the amount involved.

Sec. 49. Applicable statutes. All the provisions of section twenty-two (22) of Division II of this act shall apply in respect to the taxes and/or penalties imposed by this division.

Sec. 50. Service of notices. 1. Any notice, except notice of appeal, authorized or required under the provisions of this division may be given by mailing the same to the person for whom it is intended by registered mail, addressed to such person at the address given in the last return fild by him pursuant to the provisions of this division, or if no return has been filed, then to such address a may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which is determined according to the provisions of this division by the giving of notice shall commence to run from the date of registration and posting of such notice.

2. The provisions of the Iowa Code relative to the limitation of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this division.

Sec. 51. Penalties—offenses. 1. Any person failing to file a return or corrected return or to pay any tax within the time required by this division, shall be subject to a penalty of five per cent (5%) of the amount of tax due, plus one per cent (1%) of such tax for each month of delay or fraction thereof, excepting the first month after such return was required to be filed or such tax became due; but the board, if satisfied that the delay was excusable, may remit all or any part of such penalty. Such penalty shall be paid to the board and disposed of in the same manner as other receipts under this division. Unpaid penalties may be enforced in the same manner as the tax imposed by this division.

Digitized by Google

2. Any person who shall sell tangible personal property, tickets or admissions to places of amusement and athletic events, or gas, water, electricity and communication service at retail in this state after his license shall have been revoked, or without procuring a license within sixty (60) days after the effective date of this act, as provided in section 47 of this act, or who shall violate the provisions of section forty-two of this act, and the officers of any corporation who shall so act, shall be guilty of a misdemeanor punishment for which shall be a fine of not more than one thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment, in the discretion of the court.

3. Any person required to make, render, sign, or verify any return or supplementary return, who makes any false or fraudulent return with intent to defeat or evade the assessment required by law to be made, shall be guilty of a felony and shall, for each such offense, be fined not less than five hundred dollars and not more than five thousand dollars, or be imprisoned not exceeding one year, or be subject to both a fine and imprisonment, in the discretion of the court.

4. The certificate of the board to the effect that a tax has not been paid, that a return has not been filed, or that information has not been supplied pursuant to the provisions of this division, shall be prima facie evidence thereof.

Division V. Administration

Sec. 52. Generally—bond—approval. The board shall administer the taxes imposed by this act. Each member of said board shall give a bond in an amount to be fixed by the governor, which has been issued by a surety company authorized to transact business in this state and approved by the insurance commissioner as to solvency and responsibility. The reasonable cost of said bond shall be paid by the state, out of the proceeds of the taxes collected under the provisions of this act.

Sec. 53. Powers and duties. 1. The board shall have the power and authority to prescribe all rules and regulations not inconsistent with the provisions of this act, necessary and advisable for its detailed administration and to effectuate its purposes.

2. The board may, for administrative purposes, divide the state into districts, provided that in no case shall a county be divided in forming a district.

3. Any person violating any rule or regulation of the board shall be punished by a fine not to exceed one hundred dollars for each offense, or by imprisonment in the county jail not to exceed thirty days, or by both such fine and imprisonment.

Sec. 54. Funds. All fees, taxes, interest, and penalties imposed under this act must be paid to the board in the form of remittances payable to the treasurer of the state of Iowa, and said board shall transmit each payment daily to the state treasurer to be deposited in the state treasury to the credit of a special tax fund, which fund is hereby created.

Sec. 55. General powers. 1. The board, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income and/or receipts of any taxpayer, shall have

Digitized by Google

power: to examine or cause to be examined by any agent or representative designated by it, books, papers, records, or memoranda; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; to administer oaths; to examine witnesses and receive evidence; to compel witnesses to produce for examination books, papers, records and documents relating to any matter which it shall have the authority to investigate or determine.

2. Where the board finds the taxpayer has made a fraudulent return, the costs of said hearing shall be taxed to the taxpayer. In all other cases the costs shall be paid by the state.

3. The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the district court of this state in civil cases. All costs shall be taxed in the manner provided by law in proceedings in civil cases. Where the costs are taxed to the taxpayer they shall be added to the taxes assessed against said taxpayer and shall be collected in the same manner. Costs taxed to the state shall be certified by the secretary of the board to the state comptroller who shall issue warrant on the state treasurer for the amount of said costs, to be paid out of the proceeds of the taxes collected under this act.

4. In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and production of records, books, papers, and documents, and such court may issue an order requiring the person to appear before the board and give evidence or produce records, books, papers, and documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof.

5. Testimony on hearings before the board may be taken by a deposition as in civil cases, and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

Sec. 56. Assistants—salaries—expenses—bonds. 1. The board may appoint and remove such agents, auditors, clerks, and employees as it may deem necessary, such persons to have such duties and powers as the board may, from time to time, prescribe.

2. The salaries of all agents and employees shall be fixed by the board subject to the approval of the executive council.

3. All such agents and employees shall be allowed such reasonable and necessary traveling and other expenses as may be incurred in the performance of their duties.

4. The board may require such of the officers, agents, and employees as it may designate to give bond for the faithful performance of the duties in such sum and with such sureties as it may determine and the state shall pay, out of the proceeds of the taxes collected under the provisions of this act, the premiums on such bonds.

5. The board may utilize the office of treasurer of the various counties in order to administer this act and effectuate its purposes, and may appoint the treasurers of the various counties its agents to collect any or all of the taxes imposed by this act, provided, however, that no additional compensation shall be paid to said treasurer by reason thereof.

Digitized by Google

Sec. 57. Information deemed confidential. 1. It shall be unlawful for the board, or any person having an administrative duty under this act, to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any person or corporation visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; provided, however, that the board may authorize examination of such returns by other state officers, or, if a reciprocal arrangement exists, by tax officers of another state, or the federal government.

2. Any person violating the provisions of subsection one of this section shall be guilty of a misdemeanor and punishable by a fine not to exceed one thousand dollars ($1000).

Sec. 58. Correction of errors. If it shall appear that, as a result of mistake, an amount of tax, penalty, or interest has been paid which was not due under the provisions of this act, then such amount shall be credited against any tax due, or to become due, under this act from the person who made the erroneous payment, or such amount shall be refunded to such person by the board.

Sec. 59. Wherever in any division of this act a refund is authorized, the board shall certify the amount of the refund and the name of the payee to the state comptroller. Upon his approval, the state comptroller shall draw his warrant on the special tax fund in the amount specified payable to the named payee, and the state treasurer shall pay the same.

Sec. 60. Statistics—publication of. The board shall prepare and publish annually statistics reasonably available, with respect to the operation of this act, including amounts collected, classification of taxpayers, and such other facts are deemed pertinent and valuable.

Division VI. Allocation of Revenues

Sec. 61. Generally. All revenues arising under the operation of this act and carried by the treasurer of state in the special tax fund shall be apportioned as follows:

1. Three per cent (3%) of said fund shall be transferred to the general fund of the state as the same is collected.

2. The balance of said fund shall be distributed from time to time upon order of the board in accordance with the provisions of this act, on warrants drawn by the comptroller upon direction of the board and made payable to the county treasurer of the several counties of the state.

Sec. 62. Ratio and manner of distribution. 1. The revenue distributable under paragraph two (2) of section sixty-one of this act shall be allocated each year to the several counties of the state in the same proportion that the assessed valuation of the taxable real and tangible personal property in that county for the next preceding tax years bears to the assessed valuation of the total taxable real and tangible personal property in the state for the next preceding tax year.

Digitized by Google

2. On August 1, 1934, and annually thereafter, the board shall certify to the county treasurer of each county in the state, the total amount of the money which has been apportioned and/or is then apportionable to that county.

3. The county treasurer shall then apply the amount so apportioned to the relief of the several property taxpayers of that county by entering a credit against the second installment of the tax bill of each such taxpayer, being the tax bill of the next preceding tax year, due and payable in the current year, the amount of such credit to be determined by the proportion which the assessed valuation of such taxpayer's taxable real and tangible personal property for the next preceding tax year bears to the total assessed valuation of taxable real and tangible personal property in that county for the next preceding tax year. The amount of money so credited shall be apportioned by the county treasurer to the various taxing districts of said county the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district. In the event that such property taxpayer has paid both installments of the tax at the time the first installment was due and payable, the county treasurer shall at the same time that he enters the aforesaid credit, remit to such property taxpayer the amount of the credit which such taxpayer would be entitled to receive.

Sec. 63. For expenditure by the board in carrying out the provisions of this act, there is hereby appropriated from the general fund of the state, not otherwise appropriated, a sum of seventy-five thousand dollars ($75,000.00) for the year 1934 and in addition thereto, for the year 1934 and thereafter, an amount equal to three per cent (3%) of the amount of taxes collected under this act; provided, however, that any balance of said amount equal to said three per cent remaining after the payment of administrative expense, shall be transferred back to the special tax fund.

Division VII. General Provisions

Sec. 64. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, clause, sentence, or phrase hereof, irrespective of whether any one or more of the sections, subsections, clauses, sentences, or phrases be declared unconstitutional.

Sec. 65. All laws and parts of laws in conflict with this act are hereby repealed.

Sec. 66. This act, being deemed of immediate importance, shall be in full force and effect after its passage and publication in the.....
....., a newspaper published at.....
....., Iowa, and in the.....
....., a newspaper published at.....
....., Iowa.

Amendment adopted.

Digitized by Google

Speidel of Washington offered the following amendment and moved its adoption:

Amend House File No. 1 as amended, by striking from page twelve (12), Section nine (9), line thirty-eight (38), the word "less" and inserting in lieu thereof the word "more".

Amendment adopted.

Speidel of Washington offered the following amendments and moved their adoption:

1. Amend House File No. 1 as amended, page twenty-five (25), Section twenty-two (22), line forty-two (42), by striking the following, "of the Code," and insert therefor: "Code, 1931,";
2. Also, page twenty-seven (27), Section twenty-five (25), line seventeen (17), by striking the word "appeals" and inserting in lieu thereof the word "appealed";
3. Also, page forty (40), Section thirty-seven (37), line fifteen (15), strike the word "proceedings" and insert in lieu thereof the word "processing".

Amendments adopted.

Speidel of Washington offered the following amendment and moved its adoption:

Amend House File No. 1 as amended, by striking from page forty-two (42), Section thirty-eight (38), line two and three (2 and 3), the words "and ending December 31, 1935."

Amendment adopted.

Fabritz of Wapello called up the amendment filed by him and found on page 728 of the Journal of January 11, and asked and obtained unanimous consent to defer action on the amendment at this time.

Dean of Cerro Gordo moved that action on House File No. 1 as amended, be deferred temporarily.

Grau of Buena Vista moved as a substitute motion that action on House File No. 1 as amended, be deferred until Tuesday morning, January 23. Motion prevailed and action on House File No. 1 was deferred until Tuesday morning.

AMENDMENTS FILED

McKinnon of Henry filed the following amendment:

Amend House File 1, as amended, by striking out of lines fifteen (15) and sixteen (16) of Section five (5) the words "and on all taxable income

Digitized by Google

in excess of five thousand dollars, five per cent (5%), and insert in lieu thereof the following:

"on the sixth thousand dollars of taxable income, or any part thereof, six per cent (6%), and on the seventh thousand dollars, or any part thereof, seven per cent (7%), and on the eighth thousand dollars of taxable income, or any part thereof, eight per cent (8%), and on taxable income in excess of eight thousand dollars, ten per cent (10%)."

Malone of Cass filed the following amendment:

Amend House File No. 1 as amended by striking all of paragraph (b) of Section 39, and relettering the remaining paragraphs of said section.

Goode of Davis filed the following amendment:

Amend Section 8 of House File No. 1 as amended, subsection (d) as follows:

Change the period (.) at the end of line 45 to a comma (,) and add the following "or the interest on any other tax exempt security, provided however, that the gross income under this subsection shall be subject to a tax of five per cent (5%)."

Foster of Cedar and Donlon of Palo Alto filed the following amendment:

Amend House File No. 1 as amended by striking from section twelve (12), sub-section (a), line five (5), the word "six" and inserting in lieu thereof the word "two"; by striking from sub-section (b), line six (6), the word "twelve" and inserting in lieu thereof the word "four"; by striking from sub-section (c), line ten, (10), the word "two" and inserting in lieu thereof the word "one"; by striking from sub-section (d), line twelve (12), the word "two" and inserting in lieu thereof the word "one".

Further amend by striking from section thirteen (13), line three (3), the word "six" and inserting in lieu thereof the word "four"; by striking from line five (5) the word "eleven" and inserting in lieu thereof the word "eight"; also amend subsection two (2), of said section thirteen (13), line eleven (11), by striking the word "eleven" and inserting in lieu thereof the word "eight".

Goode of Davis filed the following amendment:

Amend House File No. 1, as amended Section 38 as follows: Strike from line 3 the words "two per cent (2%), upon the gross receipts" and insert in lieu thereof the following:

"One-half (½) of one (1) per cent upon that portion of the gross receipts not in excess of Fifty Thousand Dollars ($50,000); one per cent (1%) upon that portion of the gross receipts in excess of Fifty Thousand Dollars ($50,000) and not in excess of One Hundred Thousand Dollars ($100,000); one and one-half per cent (1½%) upon that portion of the gross receipts in excess of One Hundred Thousand Dollars ($100,000) and not in excess of One Hundred Fifty Thousand Dollars ($150,000); two per cent (2%) upon that portion of the gross receipts in excess of One Hundred Fifty Thousand Dollars ($150,000).

Digitized by Google

Further amend Section 38, lines 14 and 15 by striking therefrom the words "like rate of tax" and insert in lieu therefor the words "tax of two per cent (2%)".

Speidel of Washington filed the following amendment:

Amend House File No. 1, as amended, page fifty-nine (59), Section sixty-two (62), line six (6), by adding after the word, "property", the following:

", including bank stock taxed at the same millage rate as tangible personal property,".

Also amend page fifty-nine (59), Section sixty-two (62), line eight (8), by adding after the word, "property", the following: ", including bank stock taxed at the same millage rate as tangible personal property,".

Also amend page sixty (60), Section sixty-two (62), line twenty-two (22) by adding after the word "property" the following: ", including bank stock taxed at the same millage rate as tangible personal property,".

Also amend page sixty (60), Section Sixty-two (62), line twenty-four (24), by adding after the word "property" the following: ", including bank stock taxed at the same millage rate as tangible personal property,".

Speidel of Washington filed the following amendment:

Amend House File No. 1, as amended, page 45, by adding as Section 41-a immediately following Section 41, the following:

"Sec. 41-a. Adding of Tax. Retailers may add the tax imposed under this division, or the average equivalent thereof, to the salesprice or charge and when added such tax shall constitute a part of such price or charge, shall be a debt from consumer or user to retailer until paid, and shall be recoverable at law in the same manner as other debts.

Agreements between competing retailers, or the adoption of appropriate rules and regulations by organizations or associations of retailers to provide uniform methods for adding such tax or the average equivalent thereof, and which do not involve price-fixing agreements otherwise unlawful, are expressly authorized and shall be held not in violation of Chapter 434, Code, 1931, or other anti-trust laws of this state. It shall be the duty of the board to cooperate with such retailers, organizations, or associations in formulating such agreements, rules and regulations."

Speidel of Washington filed the following amendment:

Amend House File No. 1, as amended, page 28, by adding as Sections 26-a, immediately following Section 26, the following:

"Sec. 26-a. Applicable Statutes. All the provisions of subsection three (3) of Section thirty-one (31) shall be applicable to persons taxable under this division."

Speidel of Washington filed the following amendment:

Amend House File No. 1 as amended, page 42, Section 38, by striking therefrom lines eighteen (18) through twenty-seven (27).

Speidel of Washington filed the following amendments:

Amend House File No. 1, as amended, page 40, Section 37, line 15, by striking the following:

Digitized by Google

", in the form".

Page 41, Section 37, line 41, by striking the words: "the accounting", and inserting in lieu thereof the words, "each quarterly".

Page 46, Section 44, lines 16 and 17, by striking the words and figures, "forty-six (46)" and inserting in lieu thereof the words and figures "forty-five (45)".

Page 59, Section 62, line 7, by striking the word "years" and inserting in lieu thereof the word "year".

Strachan of Humboldt filed the following amendment:

Amend the Substitute for House File No. 280 by striking the period (.) at the end of line fifteen (15) Section one (1) and adding thereto the words "wild oats (Avena Latua)."

Speidel of Washington moved that the House adjourn until 9:30 o'clock a. m. Tuesday, January 23.

A roll call was demanded and on the question, "Shall the House adjourn until 9:30 o'clock a. m. Tuesday, January 23?"

The ayes were, 66.

Beath	Garner	Lookingbill	Schroeder
Beswick	Gissel	McCarthy	Smith
Bonnstetter	Gittinger	McCreery	Sours
Bouska	Goode	McLean	Speidel
Bruce	Grau	Malone	Stanzel
Burgess	Grell	Maniece	Stimpson
Davis	Hanson of Lyon	Mercer	Strachan
Dean	Hanson of Winnebago	Metcalf	Swift
Dole	Hopp	Millhone	Teter
Donlon	Hultman	Osborn	Treimer
Doran	Humeston	Peet	Wieben
Dreessen	Jenkins	Rawlings	Willis
Fabritz	Jensen	Reed	Wolf
Falvey	Johnson	Rice	Zipse
Felter	Koch	Roe	Zylstra
Fletcher	Laughlin	Ryder	Mr. Speaker
Fuester		Schmitz	

The nays were, 30.

Aldrich	Elliott	Hough	Snyder
Alesch	Ellsworth	McFarlane	Stansell
Augustine	Foster	McKinnon	Stewart
Avery	Frizzell	Mooty	Thies
Bowers	Fuelling	Ostby	Weed
Casey	Gallagher	Peaco	Wiese
Cunningham	Hartman	Schlatter	Yager
Durant	Hook		

Absent or not voting, 12.

Brady	McDermott	Moore of Harrison	Porter
Craven	Mitchell	Paisley	Sheridan
Crouch	Moore of Benton		Thiessen
Lichty			

Motion prevailed and the House stood adjourned until 9:30 o'clock a. m., Tuesday.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 23, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven, Pastor A. M. E. Church, Des Moines, Iowa.

The Journal of January 22, corrected and approved.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Mooty, from the business men of Grundy county; Ellsworth, from the business men of Hardin county. Referred to the committee on tax revision.

Favoring an old age pension. Cunningham, from the inmates of the Polk County Poor House. Referred to the committee on appropriations.

Opposing an amendment to Senate File No. 239 by Harrington. Cunningham, from the voters of Polk county. Referred to the committee on tax revision.

Favoring an increase in restaurant license fees. Stanzel, from the restaurant owners of Sac county. Referred to the committee on dairy and food.

Opposing various provisions of taxation. Schlatter, from the Council of Maquoketa, Iowa. Referred to the committee on tax revision.

Opposing a reduction in the salaries of deputies. Wiese, from the officers of Scott county. Referred to the committee on county and township affairs.

REPORTS OF COMMITTEES

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was re-

Digitized by Google

ferred House File No. 318, a bill for an act to make an appropriation to Mrs. Etta Rock, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations, to whom was referred House File No. 320, a bill for an act to make an appropriation to Doctor F. C. Schadt, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendaiton that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations, to whom was referred House File No. 321, a bill for an act to make an appropriation to Ft. Madison Coal and Coke Company, Harry Harding, LaVerne Harding, Clyde Fee, The Electrical Store, Jensen-Dunn Co., Standard Seed Co., Reformatory for Men at Anamosa, Yates American Machine Co., H. J. Nazett, W. H. Frazier, and T. W. Metfessel, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations, to whom was referred Senate File No. 148, a bill for an act to make an appropriation to Mercy Hospital of Oelwein, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations, to whom was referred Senate File No. 177, a bill for an act to make an appropriation to Violet Bencke, Nellie Powers and Opal McGarvey, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Digitized by Google

Willis of Dallas, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 268, a bill for an act to amend Section 6607, Code, 1931, with reference to financing the cost of swimming pools, bathing beaches, bath houses, armories, ice rinks, dance pavilions, shelter houses, wading pools and river walls, by cities under the Commission form of government, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. BLAKE WILLIS, *Chairman.*

Report adopted.

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 270, a bill for an act to make an appropriation to the state board of education from the primary road fund for the purpose of defraying a portion of the expense attending the construction of a viaduct under highway Number 218 at or near its intersection with Tenth Street in the city of Vinton, Iowa, for the protection, in part, of the inmates of the state school for the blind, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Strike all of "Sec. 2." and insert in lieu thereof the following:

"Sec. 2. This act being deemed of immediate importance shall be in force and effect from and after its passage and publication in the Cedar Valley Daily Times, a newspaper published at Vinton, Iowa, and the Belle Plaine Union, a newspaper published at Belle Plaine, Iowa."

A. H. BONNSTETTER, *Chairman.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 264.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the

Digitized by Google

House, he had signed in the presence of the House, the following bill: House File No. 264.

BILL SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 23rd day of January, 1934, sent to the governor for his approval: House File No. 264. WM. KOCH, *Chairman.*

Report adopted.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 11

Craven of Jasper called up House Concurrent Resolution No. 11 filed by him and found on page 827 of the Journal of January 22, and moved its adoption.

Dole of Jefferson moved to amend the resolution by striking paragraph six.

A roll call was demanded and on the question, "Shall the resolution be amended by striking paragraph six therefrom?"

The ayes were, 52.

Avery	Fabritz	McCarthy	Schmitz
Beath	Falvey	McCreery	Smith
Beswick	Felter	McFarlane	Snyder
Bouska	Frizzell	Millhone	Sours
Burgess	Gallagher	Mitchell	Stansell
Cunningham	Gissel	Mooty	Stewart
Dean	Goode	Paisley	Thies
Dole	Grau	Peaco	Treimer
Donlon	Grell	Peet	Weed
Doran	Hultman	Rawlings	Wieben
Dreessen	Jensen	Reed	Wiese
Elliott	Johnson	Ryder	Willis
Ellsworth	Laughlin	Schlatter	Mr. Speaker

The nays were, 43.

Aldrich	Fletcher	Koch	Speidel
Alesch	Foster	Lookingbill	Stanzel
Augustine	Fuelling	McDermott	Stimpson
Bonnstetter	Fuester	McKinnon	Strachan
Bowers	Garner	Malone	Swift
Bruce	Gittinger	Maniece	Thiessen
Casey	Hanson of Lyon	Metcalf	Wolf
Craven	Hartman	Osborn	Yager
Crouch	Hook	Ostby	Zipse
Davis	Hopp	Roe	Zylstra
Durant	Hough	Schroeder	

Digitized by Google

Absent or not voting, 13.

Brady	Jenkins	Moore of Benton	Rice
Hanson of Winnebago	Lichty	Moore of Harrison	Sheridan
Humeston	McLean	Porter	Teter
	Mercer		

Amendment adopted

Reed of Mahaska offered the following amendment to House Concurrent Resolution No. 11 and moved its adoption:

"Strike the word 'and' at the end of paragraph three (3) and strike paragraphs four (4) and five (5) of said resolution; also strike the first line of paragraph seven and insert in lieu thereof, "Be it Resolved by the House, the Senate concurring,".

"Further amend House Concurrent Resolution No. 11, strike all of paragraph one after the words 'United States' in line one thereof, and substitute the following:

"in regard to importation of all foreign oils which come in competition with cottonseed oil, hog fat, corn oil, butter fat, beef fat, or any other domestic fats."

Foster of Cedar moved the previous question on the Reed amendment. Motion prevailed.

A roll call was demanded and on the question, "Shall the Reed amendment be adopted?"

The ayes were, 67.

Avery	Falvey	Laughlin	Schmitz
Beath	Felter	Lookingbill	Smith
Beswick	Fletcher	McCarthy	Snyder
Bonnstetter	Frizzell	McCreery	Sours
Bouska	Fuelling	McDermott	Stansell
Bowers	Gallagher	McFarlane	Stewart
Burgess	Garner	McLean	Teter
Crouch	Gissel	Malone	Thies
Cunningham	Goode	Maniece	Treimer
Dean	Grell	Mercer	Weed
Dole	Hartman	Millhone	Wieben
Donlon	Hough	Mitchell	Wiese
Doran	Hultman	Mooty	Willis
Dreessen	Jenkins	Peaco	Wolf
Elliott	Jensen	Peet	Yager
Ellsworth	Johnson	Reed	Mr. Speaker
Fabritz	Koch	Schlatter	

The nays were, 32.

Aldrich	Fuester	McKinnon	Speidel
Alesch	Gittinger	Metcalf	Stanzel
Augustine	Grau	Osborn	Stimpson
Bruce	Hanson of Lyon	Ostby	Strachan
Casey	Hanson of Winnebago	Paisley	Swift
Craven	Hook	Roe	Thiessen
Davis	Humeston	Ryder	Zipse
Durant		Schroeder	Zylstra
Foster			

Digitized by Google

Absent or not voting, 9.

Brady	Moore of Benton	Porter	Rice
Hopp	Moore of Harrison	Rawlings	Sheridan
Lichty			

Amendment adopted.

Foster of Cedar moved the previous question on House Concurrent Resolution No. 11. Motion prevailed.

On the question, "Shall House Concurrent Resolution No. 11 as amended be adopted?" a roll call was demanded.

The ayes were, 77.

Aldrich	Felter	McKinnon	Sours
Alesch	Fletcher	McLean	Speidel
Augustine	Foster	Malone	Stanzel
Avery	Frizzell	Maniece	Stewart
Beath	Fuelling	Mercer	Stimpson
Beswick	Fuester	Metcalf	Strachan
Bonnsetter	Garner	Mitchell	Swift
Bouska	Gissel	Osborn	Teter
Bowers	Gittinger	Paisley	Thies
Bruce	Goode	Peaco	Thiessen
Burgess	Grau	Rawlings	Treimer
Craven	Hanson of Lyon	Reed	Weed
Crouch	Hanson of Winnebago	Roe	Wieben
Davis	Hook	Ryder	Wiese
Dean	Humeston	Schlatter	Willis
Dole	Jenkins	Schmitz	Wolf
Donlon	Koch	Schroeder	Yager
Doran	McCarthy	Smith	Zipse
Fabritz	McDermott	Snyder	Zylstra
Falvey			

The nays were, 16.

Casey	Ellsworth	Jensen	McFarlane
Cunningham	Gallagher	Johnson	Mooty
Durant	Hartman	Laughlin	Peet
Elliott	Hough	McCreery	Stansell

Absent or not voting, 15.

Brady	Hultman	Moore of Benton	Porter
Dreessen	Lichty	Moore of Harrison	Rice
Grell	Lookingbill	Ostby	Sheridan
Hopp	Millhone		Mr. Speaker

Resolution as amended adopted.

CONSIDERATION OF BILLS

House File No. 1, as amended, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for

Digitized by Google

the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; and to repeal all laws or parts of laws in conflict herewith, was taken up for consideration.

McKinnon of Henry called up the amendment filed by him and found on pages 855 and 856 of the Journal of January 22, and moved its adoption.

Rice of Keokuk moved to amend the amendment by striking the words and figures "ten per cent (10%)" in the last line thereof, and inserting in lieu thereof the words and figures "eight per cent (8%)".

On the question "Shall the Rice amendment to the McKinnon amendment to the amendment be adopted?" a roll call was demanded.

The ayes were, 55.

Beath	Fabritz	Mercer	Speidel
Bouska	Felter	Millhone	Stansell
Bowers	Fuester	Mitchell	Stanzel
Burgess	Gallagher	Mooty	Stewart
Casey	Garner	Osborn	Stimpson
Craven	Goode	Paisley	Strachan
Crouch	Grell	Peet	Thies
Cunningham	Hook	Rawlings	Thiessen
Dean	Hough	Rice	Wiese
Donlon	Jenkins	Roe	Yager
Doran	Laughlin	Schroeder	Zipse
Dreessen	McCarthy	Smith	Zylstra
Elliott	McKinnon	Snyder	Mr. Speaker
Ellsworth	Maniece	Sours	

The nays were, 45.

Aldrich	Frizzell	Johnson	Peaco
Alesch	Fuelling	Koch	Reed
Augustine	Gissel	Lookingbill	Ryder
Avery	Gittinger	McCreery	Schlatter
Beswick	Grau	McDermott	Schmitz
Bonnstetter	Hanson of Lyon	McFarlane	Swift
Bruce	Hanson of Winnebago	McLean	Treimer
Davis		Malone	Weed
Dole	Hopp	Metcalf	Wieben
Durant	Hultman	Moore of Harrison	Willis
Fletcher	Humeston		Wolf
Foster	Jensen	Ostby	

Absent or not voting, 8.

Brady	Hartman	Moore of Benton	Sheridan
Falvey	Lichty	Porter	Teter

Amendment to the amendment adopted.

On the question, "Shall the McKinnon amendment as amended be adopted?", a roll call was demanded.

Digitized by Google

The ayes were, 54.

Aldrich	Felter	Hopp	Smith
Alesch	Fletcher	Hough	Sours
Beath	Foster	Humeston	Stansell
Beswick	Frizzell	Jenkins	Stanzel
Bonnstetter	Fuester	McKinnon	Stewart
Bowers	Garner	Millhone	Stimpson
Burgess	Gissel	Osborn	Strachan
Casey	Gittinger	Ostby	Teter
Craven	Goode	Peaco	Thiessen
Davis	Hanson of Lyon	Peet	Wiese
Dean	Hanson of	Reed	Yager
Donlon	Winnebago	Rice	Zipse
Doran	Hartman	Schlatter	Zylstra
Falvey	Hook	Schmitz	

The nays were, 48.

Augustine	Gallagher	McLean	Ryder
Avery	Grau	Malone	Schroeder
Bouska	Grell	Maniece	Snyder
Bruce	Hultman	Mercer	Speidel
Crouch	Jensen	Metcalf	Swift
Cunningham	Johnson	Mitchell	Thies
Dole	Koch	Moore of Benton	Treimer
Dreessen	Laughlin	Moore of	Weed
Durant	Lookingbill	Harrison	Wieben
Elliott	McCarthy	Mooty	Willis
Ellsworth	McCreery	Rawlings	Wolf
Fabritz	McFarlane	Roe	Mr. Speaker
Fuelling			

Absent or not voting, 6.

Brady	McDermott	Porter	Sheridan
Lichty	Paisley		

Amendment as amended adopted.

Malone of Cass asked and obtained unanimous consent to withdraw the amendment filed by him, and found on page 856 of the Journal of January 22, from further consideration of the House.

Malone of Cass offered the following amendments to House File No. 1 as amended and moved their adoption:

1. Strike all of paragraph (b) of Section 39 and re-letter the remaining paragraphs of said section.

2. Insert immediately following the semi-colon (;) in line seven (7) of Section 38 the following: "a like rate of tax upon the gross receipts from the sales, furnishing or service of transportation service within the State;"

3. Insert following the word "water," at the end of line sixteen (16) of paragraph (c) of section 37 the following: "transportation service intra state,".

Fabritz of Wapello moved that action on the Malone amendment be deferred until this afternoon. Motion prevailed and action was deferred.

Digitized by Google

Goode of Davis called up the first amendment filed by him and found on page 856 of the Journal of January 22 and moved its adoption.

On the question, "Shall the Goode amendment be adopted?", a roll call was demanded.

The ayes were, 32.

Aldrich	Fletcher	Humeston	Schlatter
Alesch	Foster	Jenkins	Schmitz
Avery	Frizzell	McKinnon	Snyder
Beath	Fuester	McLean	Stanzel
Davis	Goode	Peaco	Swift
Doran	Hook	Reed	Treimer
Durant	Hough	Roe	Yager
Felter	Hultman	Ryder	Zylstra

The nays were, 59.

Beswick	Falvey	McCarthy	Schroeder
Bonnstetter	Fuelling	McCreery	Smith
Bouska	Gallagher	McDermott	Sours
Bowers	Gittinger	Maniece	Speidel
Bruce	Grell	Mercer	Stansell
Burgess	Hanson of Lyon	Metcalf	Stewart
Casey	Hanson of Winnebago	Millhone	Stimpson
Craven	Hartman	Moore of Harrison	Thies
Crouch	Hopp	Mooty	Thiessen
Cunningham	Jensen	Osborn	Wieben
Dean	Johnson	Paisley	Wiese
Dole	Koch	Peet	Willis
Donlon	Laughlin	Rawlings	Wolf
Dreessen	Lookingbill	Rice	Zipse
Elliott			Mr. Speaker
Ellsworth			

Absent or not voting, 17.

Augustine	Grau	Mitchell	Sheridan
Brady	Lichty	Moore of Benton	Strachan
Fabritz	McFarlane	Ostby	Teter
Garner	Malone	Porter	Weed
Gissel			

Amendment lost.

On the motion of Speidel of Washington, the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Digitized by Google

Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 160, a bill for an act to amend Section Forty-nine Hundred Nine (4909), Code, 1931, and to repeal Section Forty-nine Hundred Ten (4910), Code, 1931, as amended by Chapter Seventy-seven (77), Section One (1), Acts of the Forty-fifth (45th) General Assembly, and enacting a substitute therefor, relating to motor vehicle license fees.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 179, a bill for an act to amend section twelve thousand eight hundred four (12804), Code 1931, and providing for an assistant chief justice and defining his rights, duties and powers.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 60, a bill for an act requiring that in certain cases the debt named in the mortgage upon real estate must be certain and specific in amount and that a mortgage to secure a contingent, accruing or future indebtedness must be a separately executed instrument.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 160 and 179.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files 160 and 179.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 23rd day of January, 1934, sent to the Governor for his approval: House Files No. 160 and 179. WM. KOCH, *Chairman.*

Report adopted.

Digitized by Google

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 1 as amended.

QUESTION BY McFARLANE OF BLACK HAWK

McFarlane of Black Hawk raised the question that in case an amendment or a substitute to any of the tax revision measures was defeated by a vote in the House, would that preclude the consideration of similar subject matter in other tax revision bills.

RULING BY THE SPEAKER

Inasmuch as there are at least three tax bills before the House at the present time and a ruling of the Chair was desired in order that subject matter considered in one bill would not be precluded in any other bill in case such bill should be deferred, postponed or defeated it is the opinion of the Chair that in fairness and justice to the authors, or proponents of the other bills they should be given the same privileges.

The Chair therefore holds that the same subject matter may be considered during the consideration of any of the other bills that are, or may come before the House for consideration.

MOTION TO SUSPEND RULES

Dole of Jefferson moved that the rule be suspended requiring a two-thirds vote for the reconsideration of any tax revision bill which had failed to pass and which on motion to reconsider had been laid on the table.

On the question, "Shall the motion by Dole of Jefferson prevail?", a roll call was demanded.

The ayes were, 18.

Aldrich	Frizzell	Metcalf	Stanzel
Beswick	Gallagher	Mooty	Thiessen
Cunningham	Gittinger	Ostby	Weed
Dole	Hartman	Peaco	Willis
Durant	Hopp		

The nays were, 77.

Alesch	Burgess	Doran	Fuelling
Avery	Casey	Dreessen	Fuester
Beath	Craven	Elliott	Garner
Bonnstetter	Crouch	Fabritz	Gissel
Bouska	Davis	Felter	Goode
Bowers	Dean	Fletcher	Grau
Bruce	Donlon	Foster	Grell

Digitized by Google

Hanson of Lyon	McFarlane	Reed	Strachan
Hook	McKinnon	Rice	Swift
Hough	McLean	Roe	Teter
Hultman	Malone	Ryder	Thies
Humeston	Maniece	Schlatter	Treimer
Jenkins	Mercer	Schmitz	Wieben
Jensen	Millhone	Schroeder	Wiese
Johnson	Moore of Harrison	Smith	Yager
Koch	Osborn	Snyder	Zipse
Laughlin	Paisley	Speidel	Zylstra
Lookingbill	Peet	Stansell	Mr. Speaker
McCarthy	Rawlings	Stewart	
McCreery		Stimpson	

Absent or not voting, 13.

Augustine	Hanson of Winnebago	Mitchell	Sheridan
Brady	Lichty	Moore of Benton	Sours
Ellsworth	McDermott	Porter	Wolf
Falvey			

Motion lost.

CONSIDERATION OF BILLS

Goode of Davis asked and obtained unanimous consent to withdraw the second amendment to House File No. 1 as amended, filed by him and found on page 856 of the Journal of January 22, from further consideration of the House.

Fabritz of Wapello asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 728 of the Journal of January 11, from further consideration of the House.

Foster of Cedar asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 856 of the Journal of January 22, from further consideration of the House.

Malone of Cass moved that action on his amendment considered at the morning session be temporarily deferred. Motion prevailed.

Speidel of Washington called up the last amendments filed by him and found on pages 857 and 858 of the Journal of January 22, and moved their adoption. Amendments adopted.

Speidel of Washington called up the first amendment filed by him and found on page 857 of the Journal of January 22 and moved its adoption. Amendment adopted.

Speidel of Washington called up the second amendment filed by him and found on page 857 of the Journal of January 22 and moved its adoption.

Digitized by Google

Sours of Floyd moved to amend the amendment offered by Speidel of Washington by striking therefrom, the second paragraph, which includes the following:

"Agreements between competing retailers, or the adoption of appropriate rules and regulations by organizations or associations of retailers to provide uniform methods for adding such tax or the average equivalent thereof, and which do not involve price-fixing agreements otherwise unlawful, are expressly authorized and shall be held not in violation of Chapter 434, Code, 1931, or other anti-trust laws of this state. It shall be the duty of the board to cooperate with such retailers, organzations, or associations in formulating such agreements, rules and regulations."

Amendment to the amendment lost.

Teter of Marion moved to amend the Speidel amendment by changing the comma (,) after the word "charge" in line four (4) of the amendment to a period (.) and by striking the remainder of the paragraph.

A roll call was demanded and on the question, "Shall the Teter amendment to the Speidel amendment be adopted?"

The ayes were, 4.

Frizzell	Hopp	Smith	Weed

The nays were, 80.

Aldrich	Ellsworth	Jensen	Ryder
Alesch	Fabritz	Johnson	Schlatter
Avery	Falvey	Koch	Schmitz
Beath	Felter	Laughlin	Schroeder
Beswick	Fletcher	Lookingbill	Sheridan
Bonnstetter	Foster	McCarthy	Snyder
Bouska	Fuelling	McCreery	Sours
Bowers	Fuester	McKinnon	Speidel
Bruce	Gallagher	Mercer	Stansell
Burgess	Garner	Moore of Benton	Stewart
Casey	Gissel	Moore of Harrison	Stimpson
Craven	Goode	Osborn	Swift
Crouch	Grau	Ostby	Thiessen
Davis	Grell	Paisley	Treimer
Dean	Hanson of Lyon	Peaco	Wieben
Dole	Hartman	Peet	Wiese
Donlon	Hook	Reed	Willis
Doran	Hultman	Rice	Yager
Dreessen	Humeston	Roe	Zipse
Durant	Jenkins		Mr. Speaker
Elliott			

Absent or not voting, 24.

Augustine	Lichty	Metcalf	Stanzel
Brady	McDermott	Millhone	Strachan
Cunningham	McFarlane	Mitchell	Teter
Gittinger	McLean	Mooty	Thies
Hanson of Winnebago	Malone	Porter	Wolf
Hough	Maniece	Rawlings	Zylstra

Digitized by Google

Amendment to the amendment lost.

On the question, "Shall the Speidel amendment be adopted?", a roll call was demanded.

The ayes were, 54.

Avery	Gissel	McCreery	Sours
Beath	Gittinger	McKinnon	Speidel
Bonnstetter	Hanson of Lyon	Maniece	Stimpson
Bouska	Hook	Mercer	Swift
Bowers	Hopp	Moore of Harrison	Teter
Casey	Hough	Paisley	Thies
Davis	Hultman	Peaco	Thiessen
Dean	Humeston	Rawlings	Treimer
Dole	Jensen	Rice	Wieben
Donlon	Johnson	Roe	Wiese
Doran	Koch	Ryder	Wolf
Felter	Laughlin	Schroeder	Zipse
Foster	Lookingbill	Smith	Zylstra
Fuester	McCarthy		

The nays were, 28.

Aldrich	Frizzell	McLean	Snyder
Alesch	Fuelling	Millhone	Stansell
Beswick	Gallagher	Peet	Stanzel
Burgess	Garner	Reed	Stewart
Crouch	Grell	Schlatter	Strachan
Durant	Hartman	Schmitz	Weed
Fletcher	Jenkins	Sheridan	Yager

Absent or not voting, 26.

Augustine	Ellsworth	Lichty	Mooty
Brady	Fabritz	McDermott	Osborn
Bruce	Falvey	McFarlane	Ostby
Craven	Goode	Malone	Porter
Cunningham	Grau	Metcalf	Willis
Dreessen	Hanson of Winnebago	Mitchell	Mr. Speaker
Elliott		Moore of Benton	

Amendment adopted.

Speidel of Washington called up the third amendment filed by him and found on page 857 of the Journal of January 22, and moved its adoption.

Amendment adopted.

Speidel of Washington called up the fourth amendment filed by him and found on page 857 of the Journal of January 22 and moved its adoption.

Amendment adopted.

Johnson of Linn offered the following amendment and moved its adoption:

Amend House File No. 1 as amended by striking Section sixty-two (62) and inserting in lieu thereof the following:

Digitized by Google

"Sec. 62. Ratio and manner of distribution.

1. The revenue distributable under paragraph two (2) of section sixty-one (61) of this act shall be allocated each year to the several counties of the state in the same proportion that the total amount of general property taxes levied in that county bears to the total general property taxes levied in the entire state.

2. On August 1, 1934, and annually thereafter, the board shall certify to the county treasurer of each county in the state the total amount of the money which has been apportioned and/or is then apportionable to that county.

3. The county treasurer shall then apply the amounts so apportioned to the relief of the several property taxpayers of that county by entering a credit against the second installment of the general property tax of such taxpayer, being the tax of the next preceding tax year, due and payable in the current year, the amount of such credit to be determined by the proportion which such taxpayer's total current general property taxes levied and spread on the books against his property on taxable real and tangible personal property bears to the total general taxes levied and spread on the books on the taxable real and tangible personal property in that county. The amount of money so credited shall be distributed from said funds in the hands of the County Treasurer in the same manner as though said amounts had been paid by the taxpayer. In the event that such property taxpayer has paid his taxes in full prior to date of credit application, the county treasurer shall never-the-less enter the aforesaid credit which shall entitle such taxpayer to refund thereof."

McCreery of Linn moved to defer action on the Johnson amendment. Motion prevailed.

Speidel of Washington offered the following amendment and moved its adoption:

Amend House File No. 1, as amended, page 31, Section 29, line 4, by adding after the comma (,) following the word "banks" the following: "credit unions,".

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bill:

January 20: House File No. 134.

MOTIONS TO RECONSIDER FILED

MR. SPEAKER: I move to reconsider vote by which the McKinnon amendment pertaining to the rate on net income tax, passed the House.

EARL M. DEAN.

Digitized by Google

MR. SPEAKER: We move to reconsider the vote by which the amendment by Speidel of Washington was adopted to Section nine (9) line thirty-eight (38) of House File No. 1 as amended.

WM. PAISLEY.
LEROY S. MERCER.

AMENDMENTS FILED

Teter of Marion filed the following amendment:

Amend House File 1, as amended, section sixty-two (62) by adding at the end thereof the following:

"4. That Chapter 24, Code of Iowa, 1931, be and the same is hereby amended by adding thereto, immediately following section 385 thereof and as section 385-f1: In no event shall the total tax levy in dollars of any municipality be increased for any calendar year over the previous year by a greater percentage than the percentage increase in the assessed value of personalty and realty in such taxing subdivisions over the previous calendar year, using the taxes levied in 1934 as the base for the first year's calculations for taxes to be levied in 1935, except a tax levied for payment of principal and interest on bonds, unless upon application to the State Comptroller and a showing of necessity due to emergency or special considerations applying to such district, authorization for a higher levy has been granted by the comptroller. Such authorization, if granted by the comptroller, shall apply only for one year.

Provided further, that if a higher levy is hereafter granted to any taxing district by the comptroller it shall not be used in computation of the requirements of said district for the next ensuing year."

Teter of Marion and Sours of Floyd filed the following amendment:

Amend House File No. 1, as amended, by inserting the following between line ten (10) of "Section 63," and the words and numerals, "Division VII. General Provisions," on page "61" of the printed bill, and by renumbering "Section 64" and "Section 65" and "Section 66" of the printed bill as Section 68, Section 69 and Section 70, respectively, and by changing said "Division VII" to Division VIII.

Division VII. Homestead Tax Exemption.

Section 64. Chapter three hundred thirty (330), code of 1931, hereby is amended by adding the following thereto:

Every homestead, as defined by chapter four hundred forty-one (441), code of 1931, situated in any city or town of this state shall be exempt from taxation to the amount of one thousand ($1000.00) dollars of its actual value, and every other such homestead of this state situated outside of cities and/or towns, shall be exempt from taxation to the amount of fifteen hundred ($1500.00) dollars of its actual value.

Section 65. The beneficiary of the exemption allowed by the preceding section shall deliver to the assessor a verified statement, on forms furnished by the assessor, describing the property and showing that he is the owner thereof, and the assessor shall enter such exemption on the assses-

Digitized by Google

ment roll and return said statement to the county auditor; and, if not so entered by the assessor, the county auditor shall enter such exemption on the tax books. Provided, that if after such exemption is so entered by the assessor or by the county auditor the property ceases to be a homestead, the county auditor shall so certify to the county treasurer, and the county treasurer shall cancel such exemption on the tax books; and that if the homestead character attaches in any year after such property was listed and valued, the beneficiary may obtain such exemption by filing such statement in the office of the county auditor on or before September first of such year, and the county auditor shall enter such exemption on the tax books and so certify to the county treasurer who shall enter such exemption on the tax books.

Section 66. On or before December first next preceding the year in which real estate is listed and valued, the state board of asssesment and review shall prepare and forward to the county auditors of this state uniform blank forms for use of such beneficiaries, and the county auditor shall include such blanks with the assessment rolls, books and supplies delivered to the assessors.

Section 67. The owner of any such homestead may, on or before March 1, 1934, file in the office of the county treasurer a verified statement showing that he is the owner of the homestead therein described; and, if such statement is so filed, the exemption of such homestead from taxation to the amount provided by this act shall apply to levies made in 1933, and the county treasurer shall enter such exemption on the tax books and correct the computation of both tax installments.

McFarlane of Black Hawk filed the following amendment:

Amend House File No. 1 as amended, by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That all individuals, copartnerships, firms, societies, congregations, associations, or body of persons howsoever associated or organized, exercising the privilege in this state of bartering, selling and/or exchanging as a business and/or vocation, except religious organizations and fraternal insurance societies, with for themselves or as brokers, factors or commission merchants, any property, either real, personal or mixed, or stocks, bonds or other securities or evidences of the ownership of an interest in property, or any personal or public service, not subject to the tax, or taxes, provided and imposed by sections two (2), three (3), four (4), five (5), and/or six (6) of this Act, shall pay to the State Tax Board of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, including all schools and school districts, for such privilege, an annual tax equal to one-half of one per centum (½%) of the proceeds derived, as consideration from all such bartering, real and/or personal, or bonds, stocks, or other securities or evidence of ownership of an interest in property and/or service, including the personal earnings of individuals in this State.

Sec. 2. That every merchant doing business in the State of Iowa shall pay to the State Tax Board of the State of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its

Digitized by Google

several taxing districts, including all schools and school districts, for such privilege, an annual tax equal to one-half of one per centum (½%) of the gross receipts of such merchant derived from the transaction of its business.

The term "merchant", as used in this Act, means and includes each and every individual, or individuals, co-partnership, firm, corporation, joint stock company, fiduciary, syndicate or association, engaged in the business of bartering, selling and/or exchanging, as a business or vocation, either in their own right or as brokers, factors, commission merchants or handlers of consigned stocks or property, any real or personal property, commodities, articles, goods, wares, merchandise, bonds, stocks, securities and/or other evidence of property or interests in property.

Sec. 3. That every manufacturer doing business in the State of Iowa shall pay to the State Tax Board of the State of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, including all schools and school districts, for such privilege, an annual tax equal to one-half of one per centum (½%) of the proceeds derived, as consideration, by such manufacturer from all sales and/or exchange of any article, or articles, or personal property manufactured by him and sold and/or exchanged and delivered, or sold and/or exchanged for delivery.

In computing any tax to be paid by any manufacturer under the provisions of this Act, receipts from the sales and/or exchange by him of partly manufactured goods, which have been so partly manufactured by him, as well as manufactured articles, shall be included.

Sec. 4. That every bank and/or banking corporation, firm, or association doing business in this State, shall pay to the State Tax Board of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, for such privilege an annual tax equal to one-half of one per centum (½%) of its gross receipts received, except bank deposits.

Sec. 5. That every insurance company or association doing business in this State shall pay to the State Tax Board of the State of Iowa, for the year 1934 and each year thereafter, for such privilege, for the exclusive use of the State, and all of its subdivisions or parts thereof, including its schools, and the schools of all of its subdivisions or parts thereof, an annual tax in a sum equal to one-half of one per centum (½%) of the amount of the gross premiums received from residents of or on property located within this state, less return premiums in cancellation of policies, premiums on policies not taken, all dividends to policy holders, and premiums paid for reinsurance in insurance companies authorized to transact business in this State. Providing, however, that in computing the amount of tax due under this section the State Tax Board shall deduct therefrom any amounts paid to the State Treasurer under the provisions of Chapter 335, Code, 1931.

Sec. 6. That every public utility doing any business in the State of Iowa, or selling, or, otherwise disposing of, or furnishing, for a consideration, any product or service in this State, whether the service is concluded within this State or not, shall pay to the State Tax Board of

Digitized by Google

Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, including all schools and school districts, for such privilege, an annual tax in a sum equal to one-half of one per centum (½%) of the gross receipts of such public utility derived from the transaction of its business within the State of Iowa, whether the service is concluded in the State or not.

The term "Public Utility", as used in this Act, means and includes every individual, or individuals, co-partnership, firm, corporation, joint stock company, syndicate or association, lessees, trustees or receivers, appointed by any court whatsoever, that now or may hereafter own, operate, manage, or control in this State equipment or facility for:

(a) Transporting persons or property by steam or other railroad for compensation; this shall include all steam or other railroads, and shall also include all express companies, all sleeping car, dining car, drawing room car, palace car, refrigerator, oil, stock, fruit, and any other car companies, which transport persons or property over and upon the lines or rails of any steam or other railroad.

(b) Producing, generating, transmitting, delivering or furnishing gas, electricity, steam or any other agency for the production of light, heat or power to or for the public for compensation;

(c) Diverting, developing, pumping, impounding, distributing or furnishing water to or for the public for compensation;

(d) Transporting persons or property by street, suburban or interurban railway, other than steam railroads, for the public for compensation;

(e) Transporting persons or property by motor vehicles, for compensation, including taxicab, bus or truck service.

(f) Transporting or conveying gas, crude oil or other fluid substance by pipe line for the public for compensation;

(g) Conveying or transmitting messages or communications by telephone or telegraph, where such service is offered to the public for compensation.

(h) Conveying or transmitting any message or messages by radio over any broadcasting station in the State of Iowa, and the sale of time by any broadcasting station in the State of Iowa.

The term "Public Utility", as used in this Act, shall include, in addition to those businesses hereinabove enumerated, every other individual or individuals, co-partnership, corporation, joint stock company, syndicate or association engaged in any business whose property is dedicated to the public use, or whose charges or rates for the furnishing of its products of service is or may be subject to regulation by the State of Iowa.

Sec. 7. That the tax or taxes imposed by this Act shall be due and payable quarterly, or such other period as the Tax Board may direct, and the amount of such gross income tax becoming due for each quarter shall be paid to the State Tax Board of the State of Iowa thirty (30) days after the close of the quarterly period for which such tax is paid, the tax for the first quarterly period being due May first, and for the second quarterly period on August first, and for the third quarterly period on November first, and for the fourth quarterly period on February first.

Digitized by Google

The first payment will be for the first quarterly period of 1934, payable May 1, 1934.

All remittances of taxes imposed by this Act shall be made to the County Treasurer of each county where the tax is collected by bank draft, check, cashier's check, money order, or money, who shall issue his receipts therefor to the taxpayers, when requested, and shall deposit all moneys received in some bank or banks in this State, qualified as a state depository; provided, no remittance other than cash shall be final discharge of liability for the tax herein assessed and levied unless and until it has been paid in cash to the Treasurer.

Sec. 8. That the administration of the provisions of this Act shall be conducted by the State Tax Board, herein created, and the necessary expenses of carrying out the provisions of this Act, including the necessary clerical help, and incidental expenses, shall be defrayed out of the receipts collected thereunder. In carrying out the provisions of this Act, the State Tax Board shall employ such agents and employes as shall be necessary to effectuate the purposes of this Act. It shall have the power to make all such reasonable rules and regulations as are necessary to carry out the provisions of this Act; and in all matters connected with the administration of the provisions of this Act, requiring the exercise of judgment and discretion, the judgment and opinion of the State Tax Board shall be final and conclusive, and there shall be no review thereof, excepting the constitutional right of redress in the Courts under existing or future laws.

Sec. 9. That each and every individual, or individuals, partnership, firm, or corporation, subject to the provisions of this Act, and to any taxes herein, shall keep a record in such form, or forms, as the State Tax Board shall prescribe or require showing all such things and matters as the State Tax Board may, in its discretion, require, and as may be necessary in its opinion to effectuate the purposes of this Act, and particularly the following details;

(a) In the case of individuals, co-partnerships, firms, corporations, joint stock companies, fiduciaries, syndicates or associations subject to the tax provided by Section 4 of this Act, the gross receipts received by them as consideration from any bartering, selling and/or exchange of property, real and/or personal, or bonds, stocks, or other securities or evidences of ownership or an interest in property, and/or services during the year; the source or sources from which such receipts are derived.

(b) In the case of merchants; the total amount of sales of all property, commodities, articles, goods, wares, merchandise bonds, stocks, securities, and/or other evidences of property, or an interest in property sold, bartered and/or exchanged by him or it during the calendar year; and showing in detail the consideration received therefor.

(c) In the case of manufacturers; the total amount of sales of all commodities, goods, wares, and/or merchandise sold or exchanged by him or it during the year; and showing in detail the consideration received therefor.

(d) In the case of public utilities; the total gross receipts of such public utility during the year, whether concluded within the State or not.

Digitized by Google

(e) The State Tax Board may require, as to any or all of the business subject to the taxes imposed by this Act, that any or all of the records required by this Act or which the State Tax Board is authorized to require and does require, shall be kept for each day and/or other period or periods of the year. All such records shall be subject to the inspection of the State Tax Board, its agents, representatives, or employes, at all times during the business hours of each day.

Sec. 10. That each and every individual, or individuals, partnership, firm, corporation, joint stock company, fiduciary, syndicate, and/or other association subject to any of the provisions of this Act, and the tax or taxes levied herein, shall make such detailed reports for each quarterly period as the State Tax Board may require.

Sec. 11. That if any individual, or individuals, partnership, firm, corporation, joint stock company, fiduciary, syndicate or association shall fail, neglect or refuse to make out and file with the State Tax Board any statement or report required by Section ten (10) of this Act within the time therein provided, the State Tax Board shall, immediately after such time has expired, proceed to inform itself as best it may regarding the matters and things required to be set forth in such statements or reports, and from such information as it may be able to obtain, make a statement showing such matters and things, and determine and fix the amount of the gross income tax due to the State from such delinquent taxpayer for any and all such delinquent periods, adding to the amount of such tax a penalty of twenty-five (25) per centum of the amount of the tax, which shall be in addition to the penalty provided by section fourteen (14) of this Act.

The State Tax Board, for the purpose of ascertaining the correctness of any report or statement, or for the purpose of ascertaining the things and matters required to be set forth in such reports or statements where no report or statement is filed when due, is hereby authorized either in its own proper person or by an agent, representative or employee designated by it for that purpose, to examine any books, records or memoranda bearing upon the matters required to be included in the report or statement, bearing upon any matter required by the terms of this Act to be kept as a record. In addition, in order to effectuate the purpose of this Act, the State Tax Board, and any authorized agent, employe or representative, may require the attendance of any person or persons having knowledge of any of the matters relevant to such examination or inquiry, and for this purpose, the State Tax Board or any authorized agent, employe or representative, may issue a subpoena or subpoenas in the name of the State of Iowa requiring attendance of such witnesses as may be designated therein at such place or places, at either the office of the State Tax Board at Des Moines, or at any place in the county in which the business which is the subject of investigation has an office, and at such time or times as may be designated in such subpoena or subpoenas. All such subpoenas shall be served by the sheriff or any deputy of the county where the same is directed, and such sheriff or deputy shall be entitled to the same fees for serving such subpoenas as in the case of serving subpoenas in civil cases in the district court. The

Digitized by Google

State Tax Board, or any authorized agent, employe or representative is authorized and empowered to administer oaths to any person or persons summoned. Any such person or persons so summoned shall give all such evidence relevant to the matter under investigation as may be required by the State Tax Board or its authorized agent, employe or representative. The usual fees and mileage expenses allowed witnesses in cases in the District Court of this State shall be allowed any witnesses so summoned. All such fees, mileage expense and fees of sheriffs shall be and constitute lawful expenditures hereunder by the State Treasurer. After such fees and expenditures have been approved by the State Board of Audit they shall be paid by the State Treasurer out of any public funds then in his hands.

Sec. 12. That any person failing to respond to any subpoena issued under the provisions or authority of this Act, after service upon him, or failing to answer any question or questions relative to the matters under consideration that may be propounded on examination, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) for each offense.

Sec. 13. That any person required by the terms of this Act to keep any record or records, or required by the terms of this Act to make a report, statement or return, who willfully or negligently fails to keep any and all such records required by the terms of this Act, or which the State Tax Board is authorized to require and does require, or who fails or refuses to permit the inspection and examination of any such records or memoranda by the State Tax Board or its duly authorized agent, representatives or employe, or who keeps, makes or prepares any false record of any record of memoranda containing a false statement or entry, or who makes or prepares a false report, statement or return, or report, statement or return containing any false statement or entry therein, shall be guilty of a felony, and upon conviction thereof, shall be punished by confinement in the penitentiary for not less than one year or more than five years, and/or by a fine of not less than Five Hundred ($500.00) Dollars, nor more than One Thousand ($1,000.00) Dollars, provided, that the jury, in its discretion, may fix the punishment at not less than three (3) months nor more than twelve (12) months in the county jail. The term "person", as used in this section, includes any officer, agent or employe of a corporation, joint stock company, syndicate or association, or a member or employe of a partnership, who, as such officer, employe or member is under the duty to perform the act in respect to which the violation occurs, or who may attempt to perform such act or acts or who may assist in performing such act or acts.

Sec. 14. That the State Tax Board is authorized and empowered, and it shall be its duty to issue a distress warrant in the name of the State for the collection of the tax imposed under the provisions of this Act, when past due, and for all penalties, interest and costs, including the cost of issuing and serving any subpoenas issued and served under the provisions of section eleven (11) of this Act. Interest at six per centum (6%) per annum shall be due and payable on any tax not paid when due.

Digitized by Google

A penalty of one (1%) per centum per day is hereby imposed for failure to pay such tax when due; provided, however, when the penalty reaches fifty (50%) per centum no further penalty shall accrue.

Sec. 15. The taxes imposed by this Act shall be a lien upon any property of the taxpayer at his place of business; and if any stock of goods, wares or merhcandise, public utility plant, factory and/or business shall be sold in bulk or as a going business or concern, and the tax imposed hereby shall not have been paid, said tax and all interest and penalties shall be and continue a lien upon such stock of goods, wares, merchandise public utility plant and/or factory, and the purchasers or person in control or possession thereof shall be liable for the payment of the tax thereon.

Sec. 16. In any case in which the person, firm, or corporation liable for the payment of the tax hereby imposed shall have been in business for a period less than twelve (12) months prior to the close of the calendar year, the reports required in this Act shall be for the portion of the year in which such person, firm or corporation was in business. In the case of the first reports required hereunder the same shall cover the portion of the year 1934 after the effective date of this act.

Sec. 17. That it shall be unlawful for any officer, agent, employe or representative of the State of Iowa to make known, in any manner, except as may be required by law, any information, concerning the business of any individual or individuals, co-partnership, corporation, joint stock company, syndicate or association subject to the provisions of this Act, which he may have obtained, directly or indirectly, by virtue of any records, memoranda, reports, testimony, books and/or documents kept, filed, given or exhibited in pursuance of this Act, by any such individual or individuals, co-partnership, corporation, joint stock company, syndicate or association. Any person violating the provisions of this section shall be punished by a fine of not less than fifty dollars ($50.00), nor more than five hundred dollars ($500.00) for each offense. In addition, any such officer, agent, employe, or representative shall be discharged from the service or employ of the State.

Sec. 18. The State Board of Assessment and Review shall administer the provisions of this Act and is hereby clothed with all necessary and incidental powers to fully carry out the provisions of this Act, and it shall make all reasonable rules and regulations for the collection of the tax herein provided for and not inconsistent herewith. Wherever in this Act the words "The State Tax Board" may appear, it shall mean the State Board of Assessment and Review.

Sec. 19. All County, City and Township assessors, and their employees in the State are hereby continued as agents and employees of the State Tax Board insofar as the same shall be necessary for carrying out the provisions of this Act.

Sec. 20. All revenue arising under the operation of this Act and collected by the State Tax Board shall be credited to the Treasurer of State to be carried by him as a special tax fund entirely separate from all other revenues of the State, which fund shall be distributed from time to time by said State Tax Board in accordance with the provisions of this Act on warrants drawn by the Auditor of State upon direction of the

Digitized by Google

State Tax Board with the approval of the State Comptroller, and made payable to the several taxing districts of the State as by this Act hereinafter provided. The warrants so drawn shall, upon presentation, be paid by the Treasurer of the State out of said special fund.

Sec. 21. Each taxing district of the State, including the State, shall annually receive out of such special tax fund its proportionate share of the amount so collected, based on the average collected by such taxing district during the ten (10) year period ending December 31, 1933.

On and after July 1, 1934, the State Taxing Board shall fix the basis of distribution among the several taxing districts of the State in the manner above provided.

Sec. 22. From time to time, after July 1, 1934, and at least every three (3) months, the State Tax Board shall distribute to each of the County Treasurers of the State, including the State Treasurer, such revenues as it then has on hand in said special tax fund in the proportion as herein provided.

Sec. 23. The State Tax Board is hereby authorized to grant a refund of any taxes erroneously or illegally assessed or collected, and all penalties and/or interest assessed or collected thereon, and all taxes that appear to it to be in any manner wrongfully collected under this Act, with interest thereon at six per centum (6%) per annum.

(2) No claim for refund shall be allowed by the Treasurer unless a claim therefor has been filed, under oath, with the State Tax Board within one year after the payment of said Tax, penalty or interest thereon.

(3) Upon final determination by the State Tax Board that such refund shall be allowed, the State Tax Board shall certify the amount thereof and the name of the claimant to the auditor of state, who shall, upon the receipt of such certificate, draw his warrant upon the Treasurer of State therefor; and the Treasurer of State shall pay the same out of any funds in the State Treasury not otherwise appropriated.

Sec. 24. There is hereby appropriated out of the funds of the State Treasury, not otherwise appropriated, a sum sufficient to pay the necessary fees and expense of administering this Act. Warrants shall be drawn upon the treasury upon the order of the Tax Board with the approval of the State Board of Audit. The Treasurer of State is hereby authorized and directed to pay the same when presented.

Sec. 25. This Act shall not, in any way, alter, change or effect the present laws regarding the imposing and collecting of a tax on beer, cigarettes, inheritances, oleomargarine and gasoline, or any excise, stamp or mulct tax, including the motor vehicle license tax and the drivers license tax.

Sec. 26. The State Tax Board may require any foreign corporation, or corporation not qualified to do business in the State of Iowa, individual, firm, co-partnership, joint stock company, fiduciaries, syndicates and associations doing business in the State of Iowa, either direct or by agent, to furnish a surety bond to guarantee the payment of any tax due or to become due the State of Iowa by virtue of any transaction or business done within the meaning of this Act.

Digitized by Google

Sec. 27. In the case of those deriving gross income, as herein defined, from engaging in interstate commerce, the tax by this act, levied, assessed and collected shall be considered as and is a tax upon the privilege of doing business within this state and/or a tax upon the property within this State used in the conduct of such interstate commerce, and is not a tax upon the privilege of engaging in interstate commerce.

Sec. 28. Every person, firm and corporation within this state which regularly employs any individual or individuals within this state on either a salary or commission basis shall be responsible for the collection of the tax upon the amount of each such employee's gross income paid such employee by such employer, and shall make return thereof and pay the tax thereon, provided by this act, to the county treasurer of the county in which the tax is due, on the forms in accordance with rules and regulation prescribed by the Board. The compensation herein contemplated shall not be deemed to include compensation paid to persons whose employment is purely casual nor to independent contractors.

Sec. 29. This Act shall apply to all transactions covered thereby insofar as the year 1934 is concerned, only for that portion of said year then remaining after said Act becomes effective.

Sec. 30. The tax upon such gross income shall be for the ensuing year, and shall be upon the gross income of the calendar year in which it accrues, and shall be paid for the period in which it accrues and in accordance with the terms of this Act and the rules and regulations promulgated hereunder.

Sec. 31. A tax due and unpaid under this Act shall constitute a debt due the State, and may be collected by action at law, or otherwise appropriate judicial proceedings, which remedy shall be in addition to all other existing remedies.

Sec. 32. It is hereby declared to be the intent and purpose of this act to levy a tax on the transfer, within this state, of money ownership, or the equivalent thereof, except borrowed money.

Sec. 33. All money collected under this Act shall be credited proportionately by the several County Treasurers, as and when received from the State Tax Board upon the real and personal property tax payable in the year received i.e. each tax payer in each county shall be credited on his real and personal property tax an amount equal to the proportion his tax bears to the total real and personal property tax in the county, and in the same proportion as the amount received by the County bears to the total real and personal property tax of the County for said year.

Sec. 34. Registration. Every person and corporation who is made subject to the payment of a tax under the provisions of this act, shall on or before the first day of March 1934 register as a taxpayer under this Act, with the Board, which registration may be made by letter giving the name, place of residence, occupation, business or profession of the person or corporation so registering and the name of the county in which the tax will be paid, which shall be either the county of the taxpayers residence or his principle place of business. If such taxpayer is, at the time of his registration an employer of any other person or persons, he shall also give the number of persons in his employ and the aggregate

Digitized by Google

amount of wage or salary paid to such employees monthly, and such taxpayer monthly shall report any change of employes, or wages paid to such employes, and shall also supply such other and further information in connection with such registration as may be reasonably necessary for the purpose of maintaining a roster of taxpayers. The Board shall have authority to require every assessor to furnish to the County Auditor a list of all persons in his assessing district subject to tax under this law. The Board shall, upon application, furnish necessary blanks for the filing of the information required by this section.

Sec. 35. That the provisions of this Act are severable, and if any section or sections, paragraph or paragraphs, sentence or sentences, clause or clauses, word or words of this Act shall be held to be unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such particular section or sections, paragraph or paragraphs, sentence or sentences, clause or clauses, word or words, may be rejected without effecting the remainder of the Act, and the decisions of the courts shall not effect or impair any of the remaining sections, paragraphs, sentences, clauses or words of this Act. It is hereby declared that it is the legislative intent that this Act and each word, clause, sentence, paragraph and section thereof would have been enacted had such unconstitutional section or sections, paragraph or paragraphs, sentence or sentences, clause or clauses, word or words not been included.

Amend the title as follows:

Strike from line seven (7) the following: "abating ad valorem taxes;"

Strike all after the word "thereof" in line nine (9) and insert in lieu a "period (.)".

On the motion of Crouch of Greene the House adjourned until 9:30 o'clock a. m. Wednesday, January 24.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 24, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. W. A. Sessions, pastor Christian Church, Corydon, Iowa.

Journal of January 23, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Durant of Hancock for the day, on request of Lookingbill of Story.

REPORTS OF COMMITTEES

Mitchell of Webster, from the committee on judiciary No. 2, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 2, to whom was referred Senate File No. 17, a bill for an act to amend sub-section ten (10), section fifty-one hundred ninety-one (5191), Code of Iowa, 1931, as amended by section six (6), chapter ninety (90), Acts of the forty-fifth general assembly, relating to mileage of sheriffs and their deputies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

"Sec. 2. This Act being deemed of immediate importance, shall be in full force and effect after its passage and publication in the Cedar Falls Daily Record, a newspaper published at Cedar Falls, Iowa, and the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa."

JOHN H. MITCHELL, *Chairman.*

Report adopted.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 181, a bill for an act to amend chapter ninety-nine (99), section one (1), acts of the forty-fifth general assembly, relating to settlement of poor persons, beg leave to report they have had the same under consid-

Digitized by Google

eration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN H. MITCHELL, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File 324, by committee on banks and banking, a bill for an act to amend Section Seven Thousand Three (7003), Code, 1931, relating to the taxation of bank stock.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File 60, a bill for an act requiring that in certain cases the debt named in the mortgage upon real estate must be certain and specific in amount and that a mortgage to secure a contingent, accruing or future indebtedness must be a separately executed instrument.

Read first and second times and referred to committee on emergency legislation.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 1 as amended, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; and to repeal all laws or parts of laws in conflict herewith.

Johnson of Linn asked and obtained unanimous consent to withdraw his amendment under consideration at the time of adjournment yesterday and found on pages 872 and 873 of the journal of January 23.

Speidel of Washington called up the amendment offered by him and found on page 873 of the journal of January 23, and moved its adoption.

Amendment adopted.

Digitized by Google

Malone of Cass asked and obtained unanimous consent to withdraw the amendment offered by him and found on page 866 of the journal of January 23.

Teter of Marion called up the amendment filed by him and found on page 874 of the journal of January 23, and moved its adoption.

On the question "Shall the Teter amendment be adopted?" a roll call was demanded.

The ayes were, 65.

Aldrich	Fletcher	Lookingbill	Smith
Alesch	Foster	McCarthy	Snyder
Beath	Frizzell	McDermott	Sours
Beswick	Fuester	McFarlane	Stansell
Bouska	Gissel	McLean	Stanzel
Bowers	Gittinger	Malone	Stewart
Bruce	Goode	Mercer	Swift
Burgess	Grell	Metcalf	Teter
Casey	Hanson of	Mooty	Thiessen
Craven	Winnebago	Peaco	Weed
Crouch	Hartman	Peet	Wieben
Cunningham	Hook	Reed	Wiese
Davis	Hopp	Ryder	Wolf
Doran	Hough	Schlatter	Yager
Ellsworth	Jensen	Schmitz	Zylstra
Fabritz	Koch	Sheridan	Mr. Speaker
Felter	Lichty		

The nays were, 24.

Avery	Hanson of Lyon	Moore of	Speidel
Bonnstetter	Hultman	Harrison	Stimpson
Falvey	Jenkins	Paisley	Thies
Gallagher	Johnson	Rawlings	Treimer
Garner	Laughlin	Rice	Willis
Grau	Maniece	Roe	Zipse
		Schroeder	

Absent or not voting, 19.

Augustine	Dreessen	McCreery	Osborn
Brady	Durant	McKinnon	Ostby
Dean	Elliott	Millhone	Porter
Dole	Fuelling	Mitchell	Strachan
Donlon	Humeston	Moore of Benton	

Amendment adopted.

Teter of Marion called up the amendment filed by him and Sours of Floyd, and found on pages 874 and 875 of the journal of January 23, and moved its adoption.

Teter of Marion moved to amend the amendment as follows:

Amend the amendment by Teter and Sours by striking out of line four (4) of the new Section 64 the words "any city or town of".

Digitized by Google

Further amend lines four (4) and five (5) by striking the words and figures "one thousand dollars ($1000)" and inserting in lieu thereof the words and figures "five hundred dollars ($500)".

Further strike the comma (,) after the word "value" in line six (6), and insert in lieu thereof a period (.), and further strike the balance of the sentence.

On the question "Shall the Teter amendment to the Teter and Sours amendment be adopted?" a roll call was demanded.

The ayes were, 36.

Beath	Frizzell	Lookingbill	Ryder
Beswick	Fuelling	McKinnon	Schmitz
Brady	Fuester	McLean	Snyder
Craven	Gissel	Metcalf	Stanzel
Crouch	Goode	Millhone	Strachan
Cunningham	Hanson of Lyon	Osborn	Swift
Davis	Hanson of Winnebago	Ostby	Teter
Elliott	Hook	Peaco	Weed
Ellsworth		Peet	Zylstra
Foster			

The nays were, 59.

Aldrich	Fletcher	McCreery	Schroeder
Augustine	Gallagher	McDermott	Smith
Avery	Gittinger	Malone	Sours
Bonnstetter	Grau	Maniece	Stansell
Bouska	Grell	Mercer	Stewart
Bowers	Hartman	Moore of Benton	Stimpson
Bruce	Hopp	Moore of Harrison	Thies
Burgess	Hultman	Mooty	Thiessen
Casey	Humeston	Paisley	Treimer
Dean	Jenkins	Rawlings	Wieben
Dole	Jensen	Reed	Willis
Donlon	Johnson	Rice	Wolf
Fabritz	Koch	Roe	Yager
Falvey	Lichty	Schlatter	Zipse
Felter	McCarthy		Mr. Speaker

Absent or not voting, 13.

Alesch	Garner	McFarlane	Sheridan
Doran	Hough	Mitchell	Speidel
Dreessen	Laughlin	Porter	Wiese
Durant			

Amendment to the amendment lost.

On the question "Shall the Teter and Sours amendment be adopted?" a roll call was demanded.

The ayes were, 17.

Crouch	Hook	Schmitz	Strachan
Elliott	Lookingbill	Snyder	Teter
Goode	McLean	Sours	Weed
Hanson of Winnebago	Ostby	Stanzel	Zylstra
	Peet		

Digitized by Google

The nays were, 72.

Aldrich	Falvey	Lichty	Ryder
Augustine	Felter	McCarthy	Schlatter
Avery	Fletcher	McCreery	Schroeder
Beath	Foster	McDermott	Smith
Beswick	Fuester	Malone	Speidel
Bonnstetter	Gallagher	Maniece	Stansell
Bouska	Gittinger	Mercer	Stewart
Bowers	Grau	Metcalf	Stimpson
Brady	Hanson of Lyon	Moore of Benton	Swift
Bruce	Hartman	Moore of Harrison	Thies
Burgess	Hopp	Mooty	Thiessen
Casey	Hough	Osborn	Treimer
Dean	Hultman	Paisley	Wieben
Dole	Humeston	Rawlings	Willis
Donlon	Jenkins	Reed	Wolf
Doran	Jensen	Rice	Yager
Dreessen	Johnson	Roe	Zipse
Ellsworth	Koch		Mr. Speaker
Fabritz			

Absent or not voting, 19.

Alesch	Frizzell	Laughlin	Peaco
Craven	Fuelling	McFarlane	Porter
Cunningham	Garner	McKinnon	Sheridan
Davis	Gissel	Millhone	Wiese
Durant	Grell	Mitchell	

Amendment lost.

MOTION TO RECONSIDER

Dean of Cerro Gordo called up the motion to reconsider the vote by which the McKinnon amendment to House File No. 1, as amended, was adopted, and filed by him and found on page 873 of the journal of January 23.

Dean of Cerro Gordo asked and obtained unanimous consent to be absent until noon today, and to leave his vote on the motion to reconsider with the Chief Clerk.

On the question "Shall the motion by which the McKinnon amendment to House File No. 1, as amended, was adopted, be reconsidered?" a roll call was demanded.

The ayes were, 53.

Augustine	Fabritz	Hultman	Metcalf
Avery	Falvey	Humeston	Moore of Benton
Bonnstetter	Fletcher	Jensen	Moore of Harrison
Bouska	Foster	Johnson	Osborn
Brady	Fuester	Koch	Paisley
Casey	Garner	Laughlin	Rawlings
Dean	Gissel	McCreery	Rice
Dole	Grau	Malone	Roe
Donlon	Grell	Maniece	Ryder
Ellsworth	Hanson of Lyon	Mercer	

Digitized by Google

Sheridan	Stanzel	Wieben	Wolf
Smith	Stimpson	Wiese	Yager
Snyder	Swift	Willis	Mr. Speaker
Speidel	Treimer		

The nays were, 44.

Aldrich	Fuelling	Lookingbill	Schmitz
Beath	Gallagher	McDermott	Schroeder
Beswick	Gittinger	McFarlane	Sours
Bowers	Goode	McKinnon	Stewart
Burgess	Hanson of Winnebago	McLean	Strachan
Craven		Mitchell	Teter
Crouch	Hook	Mooty	Thies
Davis	Hopp	Peaco	Thiessen
Doran	Hough	Peet	Weed
Dreessen	Jenkins	Reed	Zipse
Felter	Lichty	Schlatter	Zylstra
Frizzell			

Absent or not voting, 11.

Alesch	Durant	McCarthy	Porter
Bruce	Elliott	Millhone	Stansell
Cunningham	Hartman	Ostby	

The House reconsidered.

McKinnon of Henry asked unanimous consent to withdraw the amendment filed by him and found on page 855 and 856 of the journal of January 22. Objections were offered.

McCreery of Linn moved that McKinnon of Henry be permitted to withdraw his amendment. Motion prevailed and the amendment was withdrawn.

Speidel of Washington offered the following amendment and moved its adoption:

Amend House File No. 1, as amended, Page 42, Section 38, line 2, by striking the word "January" and insert in lieu thereof the word "March".

Fabritz of Wapello moved to amend the amendment by striking the word "March" and inserting in lieu thereof the word "April."

Amendment to the amendment adopted.

The Speidel amendment as amended was adopted.

MOTION TO RECONSIDER

Mercer of Johnson called up the motion to reconsider the vote by which the amendment by Speidel of Washington was adopted to Section nine (9) line thirty-eight (38) as amended, and filed by him and found on page 874 of the journal of January 23.

Digitized by Google

Motion prevailed, and the House reconsidered.

Speidel of Washington asked and obtained unanimous consent to withdraw the first amendment offered by him, and found on page 855 of the journal of January 22.

Speidel of Washington offered the following amendment and moved its adoption:

Amend House File No. 1, as amended, Page 46, Section 45, line 4, by striking the remainder of the paragraph following the word "period", and placing in lieu thereof the following:

". In accordance with the date set for imposing of this tax in Section 38, the tax due on April 15, 1934, will be only such tax as was collected during the month of March, 1934, which shall be in lieu of the first quarterly period. The second quarterly period shall begin on the first day of April, 1934."

Speidel of Washington asked and obtained unanimous consent to withdraw his amendment.

Speidel of Washington offered the following amendment and moved its adoption:

Amend House File No. 1, as amended, page 46, Section 45, line 5 by striking the word "January" and substituting in lieu thereof "April". Also amend line 6 by striking the words and figures "31st day of March" and substituting therefor the following words and figures: "30th day of June".

Amendment adopted.

Moore of Benton asked and obtained unanimous consent for the immediate consideration of Senate File No. 270, a bill for an act to make an appropriation to the state board of education from the primary road fund for the purpose of defraying a portion of the expense attending the construction of a viaduct under highway Number 218 at or near its intersection with Tenth Street in the city of Vinton, Iowa, for the protection, in part, of the inmates of the state school for the blind, with report of committee recommending amendment and passage.

Moore of Benton called up the amendments proposed by the committee, found on page 861 of the journal of January 23, and moved their adoption.

Bonnstetter asked and obtained unanimous consent to withdraw the committee amendments.

Digitized by Google

McCreery of Linn moved the previous question. Motion prevailed.

Moore of Benton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 99.

Aldrich	Fuelling	McCreery	Schroeder
Augustine	Fuester	McDermott	Sheridan
Avery	Gallagher	McFarlane	Smith
Beath	Gissel	McKinnon	Snyder
Beswick	Gittinger	McLean	Sours
Bonnstetter	Goode	Malone	Speidel
Bouska	Grau	Maniece	Stansell
Bowers	Grell	Mercer	Stanzel
Brady	Hanson of Lyon	Metcalf	Stewart
Burgess	Hanson of Winnebago	Millhone	Stimpson
Casey	Hartman	Moore of Benton	Strachan
Craven	Hook	Moore of Harrison	Swift
Crouch	Hopp	Mooty	Teter
Davis	Hough	Osborn	Thies
Dole	Hultman	Paisley	Thiessen
Donlon	Humeston	Peaco	Treimer
Doran	Jenkins	Peet	Weed
Dreessen	Jensen	Rawlings	Wieben
Elliott	Johnson	Reed	Wiese
Ellsworth	Koch	Rice	Willis
Fabritz	Laughlin	Roe	Wolf
Falvey	Lichty	Ryder	Yager
Felter	Lookingbill	Schlatter	Zipse
Fletcher	McCarthy	Schmitz	Zylstra
Foster			Mr. Speaker
Frizzell			

The nays were, none.

Absent or not voting, 9.

Alesch	Dean	Garner	Ostby
Bruce	Durant	Mitchell	Porter
Cunningham			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

On the motion of McFarlane of Black Hawk the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

Digitized by Google

PRELIMINARY REPORT OF THE SPECIAL COMMITTEE

Mitchell of Webster asked and obtained unanimous consent to have the following communications printed in the Journal.

BRIEF STATEMENT OF IOWA RELIEF SITUATION

Furnished the Forty-fifth General Assembly, Extra Session, by the Special Committee appointed to make recommendations as to appropriations for Emergency Relief, and means of raising such funds necessary therefor.

January 19, 1934

HON. JOHN MITCHELL, Chairman of Joint Committee,
State House, Des Moines, Iowa.
Dear Sir:

On January 15th, the Governor of the State of Iowa made the first application for "Federal Emergency Relief" funds. Since that time to January 1st, Iowa has received and used for unemployment relief from the Federal Government $4,199,813.00. In addition to the Federal Funds, Counties of the State of Iowa, appropriated and used for unemployment relief, $3,867,000.00 making a total for unemployment relief in the State of Iowa for the year 1933, $8,067,513. This amount does not include what the County spent for the regular pauper fund, which as near as we can estimate, was $2,250,000.00, making a total of $10,317,513.00 spent in Iowa for relief, outside of "Community Chest" and other private charities.

From January 15 to June 1, 1933, the Federal Funds received by Iowa came through the "Reconstruction Finance Corporation", and from June 1st, they were received from the "Federal Emergency Relief Administration". The grant from the "Federal Emergency Relief Administration" was made on the basis of $1.00 of Federal Funds, for every $3.00 expended by the State. It will be readily seen that we have not as a State complied with this arrangement. This was called to our attention on August 14, by Mr. Harry L. Hopkins, Federal Administrator of Emergency Relief Funds, and since that date we have been cautioned many times that if Iowa did not make an appropriation to meet the Federal grant, on the basis of one to three, that it would be necessary for the "Federal Emergency Relief Administration" to discontinue their aid and assistance.

To illustrate the Federal Governments position; in July, August, and September of 1933 we spent in Iowa, for unemployment relief, $1,602,000.00, of which $913,000.00 was Federal Funds. We were allowed to use in our total expenditures the Federal amount, and were granted for the months October, November, and December $534,000.00 or ⅓ of the total $1,602,000.00. This will explain that the Federal grant really amounts to more than one to three.

As to Iowa relief needs, we reached the peak load of families in April, 1933, when we had 59,996 families actually receiving Federal Relief. This load decreased, until in October, during the "corn husking" season, the

Digitized by Google

number of families was 32,204. This number was decreased further as a result of C. W. A. activities in December, but in January is showing a material increase again. Estimates for February, now being received, although not complete, indicate a further increase. This must be construed as very alarming, in view of the fact that there are today 68,000 men and women actually working in the State of Iowa, on C. W. A. The only explanation for this condition, is that during the period that the State Relief Committee was administrating relief, in the form of groceries and fuel, a great many unemployed and destitute people, refused to make application for aid, and continued to use every resource at their command, for credit and help.

The C. W. A. program, is at present, limited to February 15, 1934. If this actually is discontinued at that date, without doubt, a very large percentage of the C. W. A. workers will be back on Relief. If the C. W. A. work is extended until the "Public Works Program" comes into operation, it will make a very great difference in the requirements for Relief in Iowa, in the year 1934. On account of this uncertainty, it is absolutely impossible to say, with any degree of accuracy, what the Relief needs of the unemployment of Iowa will be.

Prior to C. W. A. and considering the benefits of P. W. A. it was the opinion of those that worked in Relief matters, that Iowa would need at least $7,000,000.00 for the relief of unemployment in 1934. Giving full credit to C. W. A. and P. W. A. it is well supposed that at least $3,000,000.00 will be required. At the present time, we have less than $60,000.00 of Federal Relief Funds on hand. We have made application to the "Federal Emergency Relief Committee" for funds for January, February, and March, but have been advised that unless the Congress of the United States makes a further appropriation of relief, funds, as well as C. W. A. funds, will be entirely exhausted by February 15th, and that the allowance of additional funds to the State of Iowa, for the month of January and to February 15th, are contingent upon whether Iowa makes a Relief appropriation for unemployment Relief, and in our opinion, Federal Authorities are quite fixed in their mind, that Iowa is as well equipped to carry part of the Relief load as many of these other States, and that they are going to insist before further grants are made to Iowa, upon this actually being done.

Yours very truly,
E. H. MULOCK, *Administrator Civil Works Administration.*

January 23, 1934.

HONORABLE JOHN H. MITCHELL, Chairman, Legislative Committee on Emergency Relief, Building.

Dear Sir:

Your committee has requested of this department an opinion as to legal ways and means to raise three million dollars to be expended by the state or the counties for emergency relief purposes.

The difficulty with the present situation is that the money must be raised at the earliest possible date in order to meet the requirements of the

Digitized by Google

Federal government if it is to put up further funds for relief within this state.

The Constitution places certain limitations upon indebtedness, Section 3 of Article 11, placing a limitation upon indebtedness which counties may incur and Article 7 placing limitations upon indebtedness to be incurred by the state. We are advised that more than thirty counties of the state are indebted to their full constitutional limit which means they cannot incur further legal indebtedness. There is no constitutional limit on taxation and the question arises whether the legislature now in session may impose a mandatory levy upon the several counties to take care of the present emergency situation or whether the money should be raised by the state.

If a mandatory levy of one or two mills were imposed upon the ninety-one counties some probably would not make the levy and in other cases it is likely the financing would not be properly handled. That is, the anticipatory warrants would for various reasons be of doubtful and slow marketability so that relief in some cases would not be supplied when needed. If prompt and effective financing is necessary, as seems to be the case, the question of raising the money by the several counties pursuant to either old or prospective legislation would seem to be out. As a general legal proposition one legislature cannot bind its successors and if a state levy were to be made by the legislature of one or more mills, it would not be effective as security for anticipatory warrants or other evidence of indebtedness unless the money were to be raised prior to the end of the present biennium which is June 30, 1935.

Any bill that is prepared to raise the proposed three million dollars, or such lesser amount as may be required, for relief purposes should provide the specific purpose for which the levy is made, the amount thereof and that it should be raised so that the warrants might be taken up before the end of the biennium. We are advised that there are no funds in the state treasury now with which to meet the situation and no levies which will raise adequate funds within the next year or two. If there were funds in the treasury it would be a simpler matter to draw an appropriation bill. The legislature is confronted, however, with the necessity of devising ways and means to raise the money and to do so before any new tax can be collected. This means that marketable warrants or other evidences of debt must be issued and the purchaser of such warrants must know that the money will eventually come to take up the warrants according to their terms.

Section 2 of Article 7 of our Constitution provides that "the State may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for in the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the general assembly or at different periods of time, shall never exceed the sum of two hundred fifty thousand dollars." Section 5 of the same Article provides that certain additional indebtedness may be created if the people of the state vote favorably upon the proposition to create such indebtedness. As we understand it, it is desired in the instant case to raise the funds without the extraordinary expense of such election

Digitized by Google

and at a date much earlier than that on which such election could be held in order to avail the state of additional federal aid which will, as we are informed, be withheld if the state does not make the appropriations herein referred to.

Where it is definitely certain that money will come into the state treasury within the biennium, the legislature may make appropriations against it which are not regarded by our courts as state debts. We believe warrants issued in anticipation of a levy made now to be collected before June 30, 1935, would be marketable. It has been suggested that an additional one cent tax on gasoline would raise the required amount. We think there is no legal impediment to such additional tax levied for this specific purpose and pledged to the payment of warrants which might be issued in anticipation thereof, payment to be made within the year. It has been suggested that other sales taxes might be enacted to take care of the emergency. The legislature may have in mind other means of raising this money.

It is not our purpose to suggest to the legislature how the money should be raised other than to call its attention to certain limitations and difficulties which will be encountered and which must be avoided. We shall be glad to have any proposed measures submitted to us for our opinion as to their legality if any questions are raised in regard thereto.

We have prepared and will be glad to submit to you a rather extensive brief covering the legal questions involved in the raising of such emergency funds.

Warrants or bonds which may be issued will have to be disposed of on the open market. Appreciating this situation, we have talked with representatives of Carlton D. Beh Company and the White-Phillips Company of Davenport who handle such securities and have also talked by long distance telephone with Chapman & Cutler, Attorneys, in Chicago, whose approving opinion will, no doubt, be required by any purchaser of such warrants as may be issued. In view of the fact that buyers of bonds and warrants as a rule require the opinion of Chapman and Cutler, it would seem advisable to submit any proposed bills to that firm for approval before the final form and details are finally voted on.

Very truly yours,

HG:AL HARRY GARRETT, *Assistant Attorney General.*

CALL OF THE HOUSE

MR. SPEAKER: We the undersigned demand a Call of the House on House File No. 1.

EARL M. DEAN	A. C. HANSON
D. R. MCCREERY	A. H. BONNSTETTER
JOHN SPEIDEL	O. J. GRAU

The roll call showed all members present except Durant of Hancock, Porter of Delaware and Elliott of Polk. Durant and Porter were previously excused.

Speidel of Washington moved that Elliott of Polk be temporarily excused Motion prevailed.

Digitized by Google

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 1, as amended.

Speidel of Washington offered the following amendment and moved its adoption:

Amend House File No. 1, as amended, Page 45, Section 44, line 2, by striking "15th" and inserting in lieu thereof "20th". Also, Page 46, Section 45, line 3, by striking "15th" and inserting in lieu thereof "20th".

Amendment adopted.

McFarlane of Black Hawk called up the amendment filed by him and found on pages 875 to 884, inclusive, in the journal of January 23 and moved its adoption.

Elliott of Polk appeared in the House and the Call of the House on House File No. 1, as amended, was declared complete.

Reed of Mahaska moved that the House resolve itself into a Committee of the Whole for the purpose of considering the pending amendment to House File No. 1, as amended.

Fabritz of Wapello offered as a substitute motion, that the House consider amendments to the pending amendment to House File No. 1, as amended, at this time. Motion prevailed.

Reed of Mahaska moved that the House adjourn until 9:30 o'clock a. m. tomorrow morning. Motion lost.

Ellsworth of Hardin moved to amend the McFarlane amendment to House File No. 1, as amended, as follows:

Strike the period at the end of Sec. 4, line six, and add the following: "and except on money loaned and/or repaid".

Amendment adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 241, 132, 123, 251, 240, 244 and 234.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

Digitized by Google

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 241, 132, 123, 251, 240, 244 and 234.

AMENDMENTS FILED

Fabritz of Wapello and Willis of Dallas filed the following amendment:

Amend line five (5), Section one (1) of McFarlane amendment to the amendment to House File No. 1 as amended, by adding after the word "societies" in line five (5) the following: "orders, associations, and labor unions and their auxiliary organizations,".

Felter of Warren filed the following amendment:

Amend House File No. 1 as amended as follows:

Amend House File No. 1 as amended by striking all after the enacting clause and substitute in lieu therefor, the following:

Section 1. Definitions. This act shall be known and cited as the "property tax limitation and relief act of 1933".

Unless otherwith specifically provided when used in this act:

(a) The word "person" includes individuals, fiduciaries and partnerships.

(b) The word "corporation" includes joint stock companies, limited partnerships, and associations organized for pecuniary profit.

(c) The words "domestic corporation" mean any corporation organized under the laws of this state.

(d) The words "foreign corporation" mean any corporation other than a "domestic corporation".

(e) The word "taxpayer" means and includes every person, individual, firm, co-partnership, association, corporation, society, congregation, and/or body of persons howsoever associated or organized, and/or fiduciary, who derives or receives any income from any and all business done or transacted in the state of Iowa, and any other individual who maintains a permanent place of abode within this state, or spends in the aggregate more than six months within the state, within any tax year, or maintains or occupies a permanent place of doing business in the state of Iowa.

(f) The term "tax year" or "taxable year" means the calendar year.

(g) The term "gross income" means the aggregate sum in value, or its equivalent, passing in any transaction of business as compensation for personal service, and from trade, business or commerce, proceeding or accruing from the sale of tangible property, real or personal, or service, or both, and all receipts, actual or accrued, by reason of the investment of capital of the business engaged in, including interest, discounts, rentals, royalties, dividends, fees, wages, salaries, commissions or other emoluments, however designated, without any deduction on account of the cost of property sold, the cost of materials used, labor costs, interest,

Digitized by Google

or discount paid, or any other expense whatsoever; and without any deduction on account of losses; provided, however, that when credit is extended for the whole, or any part of the consideration proceeding from any business transaction, such credit receivable shall not be deemed to constitute gross receipts or gross income until collected. Provided further the term "gross income" shall not include the proceeds of a sale of property by the owner when such sale is an isolated transaction merely incident to ownership, is not part of a series of similar transactions, and has no connection with a regular business of the owner. Provided, further, that upon the sale of any property or commodity, delivered out of the state, the freight or transportation cost, actually paid thereon, shall not be deemed gross income. Provided, further, that cash discounts, allowed and taken on sales, shall not be included as gross income; and further provided, that goods, wares or merchandising or the value thereof, returned by customers when the sale price is refunded, either in cash or credit, shall not be deemed included in gross receipts or income. Interest accruing after this act becomes effective and received upon any indebtedness, loan or deposit of money, security or investment, and discounts charged, when collected, shall constitute gross receipts. The payment of any obligation for borrowed money, whether such obligation be evidenced by note, bond, or other instrument, or not, and the withdrawal of deposits, shall not, as to the principal of such obligation, constitute gross receipts or income. Gasoline, cigarette, and other special taxes, imposed by the laws of this state, shall remain in full force and effect, but the amount of such taxes paid by the taxpayer shall not be deemed gross income; the receipt of money or property by assignment for the benefit of creditors or as trustees upon the creation of a trust, or the pledge of property for security, shall not be deemed gross income. The receipts of capital by a corporation, copartnership, firm or joint adventure, for sale of stock in such corporation, copartnership, firm or joint adventure, or contributions to capital by the members of any other organizations, shall not be deemed gross income, but any sums received in excess of the amount of such capital shall be taxable as gross income. Proceeds accruing or proceeding from subsequent transactions in the stock of such corporation or organizations, or in the interests of shares of the members of any organization shall be taxable.

(h) The word "business" shall mean, and include, any activity engaged in, or caused to be engaged in, with the object of gain, benefit, or advantage, either direct or indirect.

(i) The term "manufacturer" shall be deemed to include any person, firm, or corporation, who purchases, receives, or holds personal property of any description for the purpose of adding to the value thereof by any process of manufacturing, refining, purifying, combining of different materials, or by the packing of meats, with a view to selling the same for gain or profit.

(j) The term "includes" and "including", when used in a definition contained herein, shall not be deemed to exclude other things otherwise within the meaning of the term defined.

Digitized by Google

(k) The term "board" shall mean the Iowa state board of assessment and review.

(l) The term "treasurer" shall mean the treasurers of the various counties of this state.

(m) The term "general service business" shall include all nonprofessional activities engaged in for other persons for a consideration, which involves the rendering of a service as distinguished from the production or sale of property, but shall not include the services rendered by an employee to his employer.

Sec. 2. Levy and Rates. From and after the taking effect of this act, there is hereby imposed upon each and every taxpayer within the meaning of this act, located in or transacting business in the state of Iowa, a tax upon the privilege of such taxpayer to do business, such tax being imposed at the rates and under the conditions hereinafter provided, in respect to all business done within this state by such taxpayer, at the rates specified hereinafter for each business or class of business in which such taxpayer engages. But a taxpayer receiving income from labor performed, business done, or property located partly in and partly outside this state, and income from labor performed, business done, or property located partly in and partly outside of this state, shall be taxable only upon the amount of income received by such taxpayer from labor performed, business done, or property located within this state. The remainder of the income received by him shall be deemed nontaxable by this state. The taxes levied by this section shall be assessed, collected and paid at the following specified rates, to-wit:

(a) For the privilege of engaging or continuing within this state in the business of manufacturing, a tax of one-half of one per cent (½%) of the gross proceeds received from the sales of such products manuactured and delivered within the state, excluding therefrom deliveries for transportation out of the state; provided, that the amount of such tax imposed upon such proceeds from the sale of food stuffs so manufactured for human consumption and of the by-products of such manufacturing business shall be one-fourth of one per cent (¼%).

Where the products of a manufacturer are marketed at wholesale in whole or in part through a subsidiary, the subsidiary shall be taxed at the rate provided for the manufacturer of the articles so marketed, and such subsidiary shall make a return and pay the tax upon the proceeds of sales herein taxed, and the parent concern shall not include in its return or pay a tax on the sale or transfer of its product so marketed through its subsidiary.

(b) For the privilege of continuing or engaging in any occupation, trade, profession or calling where the gross income is represented by a compensation in the form of wages or salaries, the amount of the tax levied and imposed by this act shall be equal to the gross income from such business, multiplied by a rate of one-half of one per cent (½%) on such income, up to and including $1,000.00; on all amounts in excess of $1,000.00 up to and including $2,000.00, by a rate of one per cent (1%); on all amounts in excess of $2,000.00 up to and including $3,000.00, by a rate of two per cent (2%); on all amounts in excess of $3,000.00 up to and

Digitized by Google

including $4,000.00, by a rate of three per cent (3%); on all amounts in excess of $4,000.00 up to and including $5,000.00, by a rate of four per cent (4%); on all amounts in excess of $5,000.00, by a rate of five per cent (5%).

(c) For the privilege of engaging or continuing in any business where the gross income is represented by compensation in the form of fees, commissions, the tax levied and imposed by this act shall be equal to the gross income received from such business, multiplied by a rate of one per cent (1%) on all amounts up to and including $2,500.00; upon all amounts in excess of $2,500.00 up to and including $5,000.00, by a rate of two per cent (2%); upon all amounts in excess of $5,000.00 up to and including $7,500.00, by a rate of three per cent (3%); upon all amounts in excess of $7,500.00, by a rate of four per cent (4%). When any business referred to in this section is engaged in by a partnership, then for the purpose of taxation under this act, the gross receipts shall be deemed to be the gross receipts of the respective individual members of such firm, in proportion to their participation therein, and the tax shall be imposed upon such individual members of the partnership.

For the privilege of engaging or continuing in any business where the gross income is represented by interest or dividends, including stock dividends, the tax levied and imposed by this act shall be equal to the gross receipts received from such business multiplied by a rate of one-half of one per cent (½%) on such income, up to and including $1,000.00; on all amounts in excess of $1,000.00 up to and including $2,000.00, by a rate of one per cent (1%); on all amounts in excess of $2,000.00 up to and including $3,000.00, by a rate of two per cent (2%); on all amounts in excess of $3,000.00 up to and including $4,000.00, by a rate of three per cent (3%); on all amounts in excess of $4,000.00 up to and including $5,000.00, by a rate of four per cent (4%); on all amounts in excess of $5,000.00, by a rate of five per cent (5%).

(d) For the privilege of engaging or continuing in any business, the gross income from which is derived from rents, royalties or discounts, the tax shall be the gross receipts derived from such business, multiplied by a rate of one per cent (1%).

(e) For the privilege of engaging or continuing in the amusement business, including ball games, skating rinks, pool halls, theatres, shows, athletic exhibitions or matches and similar transactions, the amount of such tax shall be an amount equal to the gross receipts received from such source multiplied by two per cent (2%).

(f) For the privilege of engaging or continuing in the business of transportation of persons or property for hire, other than as a street railway, one per cent (1%) upon the entire gross income from such business, originating and terminating within the state.

(g) For the privilege of engaging or continuing in the business of transmitting messages or communications for public hire as a common carrier, the tax shall be an amount equal to the gross receipts received upon all such business originating and terminating within the state, multiplied by two per cent (2%).

(h) For the privilege of engaging in, or continuing in the business

Digitized by Google

of selling goods at retail through stores, agents, solicitors or otherwise, including the business of selling electrical energy, manufactured and natural gas, straight or mixed, water or heat, and all petroleum products, crude and/or refined, except motor vehicle fuel, including natural gas, transported in pipe-lines and when at rest for distribution within the state of Iowa, for sale, use and consumption in said state, where such sale is intended as a sale to the ultimate consumer and is not intended for procesing or resale, the tax shall be computed by multiplying the gross receipts received or derived therefrom during the tax year, within the state of Iowa, by the following rates, to wit:

1. That portion of the gross receipts not in excess of $50,000.00, by one-half of one per cent (½%).

2. That portion of the gross receipts in excess of $50,000.00, and not in excess of $100,000.00, by one per cent (1%).

3. That portion of the gross receipts in excess of $100,000.00 and not in excess of $150,000.00, by one and one-half per cent (1½%).

4. That portion of the gross receipts in excess of $150,000.00, by two per cent (2%).

For the purposes of this subsection, every person, firm, corporation, association, partnership or agency whatsoever operating in whole or in part any store, stores or places of sale or distribution in this state, for the purpose of selling at retail any tangible personal property, or electrical energy, manufactured and natural gas, straight or mixed, water or heat, and all petroleum products, crude and/or refined, except motor vehicle fuel; to consumers or users thereof, shall be considered as a single unit for the collection of taxes under this act, and the rates as provided in this act shall be applied upon the entire volume of all sales made by any such retailer or retailers, through all retail establishments or places of business, under the management or control, in whole or in part, of such retailer, or retailers. The state board shall provide for joint returns from the retailer in all cases where more than one retail agency, store or establishment is under the same general management, supervision, ownership or control, in whole or in part.

(i) For the privilege of engaging or continuing in the business of farming or livestock raising, or other agricultural pursuits, the tax shall be an amount equal to the total value of the product or products of such business during the tax year at the time such product or products are marketed, multiplied by a rate of one-fourth of one per cent (¼%).

(j) For the privilege of engaging in or continuing in the business of a "trader", as hereinafter defined, the amount of the tax levied and imposed by this act shall be equal to the gross income received or derived from such business during the tax year, multiplied by a rate of one-twentieth of one per cent (1/20%).

For the purpose of this subsection, a "trader" shall mean a person, partnership or corporation, other than a jobber, wholesaler or retailer, who deals in the purchase of personal property on his or its own account, for the purpose of resale and gain, including dealers, speculators and traders on boards of trade and/or exchange boards.

(k) For the privilege of engaging or continuing in the business of

Digitized by Google

rendering general service of any character, the amount of such tax to be equal to the gross income received from such business, multiplied by a rate of one per cent (1%).

(l) For the privilege of engaging or continuing in the business of wholesaling and jobbing, the amount of such tax to be equal to the total gross income from all sales within the state of Iowa, multiplied by a rate of one-fourth of one per cent (¼%). No tax shall be imposed upon the wholesaling by any Iowa manufacturer, or articles or commodities produced by such manufacturer. The term "wholesaling" shall include all taxpayers doing a regularly organized wholesale business known to the trade as such, selling only to registered retail merchants or jobbers.

(m) For the privilege of engaging or continuing in the business of mine-operating, the amount of such tax to be equal to the total gross income from all sales within the state of Iowa, multiplied by a rate of one-fourth of one per cent (¼%).

(n) For the privilege of engaging or continuing in, or transacting any business within this state, other than those businesses included in the preceding subdivisions of this section, the amount of tax levied and imposed by this act, shall be equal to the gross income derived from such business, multiplied by a rate of one-half of one per cent (½%).

The board shall prescribe equitable and uniform rules for the interpretation of this section and of this act, for the purpose of ascertaining values, and for the purpose of classifying taxpayers and businesses in the administration of this act.

No tax shall be imposed upon any agent where the principal of such agent is taxed upon the privilege of receiving the same income, or for transacting the same business.

The gross income of any corporation once included in computing the tax due hereunder shall not again be included as taxable gross income when distributed in the form of interest, dividends, rental, or otherwise, to affiliated corporations, ninety per cent (90%) of the stock of which is owned directly or indirectly by one parent corporation, and under rules and regulations to be adopted by the board a consolidated return may be filed by such parent corporation for all of its affiliated corporations.

Sec. 3. Exempted corporations and organizations. The following organizations and corporations shall be exempt from taxation under this act:

(a) All state, national, cooperative and savings banks, title insurance and trust companies, building and loan associations, domestic corporations operating under the provisions of chapter three hundred ninety-two (392), code, 1931, insurance companies, and/or insurance associations, fraternal beneficiary associations, now or hereafter organized or incorporated by or under the laws of this state or lawfully operated in the state of Iowa.

(b) Cemetery corporations, organizations and associations, and corporations organized for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part

Digitized by Google

of the net earnings of which inures to the benefit of any private stockholder or individual.

(c) Business leagues, chambers of commerce, labor unions and auxiliary organizations, or boards of trade not organized for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual, agricultural fairs, live stock and/or poultry shows.

(d) Civic leagues or organizations not organized for profit, but operated exclusively for the promotion of social welfare.

(e) Clubs, organizations or associations organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member.

(f) Cooperative organizations not conducted for the profit of the organization, where the entire gross income from its transactions, not used for the payment of its expenses or reserved for losses or reserved in compliance with the statutory requirements, accrues to its members on the basis of their patronage.

(g) Credit unions organized under the provisions of chapter four hundred sixteen-A one (416-A 1), code, 1931.

Sec. 4. Exemptions. There are hereby specifically exempted from the provisions of this act, and from the computation of the amount of tax imposed by it, the following:

(a) The proceeds of life insurance premiums and contracts paid upon the death of the insured, or policy loans and cash surrenders made thereunder.

(b) The return of premiums paid under life, endowment or annuity contracts, either during the term or at the termination thereof, or upon the surrender of such contract.

(c) The acquisition by gift, bequest, devise or inheritance of any property or money, but not the income therefrom.

(d) The net proceeds of the sale of livestock and/or grain produced outside this state when shipped or delivered from outside the state, directly to and sold by nonresident owners at public markets within this state.

(e) The receipt of compensation through an accident or health insurance policy, or under the "workmen's compensation act," for personal injury or sickness, or receipt of money from compensation for damages recovered either by suit or by agreement.

(f) The receipt of interest on obligations of the United States or of the state of Iowa, or any subdivision thereunder, or interest upon securities issued under the provisions of federal law where such interest is exempted from taxation by the laws of the United States and of this state.

(g) Salaries, wages or other compensation received from the United States by office or employment thereof and pensions and compensation received from the United States where the same is especially exempted from taxation by law.

(h) The business of banking as defined by the laws of the state of Iowa.

Digitized by Google

(i) The borrowing of money.

(j) Engaging in the transportation of persons or goods as a motor carrier under the provisions of chapter two hundred fifty-two-A one (252-A 1), code, 1931, which is now subject to the payment of a privilege tax computed on a rate per ton mile.

Sec. 5. Deductions. There is hereby allowed a deduction of three dollars per annum from the total annual tax imposed against each taxpayer by this act. In the event no tax beyond such deduction is due, then no return shall be required from such taxpayer.

Sec. 6. Payment—Installments. The taxes levied hereunder for each tax year shall be payable in quarterly installments on or before the expiration of thirty (30) days from the end of the quarters in which the tax accrues. The taxpayer shall, within thirty (30) days from the expiration of each quarter, make out a quarterly report of his gross income for such quarterly period and an estimate of the tax for which he is liable for such quarter, upon the forms provided for in section nine (9), of this act, and mail or deliver the same together with a remittance for the amount of the tax, to the office of the county treasurer of the county where the tax is payable. The amount of the tax due and payable at the end of any quarter shall be arrived at by considering the amount of the gross income of the business during the portion of the tax year ending with such quarter, and applying to the gross income of the business for such quarter the rates which are applicable thereto under the provisions of this act. Provided, however, that where the tax any taxpayer is liable for under this act shall exceed an average of ten dollars per month, such taxpayer shall be permitted to make monthly payments, and the board may, in their discretion, where the tax liability of the taxpayer is in excess of the monthly average of ten dollars require monthly report, estimates and payments.

Sec. 7. Registration. Every person and corporation who is made subject to the payment of a tax under the provisions of this act, in excess of deduction named in section five (5) hereof, shall on or before the first day of July of each year register as a taxpayer under this act, with the board, which registration may be made by letter giving the name, place of residence, business, and place or places of business of the taxpayer so registering and the name of the county in which the tax will be paid, which shall be either the county of the taxpayer's residence or his principal place of business, or in case of nonresidents the office of the state treasurer, Des Moines, Iowa. Such registration shall be a prerequisite to the privilege of doing business in the state of Iowa, and any person or corporation, who neglects or refuses to register as required by this act, or who, having registered, refuses or neglects to pay the tax herein imposed, or otherwise to comply with the requirements of this act shall be denied the privilege of doing business in this state. Taxpayers shall at the request of the board also supply such other and further information as may be reasonably necessary for the purpose of maintaining a roster of taxpayers. The board shall have authority to require every assessor to furnish to the county auditor a list of all taxpayers in his assessing district subject to tax under this law.

Sec. 8. Returns. On or before thirty (30) days after the end of the

Digitized by Google

tax year each taxpayer liable for the payment of a tax under section two (2) of this act shall make a return showing the gross proceeds of sales or gross income of business and compute the amount of tax chargeable against such taxpayer in accordance with the provisions of this act, and deduct the amount of quarterly and/or monthly payments, as hereinbefore provided for, if any, and transmit with such report a remittance covering the residue of the tax chargeable against him, to the office of the county treasurer; such return shall be verified by the oath of the taxpayer, if made by an individual, or by the oath of the president, vice president, secretary or treasurer of a corporation if made on behalf of a corporation. If made on behalf of a partnership, or any other group or combination acting as a unit, any individual delegated by such copartnership or any other group or combination acting as a unit shall make the oath on behalf of the taxpayer. If for any reason it is not practicable for the individual taxpayer to make the oath, the same may be made by any duly authorized agent. The board, for good cause shown, may extend the time for making the annual return on the application of any taxpayer and grant such reasonable additional time within which to make the same as may, by it, be deemed advisable.

(b) Any taxpayer engaging or continuing during the whole or any part of the tax year in two or more kinds or classes of business as classified in this act, when making returns pursuant to the provisions of this act, shall in such returns segregate the respective portions of gross income derived from each kind or class of business.

(c) Every employer is hereby required to report the names and addresses of every person in his employ who receives a wage or salary and the amount of such wage or salary together with the frequency of payment. This report shall accompany the annual return of the employer as to his own income.

(d) The county treasurer shall, within ten days after receipt thereof, forward all quarterly estimates and annual reports and returns to the office of the board together with a statement of and a receipt for the amount of tax payments received. The board shall promptly audit all returns.

Sec. 9. The board shall cause suitable forms and blanks to be prepared for all estimates, returns, registrations and reports required by the provisions of this act, and upon request shall furnish the same to any taxpayer or person required to use the same. All estimates, returns, registrations and reports shall be made upon forms and blanks prepared and furnished by the board.

Sec. 10. Errors. If a taxpayer shall make any error in computing the tax assessable against him, the board shall correct such error or reassess the proper amount of taxes and notify the taxpayer of its action by mailing to him promptly a copy of the corrected assessment. Any additional taxes for which such taxpayer may be liable, shall be paid to the treasurer within ten days after the receipt of such notice. If a refund is due, the board shall cause payment of the same to be made to the taxpayer in the manner hereinafter provided.

Sec. 11. Faulty Assessment. Procedure. If any taxpayer having

Digitized by Google

made the return provided for by this act, feels aggrieved by the assessment made upon him by the board, he may apply to the board by petition, in writing, within thirty (30) days after notice is mailed to him by the board, for a hearing and a correction of the amount of the tax so assessed upon him by the board, in which petition shall be set forth the reasons why such hearings should be granted and why the amount of such tax should be reduced. The board shall promptly consider such petition, and may grant such hearing or deny the same. If denied, the petitioner shall be forthwith notified thereof; if granted, the board shall notify the petitioner of the time and place fixed for such hearing. After such hearing, the board shall make such order in the matter as may appear to it just and lawful, and shall give notice by furnishing a copy of such order to the petitioner.

Sec. 12. Returns. Failure to Make or Correct. If any taxpayer fails or refuses to make a return or to correct an untrue return, the board shall proceed, in such manner as to it may seem best, to obtain facts and information on which to base the assessment of the tax levied by this act; and to this end may, by itself or its duly appointed agent, make examination of the books, records and papers of any such taxpayer, and may take the testimony on oath of any person who it may believe shall be in possession of facts or information pertinent to the subject of inquiry, which oath any member of the board, or the agent so appointed by it, may administer. As soon as possible after procuring such information as it may be able to obtain with respect to any such taxpayer, the board shall proceed to assess the tax against such taxpayer, and shall notify him of the amount thereof. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed shall, within thirty (30) days after the giving of notice of such determination, apply to the board for a hearing or unless the board of its own motion shall reduce the same. At such hearing evidence may be offered to support such determination or to prove that it is incorrect. After such hearing the board shall give notice of its decision to the taxpayer liable for the tax.

Sec. 13. Appeals. (a) An appeal may be taken by the taxpayer to the district court of the county in which he resides, or in which his principal place of business is located, within sixty (60) days after he shall have received notice from the board of its order made under the provisions of any of the two preceding sections.

(b) The appeal shall be taken by a written notice to the chairman of the board and served as an original notice. When said notice is so served it shall, with the return thereon, be filed in the office of the clerk of said district court, and docketed as other cases, with the taxpayer as plaintiff and the board as defendant. The plaintiff shall file with such clerk a bond for the use of the defendant, with sureties approved by such clerk, in penalty at least double the amount of tax appealed from, and in no case shall the bond be less than $50.00, conditioned that the plaintiff shall perform the orders of the court.

(c) The court shall hear the appeal in equity and determine anew all questions submitted to it on appeal from the determination of the board. The court shall render its decree thereon and a certified copy of said decree

Digitized by Google

shall be filed by the clerk of said court with the board who shall then correct the assessment in accordance with said decree. An appeal may be taken by the taxpayer or the board to the supreme court of this state in the same manner that appeals are taken in suits in equity, irrespective of the amount involved.

Sec. 14. No injunction to restrain or decree any taxes claimed by the board to be due, shall be issued by any court, but in all cases in which, for any reason it shall be claimed that any tax about to be collected is wrongful or illegal in whole or in part, the remedy, except as otherwise expressly provided by this act, shall be by appeal to the district court, as provided in the preceding section.

Sec. 15. Tax a Lien. The tax imposed by this act shall be a lien upon the property of any person subject to the provisions hereof who shall sell out his business or stock of goods, or shall quit business, and such person shall be required to make the return provided for under section eight (8) within thirty (30) days after the date he sold out his business or stock of goods, or quit business, and his successor in business shall be required to withhold sufficient of the purchase money to cover the amount of said taxes due and unpaid, until such time as the former owner shall produce a receipt from the state board of assessment and review showing that the taxes have been paid. If the purchaser of a business or stock of goods shall fail to withhold purchase money as above provided and the taxes shall be due and unpaid after the thirty-day period allowed, he shall be personally liable for the payment of the taxes accrued and unpaid on account of the operation of the business by the former owner. Every person receiving the proceeds of sale at any public sale of personal property, either as clerk of such sale, auctioneer or public officer, shall deduct from the proceeds received from such sale the amount of the taxes due under the provisions of this act, and forthwith remit the same to the county treasurer, otherwise he shall be personally liable therefor.

Sec. 16. Delinquency—Penalty. A tax due and unpaid under this act shall constitute a debt due the state and may be collected by action in the proper court for judgment, or other appropriate judicial proceedings, which remedy shall be in addition to all other existing remedies, and upon the filing of a notice of lien with the county recorder of the proper county, it shall constitute a lien upon all the property of the taxpayer and the same shall be collected by distress and sale by the county treasurer, as other taxes are collected, together with an additional five per cent (5%) of the amount of the tax, and the costs of collection, if paid within thirty (30) days after the date it was due, and an additional two per cent (2%) of the amount of the tax for each succeeding thirty (30) days elapsing before the tax shall have been paid; provided, however, that the additional two per cent (2%) penalty shall not be applied until a ten-day notice of delinquency shall have been sent to the taxpayer.

Sec. 17. Tax Year. The assessment of taxes herein made and the returns required therefor shall be for the year ending on the thirty-first day of December; provided, however, that if the taxpayer in transacting

Digitized by Google

his business keeps the books reflecting the same on a basis other than the calendar year, he may, with the assent of the state board of assessment and review, make his annual returns and pay taxes for the year covering his accounting period, as shown by the method of keeping the books of his business.

Sec. 18. Privilege Tax. The tax imposed by this act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engaging in any business taxable hereunder, except as in this act otherwise specifically provided.

All remittances of taxes and fees imposed by this act shall be made to the county treasurer, and all such remittances shall be made payable to him. The county treasurer shall issue his receipts therefor to the taxpayer, and shall keep all such moneys received by him in a special fund to be known as the "state tax fund", to be distributed quarterly upon order of the board as provided in section eighteen (18) of this act.

Sec. 19. False Return—Penalty. It shall be unlawful for any person to refuse to make the return provided to be made in sections eight (8) and seventeen (17) of this act; or to make any false or fraudulent return or false statement in any return, with intent to defraud the state or to evade the payment of the tax, or any part thereof, imposed by this act; or for any person to aid or abet another in any attempt to evade the payment of the tax, or any part thereof, imposed by this act; or for the president, vice-president, secretary or treasurer of any company to make or permit to be made for any company or association any false return, or any false statement in any return required in this act, with the intent to evade the payment of any tax hereunder, and any person violating any of the provisions of this section shall be guilty of a misdemeanor and on conviction thereof shall be fined not more than $1,000.00 or imprisoned not exceeding one year in the county jail or punished by both fine and imprisonment, at the discretion of the court, within the limitations aforesaid. In addition to the foregoing penalties, any person who shall knowingly swear to or verify any false or fraudulent return, or any return containing any false or fraudulent statement, with the intent aforesaid, shall be guilty of the offense of perjury and, on conviction thereof, shall be punished in the manner provided by law. Any company making a false return or a return containing a false statement as aforesaid shall be punished by a fine of not more than $1,000.00.

Sec. 20. Administration. The administration of this act is vested in and shall be exercised by the board who shall prescribe forms and reasonable rules of procedure in conformity with this act for making of returns and for the ascertainment, assessment and collection of the taxes imposed hereunder; and the enforcement of any of the provisions of this act in any of the courts of the state shall be under the jurisdiction of the board, which may require the assistance of and act through the county attorney of any county; but the county attorney of any county shall receive no fees or compensation for services rendered in enforcing this act in addition to the salary paid by the county to such officer.

The county treasurer of each county of the state is hereby designated the representative of the board in each county; additional clerical assist-

Digitized by Google

ance required by him in carrying out the provisions of this act, or orders of the board in compliance therewith, shall be paid out of funds provided for its enforcement and administration. The board shall have power to require other county or state officers to furnish information or perform acts or duties to assist in the administration of this act, the nature of which is within the scope of their official duties.

There is hereby appropriated out of the revenue derived from this act, not to exceed three per cent (3%) of the revenue derived therefrom for the expenses incurred by the board in carrying out of its provisions.

Sec. 21. General Allocation of Revenues. All revenues arising under the operation of this act and carried by the treasurer of state in the special tax fund shall be apportioned as follows:

(a) Three per cent (3%) of said fund shall be transferred to the general fund of the state as the same is collected.

(b) The balance of said fund shall be distributed from time to time upon order of the board in accordance with the provisions of this act, on warrants drawn by the comptroller upon direction of the board and made payable to the county treasurers of the several counties of the state.

Sec. 22. Ratio and manner of distribution. (a) The revenue distributable under paragraph two (2) of the preceding section of this act shall be allocated each year to the several counties of the state in the same proportion that the assessed valuation of the taxable real and tangible personal property in that county for the next preceding tax years bears to the assessed valuation of the total taxable real and tangible personal property in the state for the next preceding tax year.

(b) On August 1, 1934, and annually thereafter, the board shall certify to the county treasurer of each county in the state, the total amount of the money which has been apportioned and/or is then apportionable to that county.

(c) The county treasurer shall then apply the amount so apportioned to the relief of the several property taxpayers of that county by entering a credit against the second installment of the tax bill of each such taxpayer, being the tax bill of the next preceding tax year, due and payable in the current year, the amount of such credit to be determined by the proportion which the assessed valuation of such taxpayer's taxable real and tangible personal property for the next preceding tax year bears to the total assessed valuation of taxable real and tangible personal property in that county for the next preceding tax year. The amount of money so credited shall be apportioned by the county treasurer to the various taxing districts of said county the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district. In the event that such property taxpayer has paid both installments of the tax at the time the first installment was due and payable, the county treasurer shall at the same time that he enters the aforesaid credit, remit to such property taxpayer the amount of the credit which such taxpayer would be entitled to receive.

Sec. 23. Invalidation. If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate

Digitized by Google

the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 24. Repeal. The tax levied by the provisions of this act shall not be in lieu of any state license, excise or other tax imposed or due under the provisions of any law now in force except as may be herein specifically provided.

All laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

Sec. 25. Emergency Allocation. For the period of the year 1934 during which the provisions of this act shall be in effect the revenues derived herefrom shall be allocated as provided in section eighteen (18). From the second installment of property taxes collectible before October 1, 1934, the treasurers of the various counties of the state shall deduct that portion of the second installment which is levied on behalf of the state. From the levies imposed by the county, he shall deduct an amount which would be raised by a levy of one-third of one mill on the taxable value of the property and from the levies for the benefit of the various school corporations of the county, he shall deduct that proportion which the amount the board has allocated to the school corporation bears to the total budget of such school corporation for the year for which such taxes were levied.

Sec. 26. Publication Clause. This act, being deemed of immediate importance, shall be in full force and effect after its passage and publication in the Keokuk County News, a newspaper published at Sigourney, Iowa, and in the West Liberty Index, a newspaper published at West Liberty, Iowa.

Amend the title by striking all after the word "act" in line one (1), and substitute in lieu thereof the following: "to limit the amount of taxes assessed against property to provide for the raising of public revenue from other sources by imposing a tax or taxes upon the privilege of doing business in the state of Iowa, in accordance with certain specified classifications and to provide for the ascertainment, assessment, and collection of such taxes; to provide for the distribution and use of revenue derived under this act so as to provide a partial substitute for such property taxes; to regulate the revenue raised by public schools from tuition; to amend chapter sixty-two (62) of the laws of the Forty-fifth General Assembly; to repeal all laws or parts of laws in conflict herewith, and to provide penalties for the violation of the provisions of this act."

Dean of Cerro Gordo moved that the House adjourn until 9:30 o'clock a. m. Thursday, January 25.

On the question "Shall the House adjourn until 9:30 o'clock a. m. Thursday, January 25?" a roll call was demanded.

The ayes were, 70.

Aldrich	Beswick	Craven	Donlon
Augustine	Bouska	Crouch	Doran
Avery	Burgess	Dean	Elliott
Beath	Casey	Dole	Ellsworth

Digitized by Google

Felter	Jenkins	Moore of Harrison	Stanzel
Frizzell	Jensen	Ostby	Stewart
Fuester	Johnson	Peaco	Stimpson
Gallagher	Laughlin	Peet	Strachan
Gissel	Lookingbill	Rawlings	Swift
Gittinger	McCarthy	Reed	Teter
Grau	McCreery	Ryder	Thies
Grell	McDermott	Schmitz	Treimer
Hanson of Lyon	McKinnon	Schroeder	Weed
Hanson of Winnebago	McLean	Smith	Wieben
Hartman	Maniece	Snyder	Wiese
Hough	Mercer	Sours	Willis
Hultman	Metcalf	Stansell	Wolf
	Mitchell		Zylstra

The nays were, 28.

Alesch	Dreessen	Hook	Osborn
Bonnstetter	Fabritz	Hopp	Rice
Bowers	Falvey	Humeston	Roe
Brady	Fletcher	Koch	Sheridan
Bruce	Foster	McFarlane	Speidel
Cunningham	Fuelling	Malone	Yager
Davis	Garner	Millhone	Zipse

Absent or not voting, 10.

Durant	Moore of Benton	Porter	Thiessen
Goode	Mooty	Schlatter	Mr. Speaker
Lichty	Paisley		

Motion prevailed and the House stood adjourned to 9:30 o'clock a. m., Thursday, January 25.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 25, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Lawrence Bash, Pastor Central Christian Church, and State President of the Christian Endeavor Union, Des Moines, Iowa.

Journal of January 24, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Durant of Hancock for the day, on request of Lookingbill of Story.

PETITIONS AND MEMORIALS

Favoring the reduction on automobile fees, and the Gross Income Tax. McCarthy, from the citizens of Woodbury. Referred to the committee on tax revision.

Opposing a reduction in the salary of deputies. Casey, from the deputies of Mitchell county. Referred to the committee on county and township affairs.

Favoring a special tax on chain stores. Lookingbill, from the business men of Story county; Doran, from the business men of Boone county. Referred to the committee on tax revision.

Favoring the allocations of tax money based on the amount of taxes paid. Brady of Pottawattamie, from the city council of Council Bluffs, Iowa. Referred to the committee on tax revision.

REPORTS OF COMMITTEES

Brady of Pottawattamie, from the committee on judiciary No. 1, submitted the following report:

MR. SPEAKER: Your committee on judiciary No. 1 to whom was referred Senate File No. 41, a bill for an act to amend section ten thousand

Digitized by Google

one hundred thirty-eight (10138), Code of Iowa, 1931, relating to the selection and platting of a homestead, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. F. BRADY, *Chairman.*

Report adopted.

Also:

Your committee on judiciary No. 1 to whom was referred Senate File No. 126, a bill for an act authorizing courts to enter rule for mental examination of persons who affirmatively plead their own mental disability in any legal proceedings to which they are parties, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. F. BRADY, *Chairman.*

Report adopted.

CALL OF THE HOUSE

The call of the House on the consideration of House File No. 1, as amended, still being in force, a roll call was had and all members were found present except: Durant of Hancock, Elliott of Polk, Hook of Taylor, Mercer of Johnson, and Porter of Delaware.

Durant and Porter having been previously excused, Speidel of Washington moved that the remaining absentees be temporarily excused. Motion prevailed and Elliott of Polk, Hook of Taylor, and Mercer of Johnson were temporarily excused.

CONSIDERATION OF BILLS

House File No. 1, as amended, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; and to repeal all laws or parts of laws in conflict herewith, was taken up for consideration.

McFarlane of Black Hawk asked and obtained unanimous consent to substitute the following amendment to House File No. 1, as amended, in place of the amendment filed by him heretofore and

Digitized by Google

found on pages 875 to 884, inclusive, of the Journal of January 23, (which is House File No. 204 as rewritten January 24, 1934):

Section 1. That all individuals, copartnerships, firms, societies, congregations, associations, or body of persons howsoever associated or organized, exercising the privilege in this state of bartering, selling and/or exchanging as a business and/or vocation except religious organizations and fraternal insurance societies, with for themselves or as brokers, factors or commission merchants, any property, either real, personal or mixed, or stocks, bonds or other securities or evidences of the ownership of an interest in property, or any personal or public service, not subject to the tax, or taxes, provided and imposed by sections two (2), three (3), four (4), five (5), and/or six (6) of this Act, shall pay to the State Tax Board of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, including all schools and school districts, for such privilege, an annual tax equal to one-half of one per centum (½) of the proceeds derived, as consideration from all such bartering, real and/or personal, or bonds, stocks, or other securities or evidence of ownership of an interest in property and/or service, including the personal earnings of individuals in this State.

Sec. 2. That every merchant doing business in the State of Iowa shall pay to the State Tax Board of the State of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, including all schools and school districts, for such privilege equal to one-half of one per centum (½) of the gross receipts of such merchant derived from the transaction of its business.

The term "merchant", as used in this Act, means and includes each and every individual, or individuals, co-partnership, firm, corporation, joint stock company, fiduciary, syndicate or association, engaged in the business of bartering, selling and/or exchanging, as a business or vocation, either in their own right or as brokers, factors, commission merchants or handlers of consigned stocks or property, any real or personal property, commodities, articles, goods, wares, merchandise, bonds, stocks, securities and/or other evidence of property or interests in property.

Sec. 3. That every manufacturer doing business in the State of Iowa shall pay to the State Tax Board of the State of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, including all schools and school districts, for such privilege, an annual tax equal to one-half of one per centum (½%) of the proceeds derived, as consideration, by such manufacturer from all sales and/or exchange of any article, or articles, or personal property manufactured by him and sold and/or exchanged and delivered, or sold and/or exchanged for delivery.

In computing any tax to be paid by any manufacturer under the provisions of this Act, receipts from the sales and/or exchange by him of partly manufactured goods, which have been so partly manufactured by him, as well as manufactured articles, shall be included.

Sec. 4. That every bank and/or banking corporation, firm, or associa-

Digitized by Google

tion doing business in this State, shall pay to the State Tax Board of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, for such privilege an annual tax equal to one-half of one per centum (½%) of its gross receipts received except bank deposits, and except on money loaned and/or repaid.

Sec. 5. That every insurance company or association doing business in this State shall pay to the State Tax Board of the State of Iowa, for the year 1934 and each year thereafter, for such privilege, for the exclusive use of the State, and all of its subdivisions or parts thereof, including its schools, and the schools of all of its subdivisions or parts thereof an annual tax in a sum equal to one-half of one per centum (½%) of the amount of the gross premiums received from residents of or on property located within this state, less return premiums in cancellation of policies, premiums on policies not taken, all dividends to policy holders, and premiums paid for reinsurance in insurance companies authorized to transact business in this State. Providing, however, that in computing the amount of tax due under this section the State Tax Board shall deduct therefrom any amount paid to the State Treasurer under the provisions of Chapter 335, Code, 1931.

Sec. 6. That every public utility doing any business in the State of Iowa, or selling, or, otherwise disposing of, or furnishing, for a consideration, any product or service in this State, whether the service is concluded within this State or not, shall pay to the State Tax Board of Iowa, for the year 1934 and each year thereafter, for the exclusive use of the State and all of its several taxing districts, including all schools and school districts, for such privilege, an annual tax in a sum equal to one-half of one per centum (½%) of the gross receipts of such public utility derived from the transaction of its business within the State of Iowa, whether the service is concluded in the State or not.

The term "Public Utility", as used in this Act, means and includes every individual, or individuals, co-partnership, firm, corporation, joint stock company, syndicate or association, lessees, trustees or receivers, appointed by any court whatsoever, that now or may hereafter own, operate, manage, or control in this State equipment or facility for:

(a) Transporting persons or property by steam or other railroad for compensation; this shall include all steam or other railroads, and shall also include all express companies, all sleeping car, dining car, drawing room car, palace car, refrigerator, oil, stock, fruit, and any other car companies, which transport persons or property over and upon the lines or rails of any steam or other railroad.

(b) Producing, generating, transmitting, delivering or furnishing gas, electricity, steam or any other agency for the production of light, heat or power to or for the public for compensation;

(c) Diverting, developing, pumping, impounding, distributing or furnishing water to or for the public for compensation;

(d) Transporting persons or property by street, suburban or interurban railway, other than steam railroads, for the public for compensation;

Digitized by Google

(e) Transprting persons or property by motor vehicles, for compensation, including taxicab, bus or truck service;

(f) Transporting or conveying gas, crude oil or other fluid substance by pipe line for the public for compensation;

(g) Conveying or transmitting messages or communications by telephone or telegraph, where such service is offered to the public for compensation;

(h) Conveying or transmitting any message or messages by radio over any broadcasting station in the State of Iowa, and the sale of time by any broadcasting station in the State of Iowa.

The term "Public Utility", as used in this Act, shall include, in addition to those businesses hereinabove enumerated, every other individual or individuals, co-partnership, corporation, joint stock company, syndicate or association engaged in any business whose property is dedicated to the public use, or whose charges or rates for the furnishing of its products of service is or may be subject to regulation by the State of Iowa.

Sec. 7. That the tax or taxes imposed by this Act shall be due and payable quarterly, or such other period as the Tax Board may direct, and the amount of such gross income tax becoming due for each quarter shall be paid to the State Tax Board of the State of Iowa thirty (30) days after the close of the quarterly period for which such tax is paid, the tax for the first quarterly period being due May first, and for the second quarterly period on August first, and for the third quarterly period on November first, and for the fourth quarterly period on February first. The first payment will be for the first quarterly period of 1934, payable May 1, 1934.

All remittances of taxes imposed by this Act shall be made to the County Treasurer of each county where the tax is collected by bank draft, check, cashier's check, money order, or money, who shall issue his receipts therefor to the taxpayers, when requested, and shall deposit all moneys received in some bank or banks in this State, qualified as a state depository; provided, no remittance other than cash shall be final discharge of liability for the tax herein assessed and levied unless and until it has been paid in cash to the Treasurer.

Sec. 8. That the administration of the provisions of this Act shall be conducted by the State Tax Board, herein created, and the necessary expenses of carrying out the provisions of this Act, including the necessary clerical help, and incidental expenses, shall be defrayed out of the receipts collected thereunder. In carrying out the provisions of this Act, the State Tax Board shall employ such agents and employes as shall be necessary to effectuate the purposes of this Act. It shall have the power to make all such reasonable rules and regulations as are necessary to carry out the provisions of this Act; and in all matters connected with the administration of the provisions of this Act, requiring the exercise of judgment and discretion, the judgment and opinion of the State Tax Board shall be final and conclusive, and there shall be no review thereof, excepting the constitutional right of redress in the Courts under existing or future laws.

Sec. 9. That each and every individual, or individuals, partnership,

Digitized by Google

firm, or corporation, subject to the provisions of this Act, and to any taxes herein, shall keep a record in such form, or forms, as the State Tax Board shall prescribe or require showing all such things and matters as the State Tax Board may, in its discretion, require, and as may be necessary in its opinion to effectuate the purposes of this Act, and particularly the following details;

(a) In the case of individuals, co-partnerships, firms, corporations, joint stock companies, fiduciaries, syndicates or associations subject to the tax provided by Section 4 of this Act, the gross receipts received by them as consideration from any bartering, selling and/or exchange of property, real and/or personal, or bonds, stocks, or other securities or evidences of ownership or an interest in property, and/or services during the year; the source or sources from which such receipts are derived.

(b) In the case of merchants; the total amount of sales of all property, commodities, articles, goods, wares, merchandise bonds, stocks, securities, and/or other evidences of property, or an interest in property sold, bartered and/or exchanged by him or it during the calendar year; and showing in detail the consideration received therefor.

(c) In the case of manufacturers; the total amount of sales of all commodities, goods, wares, and/or merchandise sold or exchanged by him or it during the year; and showing in detail the consideration received therefor.

(d) In the case of public utilities; the total gross receipts of such public utility during the year, whether concluded within the State or not.

(e) The State Tax Board may require, as to any or all of the business subject to the taxes imposed by this Act, that any or all of the records required by this Act or which the State Tax Board is authorized to require and does require, shall be kept for each day and/or other period or periods of the year. All such records shall be subject to the inspection of the State Tax Board, its agents, representatives, or employes, at all times during the business hours of each day.

Sec. 10. That each and every individual, or individuals, partnership, firm, corporation, joint stock company, fiduciary, syndicate, and/or other association subject to any of the provisions of this Act, and the tax or taxes levied herein, shall make such detailed reports for each quarterly period as the State Tax Board may require.

Sec. 11. That if any individual, or individuals, partnership, firm, corporation, joint stock company, fiduciary, syndicate or association shall fail, neglect or refuse to make out and file with the State Tax Board any statement or report required by Section ten (10) of this Act within the time therein provided, the State Tax Board shall, immediately after such time has expired, proceed to inform itself as best it may regarding the matters and things required to be set forth in such statements or reports, and from such information as it may be able to obtain, make a statement showing such matters and things, and determine and fix the amount of the gross income tax due to the State from such delinquent taxpayer for any and all such delinquent periods, adding to the amount of such tax a penalty of twenty-five (25) per centum of the amount of the tax, which shall be in addition to the penalty provided by section fourteen (14) of this Act.

Digitized by Google

The State Tax Board, for the purpose of ascertaining the correctness of any report or statement, or for the purpose of ascertaining the things and matters required to be set forth in such reports or statements where no report or statement is filed when due, is hereby authorized either in its own proper person or by an agent, representative or employee designated by it for that purpose, to examine any books, records or memoranda bearing upon the matters required to be included in the report or statement, bearing upon any matter required by the terms of this Act to be kept as a record. In addition, in order to effectuate the purpose of this Act, the State Tax Board, and any authorized agent, employee or representative, may require the attendance of any person or persons having knowledge of any of the matters relevant to such examination or inquiry, and for this purpose, the State Tax Board or any authorized agent, employee or representative, may issue a subpoena or subpoenas in the name of the State of Iowa requiring attendance of such witnesses as may be designated therein at such place or places, at either the office of the State Tax Board at Des Moines, or at any place in the county in which the business which is the subject of investigation has an office, and at such time or times as may be designated in such subpoena or subpoenas. All such subpoenas shall be served by the sheriff or any deputy of the county where the same is directed, and such sheriff or deputy shall be entitled to the same fees for serving such subpoenas as in the case of serving subpoenas in civil cases in the district court. The State Tax Board, or any authorized agent, employe or representative is authorized and empowered to administer oaths to any person or persons summoned. Any such person or persons so summoned shall give all such evidence relevant to the matter under investigation as may be required by the State Tax Board or its authorized agent, employe or representative. The usual fees and mileage expenses allowed witnesses in cases in the District Court of this State shall be allowed any witnesses so summoned. All such fees, mileage expense and fees of sheriffs shall be and constitute lawful expenditures hereunder by the State Treasurer. After such fees and expenditures have been approved by the State Board of Audit they shall be paid by the State Treasurer out of any public funds then in his hands.

Sec. 12. That any person failing to respond to any subpoena issued under the provisions or authority of this Act, after service upon him, or failing to answer any question or questions relative to the matters under consideration that may be propounded on examination, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) for each offense.

Sec. 13. That any person required by the terms of this Act to keep any record or records, or required by the terms of this Act to make a report, statement or return, who willfully or negligently fails to keep any and all such records required by the terms of this Act, or which the State Tax Board is authorized to require and does require, or who fails or refuses to permit the inspection and examination of any such records or memoranda by the State Tax Board or its duly authorized agent,

Digitized by Google

representatives or employe, or who keeps, makes or prepares any false record of any record of memoranda containing a false statement or entry, or who makes or prepares a false report, statement or return, or report, statement or return containing any false statement or entry therein, shall be guilty of a felony, and upon conviction thereof, shall be punished by confinement in the penitentiary for not less than one year nor more than five years, and/or by a fine of not less than Five Hundred ($500.00) Dollars, nor more than One Thousand ($1,000.00) Dollars, provided, that the jury, in its discretion, may fix the punishment at not less than three (3) months nor more than twelve (12) months in the county jail. The term "person", as used in this section, includes any officer, agent or employe of a corporation, joint stock company, syndicate or association, or a member or employe of a partnership, who, as such officer, employe or member is under the duty to perform the act in respect to which the violation occurs, or who may attempt to perform such act or acts or who may assist in performing such act or acts.

Sec. 14. That the State Tax Board is authorized and empowered, and it shall be its duty to issue a distress warrant in the name of the State for the collection of the tax imposed under the provisions of this Act, when past due, and for all penalties, interest and costs, including the cost of issuing and serving any subpoenas issued and served under the provisions of section eleven (11) of this Act. Interest at six per centum (6%) per annum shall be due and payable on any tax not paid when due. A penalty of one (1%) per centum per day is hereby imposed for failure to pay such tax when due; provided, however, when the penalty reaches fifty (50%) per centum no further penalty shall accrue.

Sec. 15. The taxes imposed by this Act shall be a lien upon any property of the taxpayer at his place of business; and if any stock of goods, wares or merchandise, public utility plant, factory and/or business shall be sold in bulk or as a going business or concern, and the tax imposed hereby shall not have been paid, said tax and all interest and penalties shall be and continue a lien upon such stock of goods, wares, merchandise public utility plant and/or factory, and the purchasers or person in control or possession thereof shall be liable for the payment of the tax thereon.

Sec. 16. In any case in which the person, firm, or corporation liable for the payment of the tax hereby imposed shall have been in business for a period less than twelve (12) months prior to the close of the calendar year, the reports required in this Act shall be for the portion of the year in which such person, firm or corporation was in business. In the case of the first reports required hereunder the same shall cover the portion of the year 1934 after the effective date of this act.

Sec. 17. That it shall be unlawful for any officer, agent, employe or representative of the State of Iowa to make known, in any manner, except as may be required by law, any information, concerning the business of any individual or individuals, co-partnership, corporation, joint stock company, syndicate or association subject to the provisions of this Act, which he may have obtained, directly or indirectly, by virtue of any records, memoranda, reports, testimony, books and/or documents kept,

Digitized by Google

filed, given or exhibited in pursuance of this Act, by any such individual or individuals, co-partnership, corporation, joint stock company, syndicate or association. Any person violating the provisions of this section shall be punished by a fine of not less than fifty dollars ($50.00), nor more than five hundred dollars ($500) for each offense. In addition, any such officer, agent, employe, or representative shall be discharged from the service or employ of the State.

Sec. 18. The State Board of Assessment and Review shall administer the provisions of this Act and is hereby clothed with all necessary and incidental powers to fully carry out the provisions of this Act, and it shall make all reasonable rules and regulations for the collection of the tax herein provided for and not inconsistent herewith. Wherever in this Act the words "The State Tax Board" may appear, it shall mean the State Board of Assessment and Review.

Sec. 19. All County, City and Township assesors, and their employees in the State are hereby continued as agents and employees of the State Tax Board insofar as the same shall be necessary for carrying out the provisions of this Act.

Sec. 20. All revenue arising under the operation of this Act and collected by the State Tax Board shall be credited to the Treasurer of State to be carried by him as a special tax fund entirely separate from all other revenues of the State, which fund shall be distributed from time to time by said State Tax Board in accordance with the provisions of this Act on warrants drawn by the Auditor of State upon direction of the State Tax Board with the approval of the State Comptroller, and made payable to the several taxing districts of the State as by this Act hereinafter provided. The warrants so drawn shall, upon presentation, be paid by the Treasurer of State out of said special fund.

Sec. 21. Each taxing district of the State, including the State, shall annually receive out of such special tax fund its proportionate share of the amount so collected, based on the average collected by such taxing district during the ten (10) year period ending December 31, 1933.

On and after July 1, 1934, the State Taxing Board shall fix the basis of distribution among the several districts of the State in the manner above provided.

Sec. 22. From time to time, after July 1, 1934, and at least every three (3) months, the State Tax Board shall distribute to each of the County Treasurers of the State, including the State Treasurer, such revenues as it then has on hand in said special tax fund in the proportion as herein provided.

Sec. 23. The State Tax Board is hereby authorized to grant a refund of any taxes erroneously or illegally assessed or collected, and all penalties and/or interest assessed or collected thereon, and all taxes that appear to it to be in any manner wrongfully collected under this Act, with interest thereon at six per centum (6%) per annum.

(2) No claim for refund shall be allowed by the Treasurer unless a claim therefor has been filed, under oath, with the State Tax Board within one year after the payment of said Tax, penalty or interest thereon.

(3) Upon final determination by the State Tax Board that such re-

Digitized by Google

fund shall be allowed, the said State Tax Board shall certify the amount thereof and the name of the claimant to the auditor of state, who shall, upon the receipt of such certificate, draw his warrant upon the Treasurer of State therefor; and the Treasurer of State shall pay the same out of any funds in the State Treasury not otherwise appropriated.

Sec. 24. There is hereby appropriated out of the funds of the State Treasury not otherwise appropriated, a sum sufficient to pay the necessary fees and expense of administering this Act. Warrants shall be drawn upon the treasury upon the order of the Tax Board with the approval of the State Board of Audit. The Treasurer of State is hereby authorized and directed to pay the same when presented.

Sec. 25. This Act shall not, in any way, alter, change or effect the present laws regarding the imposing and collecting of a tax on beer, cigarettes, inheritances, oleomargarine and gasoline, or any excise, stamp or mulct tax, including the motor vehicle license tax and the drivers license tax.

Sec. 26. The State Tax Board may require any foreign corporation, or corporation not qualified to do business in the State of Iowa, individual, firm, co-partnership, joint stock company, fiduciaries, syndicates and associations doing business in the State of Iowa, either direct or by agent, to furnish a surety bond to guarantee the payment of any tax due or to become due the State of Iowa by virtue of any transaction or business done within the meaning of this Act.

Sec. 27. In the case of those deriving gross income, as herein defined, from engaging in interstate commerce, the tax by this act, levied, assessed and collected shall be considered as and is a tax upon the privilege of doing business within this state and/or a tax upon the property within this State used in the conduct of such interstate commerce, and is not a tax upon the privilege of engaging in interstate commerce.

Sec. 28. Every person, firm and corporation within this state which regularly employs any individual or individuals within this state on either a salary or commission basis shall be responsible for the collection of the tax upon the amount of each such employee's gross income paid such employee by such employer, and shall make return thereof and pay the tax thereon, provided by this act, to the county treasurer of the county in which the tax is due, on the forms in accordance with rules and regulation prescribed by the Board. The compensation herein contemplated shall not be deemed to include compensation paid to persons whose employment is purely casual nor to independent contractors.

Sec. 29. This Act shall apply to all transactions covered thereby insofar as the year 1934 is concerned, only for that portion of said year then remaining after said Act becomes effective.

Sec. 30. The tax upon such gross income shall be for the ensuing year, and shall be upon the gross income of the calendar year in which it accrues, and shall be paid for the period in which it accrues and in accordance with the terms of this Act and the rules and regulations promulgated hereunder.

Sec. 31. A tax due and unpaid under this Act shall constitute a debt due the State, and may be collected by action at law, or otherwise appro-

Digitized by Google

priate judicial proceedings, which remedy shall be in addition to all other existing remedies.

Sec. 32. It is hereby declared to be the intent and purpose of this act to levy a tax on the transfer, within this state, of money ownership, or the equivalent thereof, except borrowed money.

Sec. 33. All money collected under this Act shall be credited proportionately by the several County Treasurers, as and when received from the State Tax Board upon the real and personal property tax payable in the year received i.e. each tax payer in each county shall be credited on his real and personal property tax an amount equal to the proportion his tax bears to the total real and personal property tax in the county, and in the same proportion as the amount received by the County bears to the total real and personal property tax of the County for said year.

Sec. 34. Registration. Every person and corporation who is made subject to the payment of a tax under the provisions of this act, shall on or before the first day of March 1934 register as a taxpayer under this Act, with the Board, which registration may be made by letter giving the name, place of residence, occupation, business or profession of the person or corporation so registering and the name of the county in which the tax will be paid, which shall be either the county of the taxpayers residence or his principle place of business. If such taxpayer is, at the time of his registration an employer of any other person or persons, he shall also give the number of persons in his employ and the aggregate amount of wage or salary paid to such employees monthly, and such taxpayer monthly shall report any change of employes, or wages paid to such employes, and shall also supply such other and further information in connection with such registration as may be reasonably necessary for the purpose of maintaining a roster of taxpayers. The Board shall have authority to require every assessor to furnish to the County Auditor a list of all persons in his assessing district subject to tax under this law. The Board shall, upon application, furnish necessary blanks for the filing of the information required by this section.

Sec. 35. That the provisions of this Act are severable, and if any section or sections, paragraph or paragraphs, sentence or sentences, clause or clauses, word or words of this Act shall be held to be unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such particular section or sections, paragraph or paragraphs, sentence or sentences, clause or clauses, word or words, may be rejected without effecting the remainder of the Act, and the decisions of the courts shall not effect or impair any of the remaining sections, paragraphs, sentences, clauses or words of this Act. It is hereby declared that it is the legislative intent that this Act and each word, clause, sentence, paragraph and section thereof would have been enacted had such unconstitutional section or sections, paragraph or paragraphs, sentence or sentences, clause or clauses, word or words not been included.

Willis of Dallas called up the amendment filed by him and Fabritz of Wapello and found on page 898 of the Journal of January 24, and moved its adoption.

Digitized by Google

Willis of Dallas moved to amend the Fabritz and Willis amendment as follows: Insert after the word "orders" in the last line, the following words: "organized not for pecuniary profit".

Amendment to the amendment adopted.

Dole of Jefferson moved to amend the Fabritz and Willis amendment by inserting after the word "organizations", the following: "and cemetery associations".

Amendment to the amendment adopted.

The Fabritz and Willis amendment as amended was adopted.

Elliott of Polk, Hook of Taylor, and Mercer of Johnson appeared on the floor of the House and the call of the House on House File No. 1, as amended, was declared complete.

Davis of Appanoose moved the previous question on the substitute amendment. Motion prevailed.

On the question, "Shall the McFarlane substitute amendment to House File No. 1, as amended, be adopted?", a roll call was demanded.

The ayes were, 45.

Aldrich	Fuelling	Lookingbill	Snyder
Beswick	Gallagher	McFarlane	Sours
Bowers	Goode	McLean	Stansell
Brady	Grell	Millhone	Stanzel
Bruce	Hanson of Winnebago	Mooty	Strachan
Burgess	Hartman	Peaco	Swift
Cunningham	Hopp	Peet	Teter
Elliott	Hough	Ryder	Thiessen
Ellsworth	Hultman	Schlatter	Weed
Falvey	Koch	Schmitz	Wiese
Felter	Lichty	Sheridan	Wolf
Frizzell			

The nays were, 60.

Alesch	Fletcher	McCreery	Rice
Augustine	Foster	McDermott	Roe
Avery	Fuester	McKinnon	Schroeder
Beath	Garner	Malone	Smith
Bonnstetter	Gissel	Maniece	Speidel
Bouska	Gittinger	Mercer	Stewart
Casey	Grau	Metcalf	Stimpson
Craven	Hanson of Lyon	Mitchell	Thies
Crouch	Hook	Moore of Benton	Treimer
Davis	Humeston	Moore of Harrison	Wieben
Dean	Jenkins	Osborn	Willis
Dole	Jensen	Paisley	Yager
Donlon	Johnson	Rawlings	Zipse
Doran	Laughlin	Reed	Zylstra
Dreessen	McCarthy		Mr. Speaker
Fabritz			

Digitized by Google

Absent or not voting, 3.
Durant Ostby Porter

The House refused to adopt the substitute amendment.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and concurred in the House amendments to the following bill in which the concurrence of the House is asked:

Senate File No. 105, a bill for an act to amend section 4755-b 32, Code, 1931, to remove the present limitations on the use of the primary road funds for the payment of principal and interest of primary road bonds and to make more certain the payment of said bonds from the primary road fund. BYRON G. ALLEN, *Secretary*.

SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE FILE 105

Amend the House amendments to section two (2) of Senate File 105 by striking from line six (6) of said amendments, the words: "in any year".

On the motion of Grau of Buena Vista, the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A roll call showed all members present except: Durant of Hancock, Garner of Butler, Moore of Harrison, Porter of Delaware, Ryder of Dubuque and Stimpson of Jones.

Durant of Hancock and Porter of Delaware having been previously excused, Speidel of Washington moved that the remaining absentees be temporarily excused. Motion prevailed and Garner of Butler, Moore of Harrison, Ryder of Dubuque and Stimpson of Jones were temporarily excused.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 1 as amended.

Felter of Warren called up the amendment filed by him and

Digitized by Google

found on pages 898 to 911, inclusive, of the Journal of January 24, and moved its adoption.

Garner of Butler, Moore of Harrison, Ryder of Dubuque and Stimpson of Jones appeared on the floor of the House and the Call of the House on consideration of House File No. 1, as amended, was declared complete.

Garner of Butler moved the previous question on the Felter amendment. Motion prevailed.

On the question "Shall the Felter amendment be adopted?" a roll call was demanded.

The ayes were, 44.

Aldrich	Frizzell	Hultman	Schlatter
Avery	Fuelling	Jenkins	Snyder
Beath	Gallagher	Lichty	Sours
Beswick	Gissel	Lookingbill	Stansell
Bowers	Goode	McFarlane	Stanzel
Bruce	Grell	McLean	Strachan
Burgess	Hanson of Winnebago	Metcalf	Swift
Cunningham	Hartman	Millhone	Teter
Doran	Hopp	Mooty	Weed
Elliott	Hough	Peaco	Willis
Ellsworth		Peet	Wolf
Felter			

The nays were, 62.

Alesch	Foster	Malone	Schroeder
Augustine	Fuester	Maniece	Sheridan
Bonnstetter	Garner	Mercer	Smith
Bouska	Gittinger	Mitchell	Speidel
Brady	Grau	Moore of Benton	Stewart
Casey	Hanson of Lyon	Moore of Harrison	Stimpson
Craven	Hook	Osborn	Thies
Crouch	Humeston	Ostby	Thiessen
Davis	Jensen	Paisley	Treimer
Dean	Johnson	Rawlings	Wieben
Dole	Koch	Reed	Wiese
Donlon	Laughlin	Rice	Yager
Dreessen	McCarthy	Roe	Zipse
Fabritz	McCreery	Ryder	Zylstra
Falvey	McDermott	Schmitz	Mr. Speaker
Fletcher	McKinnon		

Absent or not voting, 2.

Durant	Porter

Amendment lost.

Teter of Marion offered the following amendment and moved its adoption:

Amend House File 1, as amended, sub-sec. 4 of Sec. 62, as follows:

Digitized by Google

Strike the word "municipality" in line four (4) and insert in lieu thereof the following: "taxing district in this state, including special charter cities,".

Amendment adopted.

Goode of Davis offered the following amendment and moved its adoption:

Amend House File No. 1, as amended, as follows:

Strike from Section 40, lines 1, 2, 3, 4, 5, 6, and the words "levied and paid" in line 7, and insert in lieu therefor the following:

"Gasoline, cigarette, and other special taxes, imposed by the laws of this state, shall remain in full force and effect, but the amount of such taxes paid by the taxpayer shall not be deemed gross income."

Amendment lost.

McKinnon of Henry offered the following amendment and moved its adoption:

Amend House File 1, as amended, by striking out of lines fifteen (15) and sixteen (16) of Section five (5) the words "and on all taxable income in excess of five thousand dollars, five per cent (5%), and insert in lieu thereof the following:

"on the sixth thousand dollars of taxable income, or any part thereof, six per cent (6%), and on the seventh thousand dollars, or any part thereof, seven per cent (7%), and on the eighth thousand dollars of taxable income, or any part thereof, eight per cent (8%), and on taxable income in excess of eight thousand dollars, ten per cent (10%)."

Teter of Marion moved to amend the McKinnon amendment by striking the words and figures "ten per cent (10%) in the last line thereof, and inserting in lieu thereof the words and figures "eight per cent (8%)".

Fabritz of Wapello moved the previous question on the amendment to the amendment and the amendment. Motion lost.

Teter of Marion asked and obtained unanimous consent to withdraw his amendment to the amendment.

Teter of Marion offered the following amendment to the McKinnon amendment and moved its adoption:

Strike all after the words and figures "seven per cent (7%)" in line 7, and insert in lieu thereof the following words and figures, "and on taxable income in excess of seven thousand dollars ($7000), seven per cent (7%)."

On the question "Shall the Teter amendment to the McKinnon amendment be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 40.

Aldrich	Frizzell	McFarlane	Snyder
Alesch	Fuelling	Metcalf	Sours
Beath	Gissel	Millhone	Stanzel
Beswick	Goode	Mooty	Stewart
Cunningham	Hanson of Lyon	Osborn	Strachan
Davis	Hanson of	Ostby	Teter
Doran	Winnebago	Peet	Thies
Elliott	Hough	Reed	Weed
Ellsworth	Jenkins	Rice	Zipse
Fletcher	Lichty	Schlatter	Zylstra
Foster			

The nays were, 66.

Augustine	Felter	McCarthy	Schmitz
Avery	Fuester	McCreery	Schroeder
Bonnstetter	Gallagher	McDermott	Sheridan
Bouska	Garner	McKinnon	Smith
Bowers	Gittinger	McLean	Speidel
Brady	Grau	Malone	Stansell
Bruce	Grell	Maniece	Stimpson
Burgess	Hartman	Mercer	Swift
Casey	Hook	Mitchell	Thiessen
Craven	Hopp	Moore of Benton	Treimer
Crouch	Hultman	Moore of	Wieben
Dean	Humeston	Harrison	Wiese
Dole	Jensen	Paisley	Willis
Donlon	Johnson	Peaco	Wolf
Dreessen	Koch	Rawlings	Yager
Fabritz	Laughlin	Roe	Mr. Speaker
Falvey	Lookingbill	Ryder	

Absent or not voting, 2.

Durant	Porter

Amendment to the amendment lost.

On the question "Shall the McKinnon amendment be adopted?" a roll call was demanded.

The ayes were, 33.

Aldrich	Fuester	McKinnon	Sours
Alesch	Gissel	Millhone	Stanzel
Bowers	Goode	Mooty	Strachan
Burgess	Hanson of Lyon	Ostby	Teter
Davis	Hough	Peaco	Weed
Elliott	Humeston	Peet	Yager
Felter	Lichty	Schlatter	Zipse
Foster	McFarlane	Smith	Zylstra
Frizzell			

The nays were, 73.

Augustine	Casey	Dreessen	Gittinger
Avery	Craven	Ellsworth	Grau
Beath	Crouch	Fabritz	Grell
Beswick	Cunningham	Falvey	Hanson of
Bonnstetter	Dean	Fletcher	Winnebago
Bouska	Dole	Fuelling	Hartman
Brady	Donlon	Gallagher	Hook
Bruce	Doran	Garner	Hopp

Digitized by Google

Hultman	Malone	Reed	Stimpson
Jenkins	Maniece	Rice	Swift
Jensen	Mercer	Roe	Thies
Johnson	Metcalf	Ryder	Thiessen
Koch	Mitchell	Schmitz	Treimer
Laughlin	Moore of Benton	Schroeder	Wieben
Lookingbill	Moore of Harrison	Sheridan	Wiese
McCarthy	Osborn	Snyder	Willis
McCreery	Paisley	Speidel	Wolf
McDermott	Rawlings	Stansell	Mr. Speaker
McLean		Stewart	

Absent or not voting, 2.

Durant	Porter

Amendment lost.

Gallagher of Iowa moved to amend House File No. 1, as amended, page 42, Sec. 38, line 3, by striking the words and figures, "two per cent (2%)" and inserting in lieu thereof the words and figures, "one per cent (1%)".

Grau of Buena Vista moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Gallagher amendment be adopted?" a roll call was demanded.

The ayes were, 34.

Aldrich	Doran	Grell	Peaco
Avery	Elliott	Hanson of Winnebago	Peet
Beath	Ellsworth	Hultman	Schlatter
Beswick	Fabritz	Lichty	Schmitz
Bouska	Felter	McFarlane	Wiese
Bowers	Foster	McKinnon	Willis
Burgess	Gallagher	Mooty	Wolf
Cunningham	Gittinger	Ostby	Zylstra
Davis	Goode		

The nays were, 69.

Alesch	Gissel	Mercer	Snyder
Augustine	Grau	Metcalf	Sours
Bonnstetter	Hanson of Lyon	Millhone	Speidel
Brady	Hartman	Mitchell	Stansell
Bruce	Hook	Moore of Benton	Stanzel
Casey	Hopp	Moore of Harrison	Stewart
Craven	Hough	Osborn	Stimpson
Crouch	Humeston	Paisley	Swift
Dean	Jenkins	Rawlings	Teter
Dole	Jensen	Reed	Thies
Donlon	Koch	Rice	Thiessen
Dreessen	Laughlin	Roe	Treimer
Falvey	Lookingbill	Ryder	Weed
Fletcher	McCarthy	Schroeder	Wieben
Frizzell	McCreery	Sheridan	Yager
Fuelling	McLean	Smith	Zipse
Fuester	Malone		Mr. Speaker
Garner	Maniece		

Digitized by Google

Absent or not voting, 5.

Durant	McDermott	Porter	Strachan
Johnson			

Amendment lost.

Rice of Keokuk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Aldrich	Falvey	Koch	Schlatter
Alesch	Felter	Laughlin	Schmitz
Augustine	Fletcher	Lichty	Schroeder
Avery	Foster	Lookingbill	Sheridan
Beath	Frizzel	McCarthy	Smith
Beswick	Fuelling	McCreery	Snyder
Bonnstetter	Fuester	McLean	Sours
Bouska	Gallagher	Malone	Speidel
Bowers	Garner	Maniece	Stansell
Brady	Gissel	Mercer	Stanzel
Bruce	Gittinger	Metcalf	Stewart
Casey	Grau	Millhone	Stimpson
Craven	Hanson of Lyon	Mitchell	Teter
Crouch	Hanson of	Moore of Benton	Thies
Cunningham	Winnebago	Moore of	Thiessen
Davis	Hartman	Harrison	Treimer
Dean	Hook	Osborn	Wieben
Dole	Hopp	Paisley	Wiese
Donlon	Hough	Rawlings	Willis
Doran	Hultman	Reed	Yager
Dreessen	Humeston	Rice	Zipse
Elliott	Jenkins	Roe	Zylstra
Ellsworth	Jensen		Mr. Speaker
Fabritz	Johnson		

The nays were, 14.

Burgess	McKinnon	Peaco	Swift
Goode	Mooty	Peet	Weed
Grell	Ostby	Ryder	Wolf
McFarlane		Strachan	

Absent or not voting, 3.

Durant	McDermott	Porter

So the bill having received a constitutional majority was declared to have passed the House.

Rice of Keokuk asked and obtained unanimous consent to have the Chief Clerk correct the title to House File No. 1, as amended, as follows:

Strike the title and insert in lieu thereof, the following:

An act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing

Digitized by Google

a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; to amend Chapter twenty-four (24), Code, 1931; and to repeal all laws or parts of laws in conflict herewith.

Title as amended was agreed to.

Rice of Keokuk moved that the vote by which House File No. 1, as amended, passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 270 and 85.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files 270 and 85.

On the motion of Jensen of Audubon the House adjourned until 9:30 o'clock a. m. Friday, January 26.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 26, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Mr. O. E. Husted, Senator from Madison County, Truro, Iowa.

Journal of January 25, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Durant of Hancock for the day, on request of Lookingbill of Story.

CONSIDERATION OF SENATE AMENDMENTS

On request of Laughlin of Fremont, unanimous consent having been given, Senate File No. 105, a bill for an act to amend section forty-seven hundred fifty-five-b thirty-two (4755-b32) of the Code 1931, to remove the present limitations on the use of Primary road funds for the payment of principal and interest of primary road bonds and bonds issued to refund primary road bonds, to provide a comprehensive plan for the financing of primary road bonds and bonds issued to refund primary road bonds, and to make more certain that primary road bonds and bonds issued to refund primary road bonds and the interest on such bonds will be paid out of the primary road fund, with Senate amendments to House amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE FILE 105

Amend the House amendments to section two (2) of Senate File 105 by striking from line six (6) of said amendments, the words: "in any year".

Laughlin of Fremont moved that the House concur in the Senate amendments to the House amendments to Senate File No. 105.

Digitized by Google

On the question "Shall the House concur?"

The ayes were, 84.

Aldrich	Fletcher	McCreery	Schmitz
Avery	Frizzell	McFarlane	Schroeder
Beath	Fuelling	McLean	Smith
Beswick	Gallagher	Malone	Snyder
Bonnstetter	Gissel	Maniece	Sours
Bouska	Gittinger	Mercer	Stansell
Bowers	Grau	Metcalf	Stewart
Brady	Grell	Millhone	Strachan
Bruce	Hanson of Lyon	Mitchell	Swift
Burgess	Hanson of Winnebago	Moore of Benton	Teter
Casey	Hartman	Moore of Harrison	Thies
Craven	Hook	Mooty	Thiessen
Crouch	Hopp	Osborn	Treimer
Cunningham	Hough	Paisley	Weed
Davis	Hultman	Peaco	Wieben
Dean	Jenkins	Peet	Wiese
Donlon	Jensen	Reed	Willis
Doran	Johnson	Roe	Wolf
Dreessen	Laughlin	Ryder	Yager
Elliott	Lichty	Schlatter	Zylstra
Ellsworth	Lookingbill		Mr. Speaker
Falvey			

The nays were, 4.

Alesch	Foster	Humeston	McKinnon

Absent or not voting, 20.

Augustine	Fuester	McDermott	Sheridan
Dole	Garner	Ostby	Speidel
Durant	Goode	Porter	Stanzel
Fabritz	Koch	Rawlings	Stimpson
Felter	McCarthy	Rice	Zipse

So the House concurred in the Senate amendment to the House amendments to Senate File No. 105.

On request of Hook of Taylor, unanimous consent having been given, House File No. 97, a bill for an act to amend sections forty-four hundred eighty-five (4485), forty-five hundred three (4503), and forty-five hundred five (4505), Code, 1931, and to repeal section forty-four hundred eighty-six (4486), Code, 1931, all relating to the protection of the permanent school fund, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE NO. 97

Amend the title to House File 97 by striking the words and figures "forty-four hundred eighty-five (4485)," and the words and figures, "and to repeal section forty-four hundred eighty-six (4486)," where they appear therein.

Further amend by striking section one (1) of said bill.

Digitized by Google

Further amend by striking lines five (5) to ten (10), inclusive, of section two (2).

Further amend by striking section four (4) of said bill.

Further amend by renumbering the remaining sections.

Mr. Hook moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 1.

Zylstra

The nays were, 94.

Aldrich	Foster	Laughlin	Ryder
Alesch	Frizzell	Lichty	Schlatter
Augustine	Fuelling	Lookingbill	Schmitz
Avery	Fuester	McCarthy	Schroeder
Beath	Gallagher	McCreery	Smith
Beswick	Garner	McFarlane	Snyder
Bonnstetter	Gissel	McKinnon	Sours
Bouska	Gittinger	McLean	Stansell
Bowers	Goode	Malone	Stanzel
Bruce	Grau	Maniece	Stewart
Burgess	Grell	Mercer	Stimpson
Casey	Hanson of Lyon	Metcalf	Strachan
Craven	Hanson of	Millhone	Swift
Crouch	Winnebago	Mitchell	Teter
Cunningham	Hartman	Moore of	Thies
Davis	Hook	Harrison	Thiessen
Dean	Hopp	Mooty	Treimer
Donlon	Hough	Osborn	Weed
Doran	Hultman	Ostby	Wieben
Dreessen	Humeston	Paisley	Wiese
Elliott	Jenkins	Peaco	Wolf
Ellsworth	Jensen	Peet	Yager
Fabritz	Johnson	Reed	Zipse
Fletcher	Koch	Roe	Mr. Speaker

Absent or not voting, 13.

Brady	Felter	Porter	Sheridan
Dole	McDermott	Rawlings	Speidel
Durant	Moore of Benton	Rice	Willis
Falvey			

The House refused to concur in the Senate amendments to House File No. 97.

CONSIDERATION OF BILLS

Lookingbill of Story asked and obtained unanimous consent for the immediate consideration of House File No. 209, a bill for an act to amend Section Thirty-nine hundred and twenty-one (3921), Code 1931, relating to the powers of the Board of Education in regard to inventions of students, instructors and officials, with report of committee recommending passage.

Digitized by Google

Willis of Dallas called up the amendment filed by him and found on page 747 of the Journal of January 15, and moved its adoption.

Amendment adopted.

Lookingbill of Story moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 93.

Aldrich	Foster	Laughlin	Schroeder
Alesch	Frizzell	Lichty	Smith
Augustine	Fuelling	Lookingbill	Snyder
Avery	Fuester	McCarthy	Sours
Beath	Gallagher	McCreery	Stansell
Beswick	Garner	McDermott	Stanzel
Bonnstetter	Gissel	McLean	Stewart
Bowers	Gittinger	Manicce	Stimpson
Bruce	Goode	Mercer	Strachan
Burgess	Grau	Metcalf	Swift
Casey	Grell	Millhone	Teter
Craven	Hanson of Lyon	Mitchell	Thies
Crouch	Hanson of Winnebago	Moore of Harrison	Thiessen
Cunningham	Hartman	Mooty	Treimer
Davis	Hook	Paisley	Weed
Dean	Hopp	Peaco	Wieben
Donlon	Hough	Peet	Wiese
Doran	Hultman	Rawlings	Willis
Dreessen	Humeston	Reed	Wolf
Elliott	Jenkins	Roe	Yager
Ellsworth	Jensen	Ryder	Zipse
Fabritz	Johnson	Schlatter	Zylstra
Falvey	Koch	Schmitz	Mr. Speaker
Fletcher			

The nays were, none.

Absent or not voting, 15.

Bouska	Felter	Moore of Benton	Rice
Brady	McFarlane	Osborn	Sheridan
Dole	McKinnon	Ostby	Speidel
Durant	Malone	Porter	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

LIMITING CONSIDERATION TO CERTAIN BILLS

McCreery of Linn moved that the House confine itself to the consideration of legalizing and claims bills for the balance of the day's session. Motion prevailed.

CONSIDERATION OF BILLS

Hough of Fayette asked and obtained unanimous consent for

Digitized by Google

the immediate consideration of Senate File No. 148, a bill for an act to make an appropriation to Mercy Hospital of Oelwein, Iowa, with report of committee recommending passage.

Hough of Fayette moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Ellsworth	Jenkins	Schmitz
Alesch	Falvey	Johnson	Schroeder
Augustine	Felter	Laughlin	Smith
Avery	Foster	Lichty	Snyder
Beath	Frizzell	McCarthy	Sours
Beswick	Fuelling	McDermott	Speidel
Bonnstetter	Gallagher	McLean	Stansell
Bouska	Garner	Maniece	Stanzel
Bowers	Gissel	Mercer	Stewart
Brady	Gittinger	Millhone	Stimpson
Bruce	Goode	Moore of Harrison	Swift
Burgess	Grau	Mooty	Teter
Casey	Hanson of Lyon	Paisley	Treimer
Craven	Hanson of Winnebago	Peet	Weed
Cunningham	Hartman	Rawlings	Wieben
Davis	Hook	Reed	Wiese
Dean	Hopp	Roe	Wolf
Donlon	Hough	Ryder	Zipse
Doran	Hultman	Schlatter	Zylstra
Dreessen	Humeston		Mr. Speaker
Elliott			

The nays were, 2.

Grell	Koch

Absent or not voting, 26.

Crouch	Lookingbill	Moore of Benton	Sheridan
Dole	McCreery	Osborn	Strachan
Durant	McFarlane	Ostby	Thies
Fabritz	McKinnon	Peaco	Thiessen
Fletcher	Malone	Porter	Willis
Fuester	Metcalf	Rice	Yager
Jensen	Mitchell		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Hough of Fayette asked and obtained unanimous consent for the immediate consideration of Senate File No. 177, a bill for an act to make an appropriation to Violet Bencke, Nellie Powers and Opal McGarvey, with report of committee recommending passage.

Hough of Fayette moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Ellsworth	Jenkins	Schmitz
Alesch	Falvey	Jensen	Schroeder
Augustine	Felter	Johnson	Smith
Avery	Frizzell	Koch	Snyder
Beath	Gallagher	Laughlin	Sours
Beswick	Garner	McCarthy	Stansell
Bonnstetter	Gissel	McDermott	Stanzel
Bouska	Gittinger	McLean	Stewart
Bowers	Goode	Mercer	Stimpson
Bruce	Grau	Metcalf	Swift
Burgess	Grell	Millhone	Teter
Casey	Hanson of Lyon	Mooty	Thies
Craven	Hanson of	Osborn	Treimer
Crouch	Winnebago	Paisley	Weed
Cunningham	Hartman	Peet	Wieben
Davis	Hook	Rawlings	Wiese
Dean	Hopp	Reed	Wolf
Dole	Hough	Roe	Zipse
Donlon	Hultman	Ryder	Zylstra
Doran	Humeston	Schlatter	Mr. Speaker
Elliott			

The nays were, none.

Absent or not voting, 28.

Brady	Lichty	Mitchell	Rice
Dreessen	Lookingbill	Moore of Benton	Sheridan
Durant	McCreery	Moore of	Speidel
Fabritz	McFarlane	Harrison	Strachan
Fletcher	McKinnon	Ostby	Thiessen
Foster	Malone	Peaco	Willis
Fuelling	Maniece	Porter	Yager
Fuester			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Rawlings of Monona asked and obtained unanimous consent for the immediate consideration of Senate File No. 246, a bill for an act to legalize the proceedings relating to the issuing of bonds by the Consolidated School District of Whiting, in the County of Monona, State of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said School District, with report of committee recommending passage.

Rawlings of Monona moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 82.

Aldrich	Elliott	Jenkins	Schlatter
Alesch	Ellsworth	Jensen	Schmitz
Augustine	Falvey	Johnson	Sheridan
Avery	Felter	Koch	Smith
Beath	Foster	Laughlin	Sours
Beswick	Frizzell	Lookingbill	Stansell
Bonnstetter	Gallagher	McCarthy	Stanzel
Bouska	Garner	McDermott	Stewart
Bowers	Gissel	McLean	Stimpson
Bruce	Gittinger	Metcalf	Swift
Burgess	Goode	Millhone	Teter
Casey	Grau	Moore of Benton	Thies
Craven	Grell	Mooty	Thiessen
Crouch	Hanson of Lyon	Osborn	Treimer
Cunningham	Hanson of Winnebago	Paisley	Weed
Davis	Hartman	Peaco	Wieben
Dean	Hook	Peet	Wiese
Dole	Hough	Rawlings	Wolf
Donlon	Hultman	Reed	Zylstra
Doran	Humeston	Roe	Mr. Speaker
Dreessen		Ryder	

The nays were, none.

Absent or not voting, 26.

Brady	Lichty	Mitchell	Snyder
Durant	McCreery	Moore of Harrison	Speidel
Fabritz	McFarlane	Ostby	Strachan
Fletcher	McKinnon	Porter	Willis
Fuelling	Malone	Rice	Yager
Fuester	Maniece	Schroeder	Zipse
Hopp	Mercer		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Cunningham of Polk asked and obtained unanimous consent for the immediate consideration of Senate File No. 268, a bill for an act to amend section sixty-six hundred seven (6607), of the Code, 1931, with reference to financing the cost of swimming pools, bathing beaches, bath houses, armories, ice rinks, dance pavilions, shelter houses, wading pools and river walls, by cities under the commission form of government, with report of committee recommending passage.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 76.

Aldrich	Falvey	Laughlin	Schmitz
Alesch	Felter	Lichty	Schroeder
Augustine	Frizzell	Lookingbill	Sheridan
Avery	Gallagher	McCarthy	Smith
Beath	Garner	McDermott	Snyder
Beswick	Gittinger	McLean	Stansell
Bonnstetter	Goode	Mercer	Stanzel
Bouska	Grell	Metcalf	Stewart
Bowers	Hanson of Lyon	Millhone	Stimpson
Burgess	Hanson of Winnebago	Moore of Benton	Swift
Casey	Hartman	Mooty	Teter
Craven	Hook	Osborn	Thies
Crouch	Hopp	Paisley	Treimer
Cunningham	Hultman	Peet	Weed
Dole	Humeston	Rawlings	Wieben
Donlon	Jenkins	Reed	Wiese
Doran	Jensen	Roe	Wolf
Dreessen	Johhson	Ryder	Zylstra
Elliott		Schlatter	Mr. Speaker
Ellsworth			

The nays were, none.

Absent or not voting, 32.

Brady	Fuester	Malone	Rice
Bruce	Gissel	Maniece	Sours
Davis	Grau	Mitchell	Speidel
Dean	Hough	Moore of Harrison	Strachan
Durant	Koch	Ostby	Thiessen
Fabritz	McCreery	Peaco	Willis
Fletcher	McFarlane	Porter	Yager
Foster	McKinnon		Zipse
Fuelling			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Hook of Taylor asked and obtained unanimous consent for the immediate consideration of House File No. 299, a bill for an act to make permanent the transfer of ten thousand dollars ($10,000), from the Secondary Road Construction Fund, to the Poor Fund in Taylor County, Iowa.

Hook of Taylor moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 77.

Alesch	Bouska	Craven	Doran
Avery	Bowers	Crouch	Dreessen
Beath	Bruce	Cunningham	Elliott
Beswick	Burgess	Davis	Ellsworth
Bonnstetter	Casey	Donlon	Falvey

Digitized by Google

Felter	Jenkins	Osborn	Stansell
Fletcher	Jensen	Paisley	Stanzel
Frizzell	Johnson	Peet	Stewart
Gallagher	Koch	Rawlings	Stimpson
Garner	Laughlin	Reed	Swift
Gittinger	Lichty	Roe	Teter
Goode	Lookingbill	Ryder	Thies
Grell	McCarthy	Schlatter	Thiessen
Hanson of Lyon	McDermott	Schmitz	Treimer
Hanson of Winnebago	Maniece	Schroeder	Weed
Hartman	Mercer	Sheridan	Wieben
Hook	Metcalf	Smith	Wiese
Hopp	Millhone	Snyder	Wolf
Humeston	Moore of Benton	Sours	Mr. Speaker
	Mooty		

The nays were, 2.

McLean	Zipse

Absent or not voting, 29.

Aldrich	Fuelling	McKinnon	Porter
Augustine	Fuester	Malone	Rice
Brady	Gissel	Mitchell	Speidel
Dean	Grau	Moore of Harrison	Strachan
Dole	Hough	Ostby	Willis
Durant	Hultman	Peaco	Yager
Fabritz	McCreery		Zylstra
Foster	McFarlane		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 274, a bill for an act to make an appropriation to Ralph Almkuist, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 76.

Aldrich	Davis	Goode	Laughlin
Alesch	Dole	Grell	Lichty
Avery	Donlon	Hanson of Winnebago	McDermott
Beath	Doran	Hartman	McLean
Beswick	Dreessen	Hook	Maniece
Bonnstetter	Elliott	Hopp	Mercer
Bouska	Ellsworth	Hough	Metcalf
Bruce	Felter	Humeston	Millhone
Burgess	Frizzell	Jenkins	Mooty
Casey	Gallagher	Jensen	Osborn
Craven	Garner	Johnson	Paisley
Crouch	Gissel	Koch	Peet
Cunningham	Gittinger		Rawlings

Digitized by Google

Reed	Snyder	Stimpson	Weed
Roe	Sours	Swift	Wieben
Ryder	Speidel	Teter	Wiese
Schlatter	Stansell	Thies	Wolf
Schmitz	Stanzel	Thiessen	Zipse
Schroeder	Stewart	Treimer	Mr. Speaker
Smith			

The nays were, none.

Absent or not voting, 32.

Augustine	Fuelling	McFarlane	Peaco
Bowers	Fuester	McKinnon	Porter
Brady	Grau	Malone	Rice
Dean	Hanson of Lyon	Mitchell	Sheridan
Durant	Hultman	Moore of Benton	Strachan
Fabritz	Lookingbill	Moore of	Willis
Falvey	McCarthy	Harrison	Yager
Fletcher	McCreery	Ostby	Zylstra
Foster			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 307, a bill for an act to make an appropriation to C. R. Piercy, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Ellsworth	Laughlin	Smith
Alesch	Fabritz	Lichty	Snyder
Avery	Falvey	Lookingbill	Sours
Beath	Felter	McDermott	Stansell
Beswick	Frizzell	McLean	Stanzel
Bonnstetter	Gallagher	Maniece	Stewart
Bouska	Garner	Metcalf	Stimpson
Bowers	Gissel	Millhone	Swift
Bruce	Goode	Mooty	Teter
Burgess	Grell	Osborn	Thies
Casey	Hanson of	Paisley	Thiessen
Craven	Winnebago	Peet	Treimer
Crouch	Hartman	Rawlings	Weed
Cunningham	Hopp	Reed	Wieben
Davis	Hough	Roe	Wiese
Dole	Humeston	Ryder	Willis
Donlon	Jenkins	Schhlatter	Wolf
Doran	Jensen	Schmitz	Mr. Speaker
Dreessen	Koch	Schroeder	

The nays were, none.

Digitized by Google

Absent or not voting, 34.

Augustine	Gittinger	McKinnon	Porter
Brady	Grau	Malone	Rice
Dean	Hanson of Lyon	Mercer	Sheridan
Durant	Hook	Mitchell	Speidel
Elliott	Hultman	Moore of Benton	Strachan
Fletcher	Johnson	Moore of	Yager
Foster	McCarthy	Harrison	Zipse
Fuelling	McCreery	Ostby	Zylstra
Fuester	McFarlane	Peaco	

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 308, a bill for an act to make an appropriation to Amos Hilton, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 77.

Aldrich	Fabritz	Laughlin	Schroeder
Alesch	Falvey	Lichty	Sheridan
Avery	Felter	Lookingbill	Smith
Beath	Frizzell	McDermott	Snyder
Beswick	Gallagher	McLean	Sours
Bonnstetter	Garner	Maniece	Stansell
Bouska	Gissel	Metcalf	Stanzel
Bowers	Gittinger	Millhone	Stewart
Bruce	Goode	Mooty	Stimpson
Burgess	Grell	Osborn	Swift
Casey	Hanson of	Paisley	Teter
Craven	Winnebago	Peaco	Thies
Crouch	Hartman	Rawlings	Thiessen
Cunningham	Hook	Reed	Treimer
Davis	Hopp	Rice	Weed
Dole	Hough	Roe	Wieben
Donlon	Hultman	Ryder	Wiese
Doran	Humeston	Schlatter	Willis
Elliott	Jensen	Schmitz	Wolf
Ellsworth	Koch		

The nays were, none.

Absent or not voting, 31.

Augustine	Fuester	McKinnon	Peet
Brady	Grau	Malone	Porter
Dean	Hanson of Lyon	Mercer	Speidel
Dreessen	Jenkins	Mitchell	Strachan
Durant	Johnson	Moore of Benton	Yager
Fletcher	McCarthy	Moore of	Zipse
Foster	McCreery	Harrison	Zylstra
Fuelling	McFarlane	Ostby	Mr. Speaker

Digitized by Google

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 309, a bill for an act to make an appropriation to H. C. Shaw, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 77.

Aldrich	Falvey	Lichty	Sheridan
Alesch	Felter	Lookingbill	Smith
Avery	Frizzell	McDermott	Snyder
Beath	Garner	McLean	Sours
Beswick	Gissel	Maniece	Stanzel
Bonnstetter	Gittinger	Metcalf	Stewart
Bouska	Goode	Millhone	Stimpson
Bowers	Grell	Mooty	Swift
Bruce	Hanson of Winnebago	Osborn	Teter
Burgess	Hartman	Paisley	Thies
Casey	Hook	Peaco	Thiessen
Craven	Hopp	Rawlings	Treimer
Crouch	Hough	Reed	Weed
Cunningham	Hultman	Rice	Wieben
Davis	Humeston	Roe	Wiese
Dole	Jenkins	Ryder	Willis
Donlon	Jensen	Schlatter	Wolf
Doran	Koch	Schmitz	Zipse
Ellsworth	Laughlin	Schroeder	Mr. Speaker
Fabritz			

The nays were, none.

Absent or not voting, 31.

Augustine	Fuelling	McFarlane	Ostby
Brady	Fuester	McKinnon	Peet
Dean	Gallagher	Malone	Porter
Dreessen	Grau	Mercer	Speidel
Durant	Hanson of Lyon	Mitchell	Stansell
Elliott	Johnson	Moore of Benton	Strachan
Fletcher	McCarthy	Moore of Harrison	Yager
Foster	McCreery		Zylstra

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 310, a bill for an act to make an appropriation to Honorable Victor Felter, as trustee, with report of committee recommending passage.

Digitized by Google

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Fabritz	Laughlin	Schmitz
Alesch	Falvey	Lichty	Schroeder
Avery	Felter	Lookingbill	Sheridan
Beath	Garner	McFarlane	Smith
Bonnstetter	Gissel	McLean	Sours
Bouska	Gittinger	Metcalf	Stansell
Bowers	Goode	Millhone	Stanzel
Bruce	Grell	Moore of Benton	Stewart
Burgess	Hanson of Winnebago	Moore of Harrison	Stimpson
Casey	Hartman	Mooty	Swift
Craven	Hook	Osborn	Thies
Crouch	Hopp	Paisley	Thiessen
Cunningham	Hough	Peaco	Treimer
Davis	Hultman	Rawlings	Weed
Dole	Humeston	Reed	Wieben
Donlon	Jenkins	Roe	Wiese
Doran	Jensen	Ryder	Willis
Elliott	Koch	Schlatter	Wolf
Ellsworth			

The nays were, none.

Absent or not voting, 35.

Augustine	Fuelling	McKinnon	Snyder
Beswick	Fuester	Malone	Speidel
Brady	Gallagher	Maniece	Strachan
Dean	Grau	Mercer	Teter
Dreessen	Hanson of Lyon	Mitchell	Yager
Durant	Johnson	Ostby	Zipse
Fletcher	McCarthy	Peet	Zylstra
Foster	McCreery	Porter	Mr. Speaker
Frizzell	McDermott	Rice	

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 311, a bill for an act to make an appropriation to H. D. Howard, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 79.

Aldrich	Gallagher	McDermott	Sheridan
Avery	Garner	McFarlane	Smith
Beath	Gissel	McLean	Snyder
Bonnstetter	Gittinger	Maniece	Sours
Bouska	Goode	Metcalf	Stansell
Bruce	Hanson of Winnebago	Millhone	Stanzel
Burgess	Hartman	Moore of Benton	Stewart
Casey	Hook	Moore of Harrison	Stimpson
Craven	Hopp	Mooty	Strachan
Crouch	Hough	Osborn	Swift
Cunningham	Hultman	Paisley	Teter
Davis	Humeston	Rawlings	Thies
Dole	Jenkins	Reed	Thiessen
Donlon	Jensen	Rice	Treimer
Doran	Koch	Roe	Weed
Elliott	Laughlin	Ryder	Wieben
Ellsworth	Lookingbill	Schlatter	Wiese
Fabritz	McCarthy	Schmitz	Wolf
Felter	McCreery	Schroeder	Yager
Fletcher			Zylstra
Frizzell			

The nays were, none.

Absent or not voting, 29.

Alesch	Falvey	Johnson	Peaco
Augustine	Foster	Lichty	Peet
Beswick	Fuelling	McKinnon	Porter
Bowers	Fuester	Malone	Speidel
Brady	Grau	Mercer	Willis
Dean	Grell	Mitchell	Zipse
Dreessen	Hanson of Lyon	Ostby	Mr. Speaker
Durant			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 312, a bill for an act to make an appropriation to Mrs. E. A. Brigham and Milton W. Strickler, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Burgess	Dole	Felter
Avery	Casey	Donlon	Fletcher
Beath	Craven	Doran	Frizzell
Bonnstetter	Crouch	Elliott	Fuester
Bouska	Cunningham	Ellsworth	Garner
Bowers	Davis	Fabritz	Gissel
Bruce	Dean	Falvey	Gittinger

Digitized by Google

Goode	McCarthy	Paisley	Stanzel
Grau	McCreery	Peaco	Stewart
Hanson of Winnebago	McDermott	Peet	Stimpson
Hartman	McFarlane	Rawlings	Strachan
Hook	McLean	Reed	Swift
Hopp	Maniece	Roe	Teter
Hough	Mercer	Ryder	Thies
Hultman	Metcalf	Schlatter	Thiessen
Humeston	Millhone	Schmitz	Weed
Jenkins	Mitchell	Schroeder	Wieben
Jensen	Moore of Benton	Sheridan	Wiese
Koch	Moore of Harrison	Smith	Wolf
Laughlin	Mooty	Snyder	Yager
Lookingbill	Osborn	Sours	Zipse
		Stansell	Zylstra

The nays were, none.

Absent or not voting, 22.

Alesch	Foster	Lichty	Rice
Augustine	Fuelling	McKinnon	Speidel
Beswick	Gallagher	Malone	Treimer
Brady	Grell	Ostby	Willis
Dreessen	Hanson of Lyon	Porter	Mr. Speaker
Durant	Johnson		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 318, a bill for an act to make an appropriation to Mrs. Etta Rock, with report of committee recommending passage.

Reed of Mahaska moved to amend House File No. 318 by striking from line seven (7), of Sec. three (3), the figure "2", and inserting in lieu thereof the figure "76". Amendment adopted.

Avery of Clay moved that House File No. 318 be laid on the table.

On the question, "Shall House File No. 318 be laid on the table?", a roll call was demanded.

The ayes were, 1.

Avery

The nays were, 84.

Aldrich	Burgess	Donlon	Fuester
Alesch	Casey	Doran	Gallagher
Augustine	Craven	Elliott	Garner
Beath	Crouch	Ellsworth	Gissel
Beswick	Cunningham	Falvey	Gittinger
Bonnstetter	Davis	Felter	Goode
Bouska	Dean	Frizzell	Grau
Bowers	Dole	Fuelling	

Digitized by Google

Hanson of Winnebago	Lookingbill	Paisley	Stimpson
Hartman	McCarthy	Peaco	Swift
Hook	McCreery	Rawlings	Teter
Hopp	McDermott	Reed	Thies
Hough	McLean	Roe	Thiessen
Hultman	Maniece	Ryder	Weed
Humeston	Mercer	Schlatter	Wieben
Jenkins	Metcalf	Schmitz	Willis
Jensen	Millhone	Schroeder	Wolf
Johnson	Mitchell	Sheridan	Yager
Koch	Moore of Harrison	Smith	Zipse
Laughlin	Mooty	Snyder	Zylstra
Lichty	Osborn	Stanzel	Mr. Speaker
		Stewart	

Absent or not voting, 23.

Brady	Foster	Moore of Benton	Speidel
Bruce	Grell	Ostby	Stansell
Dreessen	Hanson of Lyon	Peet	Strachan
Durant	McFarlane	Porter	Treimer
Fabritz	McKinnon	Rice	Wiese
Fletcher	Malone	Sours	

Motion lost and the House refused to lay House File No. 318 on the table.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 85.

Aldrich	Frizzell	Lookingbill	Sheridan
Alesch	Fuelling	McCarthy	Smith
Beath	Fuester	McCreery	Snyder
Beswick	Gallagher	McDermott	Speidel
Bonnstetter	Garner	McLean	Stanzel
Bouska	Gissel	Maniece	Stewart
Bowers	Gittinger	Mercer	Stimpson
Bruce	Goode	Metcalf	Strachan
Burgess	Grau	Millhone	Swift
Casey	Hanson of Winnebago	Mitchell	Teter
Craven	Hartman	Moore of Harrison	Thies
Cunningham	Hook	Mooty	Thiessen
Davis	Hopp	Osborn	Treimer
Dean	Hultman	Paisley	Weed
Dole	Humeston	Rawlings	Wieben
Donlon	Jenkins	Reed	Wiese
Doran	Jensen	Roe	Willis
Elliott	Johnson	Ryder	Wolf
Ellsworth	Koch	Schlatter	Yager
Falvey	Laughlin	Schmitz	Zipse
Felter	Lichty	Schroeder	Zylstra
Fletcher			

The nays were, 1.

Avery

Digitized by Google

Absent or not voting, 22.

Augustine	Foster	Malone	Porter
Brady	Grell	Moore of Benton	Rice
Crouch	Hanson of Lyon	Ostby	Sours
Dreessen	Hough	Peaco	Stansell
Durant	McFarlane	Peet	Mr. Speaker
Fabritz	McKinnon		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 320, a bill for an act to make an appropriation to Doctor F. C. Schadt, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Alesch	Falvey	Lichty	Schmitz
Augustine	Felter	Lookingbill	Schroeder
Avery	Fletcher	McCarthy	Smith
Beath	Frizzell	McCreery	Snyder
Beswick	Fuelling	McDermott	Sours
Bonnstetter	Fuester	McFarlane	Speidel
Bouska	Gallagher	McLean	Stewart
Bowers	Garner	Maniece	Strachan
Brady	Gittinger	Mercer	Swift
Burgess	Grau	Metcalf	Teter
Casey	Hanson of Winnebago	Mitchell	Thies
Craven	Hartman	Moore of Harrison	Thiessen
Crouch	Hook	Mooty	Treimer
Cunningham	Hopp	Osborn	Weed
Dean	Hough	Paisley	Wieben
Dole	Hultman	Peaco	Wiese
Donlon	Humeston	Rawlings	Willis
Doran	Jenkins	Reed	Wolf
Elliott	Koch	Rice	Yager
Ellsworth	Laughlin	Ryder	Zylstra
Fabritz			

The nays were, 7.

Bruce	Goode	Roe	Zipse
Gissel	Ostby	Stanzel	

Absent or not voting, 20.

Aldrich	Grell	Malone	Schlatter
Davis	Hanson of Lyon	Millhone	Sheridan
Dreessen	Jensen	Moore of Benton	Stansell
Durant	Johnson	Peet	Stimpson
Foster	McKinnon	Porter	Mr. Speaker

Digitized by Google

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 321, a bill for an act to make appropriations to Fort Madison Coal and Coke Company, Harry Harding, LaVerne Harding, Clyde Fee, The Electrical Store, Jensen-Dunn Company, Standard Seed Company, Reformatory for Men at Anamosa, Yates American Machine Company, H. J. Nazett, W. H. Frazier, Warden, and T. H. Metfessel, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Ellsworth	Lookingbill	Schlatter
Alesch	Felter	McCarthy	Schmitz
Avery	Fletcher	McCreery	Schroeder
Beath	Frizzell	McDermott	Smith
Beswick	Fuelling	McFarlane	Snyder
Bonnstetter	Fuester	McLean	Sours
Bouska	Gallagher	Maniece	Speidel
Bowers	Garner	Mercer	Stewart
Brady	Gissel	Metcalf	Swift
Bruce	Gittinger	Mitchell	Teter
Burgess	Goode	Moore of Harrison	Thies
Casey	Grau	Mooty	Thiessen
Craven	Hartman	Osborn	Treimer
Crouch	Hook	Paisley	Weed
Cunningham	Hopp	Peaco	Wieben
Davis	Hultman	Rawlings	Wiese
Dean	Humeston	Reed	Willis
Dole	Jenkins	Rice	Wolf
Donlon	Koch	Roe	Yager
Doran	Laughlin	Ryder	Zylstra
Elliott	Lichty		Mr. Speaker

The nays were, none.

Absent or not voting, 25.

Augustine	Hanson of Lyon	Malone	Sheridan
Dreessen	Hanson of Winnebago	Millhone	Stansell
Durant	Hough	Moore of Benton	Stanzel
Fabritz	Jensen	Ostby	Stimpson
Falvey	Johnson	Peet	Strachan
Foster	McKinnon	Porter	Zipse
Grell			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Digitized by Google

Reed of Mahaska asked and obtained unanimous consent for the immediate consideration of House File No. 275, a bill for an act to make an appropriation to James Berry and Tolbert Moore, with report of committee recommending passage.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Ellsworth	Lookingbill	Ryder
Alesch	Fabritz	McCarthy	Schlatter
Avery	Felter	McCreery	Schmitz
Beath	Fletcher	McDermott	Schroeder
Beswick	Frizzell	McFarlane	Smith
Bonnstetter	Fuelling	McLean	Snyder
Bouska	Fuester	Maniece	Sours
Bowers	Gallagher	Mercer	Speidel
Brady	Gittinger	Metcalf	Stewart
Burgess	Goode	Millhone	Stimpson
Casey	Grau	Mitchell	Swift
Craven	Hartman	Moore of Harrison	Teter
Crouch	Hook	Mooty	Thies
Cunningham	Hopp	Paisley	Thiessen
Davis	Hultman	Peaco	Weed
Dean	Humeston	Peet	Wieben
Dole	Jenkins	Reed	Wiese
Donlon	Koch	Rice	Willis
Doran	Laughlin	Roe	Yager
Elliott	Lichty		

The nays were, 3.

Gissel	Stanzel	Zylstra

Absent or not voting, 27.

Augustine	Grell	McKinnon	Sheridan
Bruce	Hanson of Lyon	Malone	Stansell
Dreessen	Hanson of Winnebago	Moore of Benton	Strachan
Durant	Hough	Osborn	Treimer
Falvey	Jensen	Ostby	Wolf
Foster	Johnson	Porter	Zipse
Garner		Rawlings	Mr. Speaker

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 116, a bill for an act to make permanent the temporary

Digitized by Google

transfer made December 28, 1932, of money from the secondary road trunk construction fund to the general fund of Harrison county, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 210, a bill for an act to authorize and direct the Governor of the State of Iowa to execute and deliver to Lloyd Martin and to Edith Martin, his wife, a patent to the following described real estate, to-wit: The Northwest one-quarter of the Southeast one-quarter of Sec. 8, Twp. 68, Range 42, W. of the 5th P. M. situated in Fremont county.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 15, a bill for an act to amend section ninety-two hundred seventeen-c one (9217-c1), Code, 1931, as amended by chapter one hundred sixty-one (161) of the Acts of the Forty-fifth general assembly, relating to the minimum capitalization of state and savings bank and trust companies.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 227, a bill for an act to amend the law relating to the sale of securities pertaining to the authority of the Secretary of State.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 233, a bill for an act to provide for the appointment of a conservator for drainage districts; provide for the issuance of conservator's bonds; provide adequate proceedings in the district court; and defining the meaning of the term "drainage district" for the purpose of this act.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 245, a bill for an act to repeal chapter 182, acts of the Forty-fifth General Assembly, and to enact a substitute therefor, relating to the appeal procedure under the workmen's compensation act.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 248, a bill for an act to legalize certain tax levies made by the Board of Supervisors of Muscatine County, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 273, a bill for an act to require the board of supervisors and the members thereof to close or cause to be closed against vehicular travel all secondary roads which may be formally vacated or affirmatively abandoned by said board, etc.

BYRON G. ALLEN, *Secretary.*

SENATE FILE NO. 17 REREFERRED

Mitchell of Webster asked and obtained unanimous consent to have Senate File No. 17 rereferred to the committee on judiciary No. 2.

Digitized by Google

AMENDMENTS FILED

Snyder of Hamilton filed the following amendment:

Amend House File 287 by changing the comma (,) to a semi-colon (;) after the word "same" in line sixteen (16), Section one (1), striking the remainder of the section and inserting in lieu thereof the following:

"provided however that in no event shall any such tax be certified and levied when said fund equals the amount of $25,000."

Amend section two (2) by striking after the comma (,) in line eleven (11) the remainder of said section and inserting in lieu thereof the following:

"and to make expenditures from said fund for the purposes aforesaid when the amount of such expenditure does not exceed ten (10) per cent of said fund without the necessity of submitting the matter to a vote of the electors. Any expenditure amounting to more than ten (10) per cent of the total funds must be authorized by a vote of sixty (60) per cent of the qualified electors of said district. The Treasurer of said school corporation shall be required to furnish bond running to the district, which bond shall be in an amount of twice the amount of the money in his hands derived from said levy."

Further amend said bill by striking all of Section five (5).

Amend the title by adding after the word "property" in line two (2) the words "destroyed by fire or other casualty".

Willis of Dallas moved that the House adjourn until Monday, January 29, at 10:00 o'clock a. m.

Yager of Dickinson moved to amend the motion that the House recess until 1:30 p. m. to-day.

On the question, "Shall the Yager amendment be adopted?", a roll call was demanded.

The ayes were, 46.

Aldrich	Donlon	Hopp	Roe
Alesch	Ellsworth	Hough	Schlatter
Avery	Felter	Humeston	Smith
Beswick	Fletcher	Lookingbill	Sours
Bonnstetter	Frizzell	McCreery	Stimpson
Bowers	Fuester	Millhone	Thies
Bruce	Gallagher	Mooty	Thiessen
Burgess	Garner	Osborn	Weed
Casey	Gittinger	Ostby	Wiese
Cunningham	Goode	Peaco	Yager
Davis	Grau	Reed	Zylstra
Dole	Hook		

The nays were, 39.

Beath	Fabritz	Hartman	McFarlane
Bouska	Falvey	Hultman	McLean
Craven	Fuelling	Koch	Mercer
Crouch	Gissel	Laughlin	Metcalf
Dean	Hanson of	Lichty	Mitchell
Dreessen	Winnebago	McCarthy	

Digitized by Google

Moore of Harrison	Ryder	Stewart	Willis
Paisley	Schmitz	Swift	Wolf
Peet	Schroeder	Treimer	Zipse
Rice	Snyder	Wieben	Mr. Speaker
	Stanzel		

Absent or not voting, 23.

Augustine	Grell	McKinnon	Sheridan
Brady	Hanson of Lyon	Malone	Speidel
Doran	Jenkins	Maniece	Stansell
Durant	Jensen	Moore of Benton	Strachan
Elliott	Johnson	Porter	Teter
Foster	McDermott	Rawlings	

Amendment adopted.

The Willis motion as amended was lost.

Sours of Floyd moved that the House adjourn until 9:30 o'clock a. m. Saturday, January 27.

A roll call was demanded and on the question, "Shall the House adjourn until 9:30 o'clock a. m., Saturday, January 27?"

The ayes were, 38.

Aldrich	Cunningham	Garner	Millhone
Alesch	Davis	Gittinger	Mooty
Augustine	Dole	Goode	Reed
Beswick	Doran	Grau	Sours
Bowers	Elliott	Hopp	Thies
Brady	Ellsworth	Hough	Weed
Bruce	Felter	Johnson	Wieben
Burgess	Fletcher	McCreery	Wiese
Casey	Frizzell	Metcalf	Zylstra
Crouch	Fuester		

The nays were, 54.

Avery	Hartman	Moore of Benton	Schroeder
Beath	Hook	Moore of Harrison	Smith
Bonnstetter	Hultman	Osborn	Snyder
Bouska	Humeston	Ostby	Stanzel
Craven	Koch	Paisley	Stewart
Dean	Laughlin	Peaco	Stimpson
Donlon	Lichty	Peet	Swift
Dreessen	Lookingbill	Rawlings	Thiessen
Fabritz	McCarthy	Rice	Treimer
Falvey	McFarlane	Roe	Willis
Fuelling	McLean	Ryder	Wolf
Gallagher	Maniece	Schlatter	Yager
Gissel	Mercer	Schmitz	Zipse
Hanson of Winnebago	Mitchell		

Absent or not voting, 16.

Durant	Jenkins	Malone	Stansell
Foster	Jensen	Porter	Strachan
Grell	McDermott	Sheridan	Teter
Hanson of Lyon	McKinnon	Speidel	Mr. Speaker

Motion lost.

Digitized by Google

Koch of Bremer moved that the House adjourn until 10:30 o'clock a. m. on Monday, January 29.

McCreery of Linn moved as a substitute motion that the House recess until 2:00 p. m. today.

On the question, "Shall the House recess until 2:00 o'clock p. m. today?", a roll call was demanded.

The ayes were, 46.

Alesch	Doran	Hopp	Schlatter
Augustine	Ellsworth	Hough	Sours
Avery	Felter	Johnson	Stimpson
Beswick	Fletcher	Lookingbill	Thies
Bonnstetter	Frizzell	McCreery	Thiessen
Bowers	Fuester	Metcalf	Weed
Brady	Gallagher	Mooty	Wieben
Burgess	Garner	Osborn	Wiese
Cunningham	Gittinger	Ostby	Yager
Davis	Goode	Reed	Zylstra
Dole	Grau	Roe	Mr. Speaker
Donlon	Hook		

The nays were, 46.

Aldrich	Hanson of Winnebago	McLean	Ryder
Beath	Hartman	Maniece	Schmitz
Bouska	Hultman	Mercer	Schroeder
Bruce	Humeston	Mitchell	Sheridan
Craven	Jenkins	Moore of Benton	Snyder
Crouch	Koch	Moore of Harrison	Stanzel
Dean	Laughlin	Paisley	Stewart
Dreessen	Lichty	Peaco	Swift
Elliott	McCarthy	Peet	Treimer
Falvey	McDermott	Rawlings	Willis
Fuelling	McFarlane	Rice	Wolf
Gissel			Zipse

Absent or not voting, 16.

Casey	Grell	Malone	Speidel
Durant	Hanson of Lyon	Millhone	Stansell
Fabritz	Jensen	Porter	Strachan
Foster	McKinnon	Smith	Teter

Motion lost.

On the Koch motion to adjourn until 10:30 o'clock a. m. on Monday, January 29, a roll call was demanded.

The ayes were, 51.

Beath	Fabritz	Humeston	Maniece
Bouska	Falvey	Jenkins	Mercer
Burgess	Fuelling	Koch	Metcalf
Craven	Gissel	Laughlin	Mitchell
Crouch	Gittinger	Lichty	Moore of Benton
Davis	Hanson of Winnebago	McCarthy	Moore of Harrison
Dean	Hartman	McDermott	Osborn
Dreessen	Hultman	McFarlane	Paisley
Elliott		McLean	

Digitized by Google

Peet	Schroeder	Stanzel	Willis
Rawlings	Sheridan	Stewart	Wolf
Rice	Smith	Swift	Zipse
Ryder	Snyder	Treimer	Mr. Speaker
Schmitz			

The nays were, 46.

Aldrich	Donlon	Hopp	Schlatter
Alesch	Doran	Hough	Sours
Augustine	Ellsworth	Johnson	Speidel
Avery	Felter	Lookingbill	Stimpson
Beswick	Fletcher	McCreery	Thies
Bonnstetter	Frizzell	Millhone	Thiessen
Bowers	Fuester	Mooty	Weed
Brady	Gallagher	Ostby	Wieben
Bruce	Garner	Peaco	Wiese
Casey	Goode	Reed	Yager
Cunningham	Grau	Roe	Zylstra
Dole	Hook		

Absent or not voting, 11.

Durant	Hanson of Lyon	Malone	Strachan
Foster	Jensen	Porter	Teter
Grell	McKinnon	Stansell	

The motion prevailed and the House stood adjourned until Monday, January 29, at 10:30 o'clock a. m.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 29, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. R. Weed, Pastor West Star and Worthington Churches, Winterset, Iowa.

Journal of January 26, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Durant of Hancock for the day, on request of Lookingbill of Story; Smith of Cherokee for the day, on request of Fuester of Ida; Hanson of Lyon for the day, on request of Speidel of Washington; Hartman of Des Moines for the morning's session, on request of Hough of Fayette.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled: House Files No. 116 and 210. Senate File No. 105.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 116 and 210. Senate File No. 105.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports

Digitized by Google

that it has, on this 29th day of January, 1934, sent to the Governor for his approval: House Files No. 116 and 210. WM KOCH, *Chairman.*

Report adopted.

SENATE MESSAGES CONSIDERED

Senate File No. 15, a bill for an act to amend section ninety-two hundred seventeen-c one (9217-c1), Code, 1931, as amended by chapter one hundred sixty-one (161) of the Acts of the forty-fifth general assembly, relating to the minimum capitalization of state and savings banks and trust companies.

Read first and second times and referred to committee on banks and banking.

Senate File No. 227, a bill for an act to amend the law regulating the sale of securities as appears in chapter three hundred ninety-three C one (393-C1) of the Code of Iowa 1931; to repeal paragraph "b" of section eighty-five hundred eighty-one C four (8581-c4) relating to exempt securities; to repeal paragraph "f" of section eighty-five hundred eighty-one C four (8581-c4) relating to exempt securities, and to enact a substitute therefor; to amend paragraph "f" of section eighty-five hundred eighty-one C five (8581-c5) relating to exempt transactions; to amend paragraph "h" of section eighty-five hundred eighty-one C five (8581-c5) relating to exempt transactions; to repeal paragraph "i" of section eighty-five hundred eighty-one C five (8581-c5) relating to exempt transactions and to enact a substitute therefor; to amend section eighty-five hundred eighty-one C six (8581-c6) relating to registration of securities; to repeal section eighty-five hundred eighty-one C seven (8581-c7); to amend section eighty-five hundred eighty-one C eight (8581-c8) relating to registration by qualification; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to the regulation of price and commission; to amend section eighty-five hundred eighty-one C nine (8581-c9) relating to consent to service; to amend section eighty-five hundred eighty-one C eleven (8581-c11) relating to registration of dealers and salesmen; to amend section eighty-five hundred eighty-one C twelve (8581-c12) relating to deposits for special examinations; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to trust funds; to amend section eighty-five hundred

Digitized by Google

eighty-one C thirteen (8581-c13) relating to revocation of dealers and salesmens registration; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to examinations and insolvency; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to transactions with insolvent dealers; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to hypothecation of customer's securities; to amend section eighty-five hundred eighty-one C fourteen (8581-c14) relating to bonds and conditions; to amend section eighty-five hundred eighty-one C fifteen (8581-c15) relating to burden of proof; to repeal section eighty-five hundred eighty-one C seventeen (8581-c17) relating to injunctions and to enact a substitute therefor; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to the authority of the Secretary of State:

Read first and second times and referred to committee on banks and banking.

Senate File No. 233, a bill for an act to provide for the appointment of a conservator for a drainage district, levee district, drainage and levee district, drainage and levee district with pumping stations in default to holders of bonds issued by such districts in default; to provide for the issuance of conservator's bonds by such districts to the bondholders; to provide for adequate proceedings in the district court, and to provide for notices and writs incident to the operation of this act; and defining the meaning of the term 'drainage district' for the purpose of this act.

Read first and second times and referred to committee on drainage.

Senate File No. 245, a bill for an act to repeal chapter twenty-seven (27), acts of the forty-fifth general assembly, and to enact a substitute therefor, relating to the appeal procedure under the workmen's compensation act.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 248, a bill for an act to legalize the tax levy made

Digitized by Google

by the Board of Supervisors of Muscatine County, Iowa, in the years 1928, 1929, 1930, 1931 and 1933, to provide a fund for the support of indigent children, and to legalize the collection of said taxes by the Treasurer of Muscatine County, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 273, a bill for an act to require the board of supervisors and the members thereof to close or cause to be closed, against vehicular travel, all secondary roads which may be formally vacated or affirmatively abandoned by said board, to provide the manner of such closing, to provide for the doing of the work of such closing by members of the board or by the county engineer, to provide for the cost of said work, to prohibit the removal of barriers erected in order to effect such closing, and to declare the civil and criminal responsibility for the negligent failure to perform said duty and for the wrongful removal of said erections.

Read first and second times and referred to committee on roads and highways.

CONSIDERATION OF BILLS

House File No. 27, a bill for an act to amend Chapter thirty-seven (37) section twenty-seven (27) acts of the 45th General Assembly, relating to permit fees for beer sale in hotels, inns, and taverns, with report of committee recommending passage was taken up for consideration.

Yager of Dickinson moved that action on House File No. 27 be temporarily deferred. Motion prevailed.

Cunningham of Polk asked and obtained unanimous consent for the immediate consideration of Senate File No. 153, a bill for an act to authorize, and provide a method for the discontinuance of the "Stamp Note Plan" as authorized by Section 103, Laws of the Forty-Fifth General Assembly, and to authorize the retirement and redemption by counties that have adopted the Stamp-Note Plan, of stamp-notes issued in the name of the county, with report of committee recommending amendment and passage.

On motion of Ellsworth of Hardin the amendments proposed

Digitized by Google

by the committee, found on page 733 of the journal of January 12, were adopted.

Cunningham of Polk moved to amend Senate File No. 153 by striking the word "shall" in line 2, section 2, and inserting in lieu thereof the word "may".

Amendment adopted.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Felter	McCarthy	Schlatter
Alesch	Fletcher	McCreery	Schroeder
Augustine	Frizzell	McDermott	Snyder
Avery	Fuelling	McKinnon	Sours
Beath	Fuester	McLean	Speidel
Beswick	Gissel	Malone	Stansell
Bouska	Gittinger	Maniece	Stanzel
Bowers	Grau	Mercer	Stewart
Brady	Grell	Metcalf	Swift
Burgess	Hanson of Winnebago	Millhone	Teter
Casey	Hook	Moore of Benton	Thies
Crouch	Hopp	Moore of Harrison	Thiessen
Cunningham	Hough	Mooty	Treimer
Davis	Hultman	Ostby	Weed
Dean	Humeston	Peaco	Wieben
Dole	Jenkins	Peet	Wiese
Donlon	Jensen	Rawlings	Willis
Doran	Johnson	Reed	Wolf
Dreessen	Koch	Rice	Yager
Elliott	Laughlin	Roe	Zipse
Ellsworth	Lookingbill	Ryder	Zylstra
Fabritz			Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 21.

Bonnstetter	Garner	McFarlane	Schmitz
Bruce	Goode	Mitchell	Sheridan
Craven	Hanson of Lyon	Osborn	Smith
Durant	Hartman	Paisley	Stimpson
Foster	Lichty	Porter	Strachan
Gallagher			

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

Willis of Dallas asked and obtained unanimous consent for the immediate consideration of Senate File No. 269, a bill for an act

Digitized by Google

providing for the segregation by the County Treasurer of taxes paid in the year 1934 which were due and owing prior to January 1, 1934, and providing that the money so segregated shall be sent to the public taxing bodies in the amount due said taxing bodies and providing that the Treasurer of any such taxing body shall keep an accurate list of all warrants which he stamped "unpaid for lack of funds," with the date of issuance, number of the warrant and the amount of same, and providing for the payment of the warrants which were stamped unpaid for lack of funds in the previous fiscal year out of the money so segregated, and providing for the disposition of any balance after the payment of all outstanding warrants, and authorizing the issuance of bonds in the event that the funds are insufficient to pay all outstanding warrants.

Willis of Dallas moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Fabritz	Johnson	Rice
Alesch	Falvey	Koch	Roe
Avery	Felter	Laughlin	Ryder
Beath	Fletcher	Lichty	Schlatter
Beswick	Frizzell	Lookingbill	Schmitz
Bonnstetter	Fuelling	McCarthy	Schroeder
Bouska	Fuester	McDermott	Snyder
Bowers	Gallagher	Malone	Speidel
Brady	Gissel	Mercer	Stansell
Burgess	Gittinger	Metcalf	Stewart
Casey	Grell	Millhone	Swift
Crouch	Hanson of Winnebago	Moore of Benton	Teter
Cunningham	Hook	Moore of Harrison	Thies
Davis	Hopp	Mooty	Treimer
Dole	Hough	Ostby	Weed
Donlon	Hultman	Peaco	Wieben
Doran	Humeston	Peet	Wiese
Dreessen	Jenkins	Rawlings	Willis
Elliott	Jensen	Reed	Wolf
Ellsworth			Zylstra

The nays were, 5.

Grau	Sours	Stanzel	Thiessen
McLean			

Absent or not voting, 25.

Augustine	Durant	Hanson of Lyon	McKinnon
Bruce	Foster	Hartman	Maniece
Craven	Garner	McCreery	Mitchell
Dean	Goode	McFarlane	Osborn

Digitized by Google

Paisley	Smith	Strachan	Zipse
Porter	Stimpson	Yager	Mr. Speaker
Sheridan			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 35, a bill for an act to create a lien for certain services rendered in the favor of licensed veterinarians, with report of committee recommending amendment and passage was taken up for consideration.

On motion of Rawlings of Monona the amendments proposed by the committee, found on page 322 of the Journal of December 7, were adopted.

Dole of Jefferson offered the following amendment and moved its adoption:

Insert in line two (2) of section two (2) after the word "encumbrances", the following words: "hereafter acquired".

Amendment lost.

Burgess of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 76.

Aldrich	Falvey	McCarthy	Schmitz
Alesch	Felter	McCreery	Schroeder
Augustine	Fletcher	McDermott	Snyder
Avery	Frizzell	McLean	Sours
Beath	Fuester	Malone	Speidel
Beswick	Gallagher	Mercer	Stansell
Bouska	Gissel	Metcalf	Stewart
Bowers	Grau	Millhone	Stimpson
Brady	Hanson of	Moore of Benton	Swift
Burgess	Winnebago	Moore of	Teter
Casey	Hook	Harrison	Thies
Crouch	Hultman	Mooty	Thiessen
Cunningham	Humeston	Osborn	Treimer
Dean	Jenkins	Ostby	Weed
Dole	Jensen	Peet	Wieben
Donlon	Johnson	Rawlings	Wiese
Doran	Koch	Reed	Willis
Dreessen	Laughlin	Rice	Wolf
Elliott	Lichty	Ryder	Zylstra
Fabritz	Lookingbill		

The nays were, 8.

Fuelling	Grell	Hough	Stanzel
Gittinger	Hopp	Roe	Zipse

Digitized by Google

Absent or not voting, 24.

Bonnstetter	Foster	McKinnon	Schlatter
Bruce	Garner	Maniece	Sheridan
Craven	Goode	Mitchell	Smith
Davis	Hanson of Lyon	Paisley	Strachan
Durant	Hartman	Peaco	Yager
Ellsworth	McFarlane	Porter	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Mooty of Grundy asked and obtained unanimous consent to have action on House File No. 42 temporarily deferred.

House File No. 43, a bill for an act to amend section sixty-one hundred twenty-seven (6127), sixty-one hundred thirty-four-d six (6134-d6), sixty-one hundred thirty-five (6135), sixty-one hundred forty-two (6142), Code, 1931, relating to public utilities and to the power of cities and towns, with report of committee without recommendation was taken up for consideration.

The Speaker called Bonnstetter of Kossuth to the Chair at 12:02 p. m.

The Speaker returned to the Chair at 12:05 p. m.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 194, a bill for an act relating to the reimbursement of school districts by the state because of tax-free land within such districts.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 224, a bill for an act to make permanent the temporary transfer, made November 6, 1931, of money from the secondary road maintenance fund to the general fund of Emmet County.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 323, a bill for an act to legalize the corporate acts and proceedings of the Hudson Co-Operative Dairy Association, of Hudson, Black Hawk County, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 108, a bill for an act relating to the sale of beer, and to prohibit the sale of beer after July 1st, 1934, unless sixty-six and two-

Digitized by Google

thirds per cent or more of the grain used in its manufacture consists of barley malt.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 243, a bill for an act to amend Section 10 of chapter 30 of the Acts of the forty-fifth General Assembly, to provide for an increase in license fees to provide funds for the Iowa twenty-five year conservation program. BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENT TO HOUSE FILE 224

Amend House File 224 by striking from lines nine (9) and ten (10) of section one (1), the words "secondary road maintenance fund to the general fund" and inserting in lieu thereof the words: "general fund to the secondary road maintenance fund of said county".

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had approved the following bill:

January 23: House File No. 179.

On the motion of Bonstetter of Kossuth, the House recessed until 1:00 p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

MESSAGE FROM THE GOVERNOR

The following message was received from the Governor:

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FORTY-FIFTH GENERAL ASSEMBLY:

I feel it my duty to in this manner call to your immediate attention to a situation which has this morning been presented to me by a representative of the Federal Emergency Relief Administration at Washington.

Since January, 1933, the federal government has advanced, in one form or another, to Iowa for the relief of unemployed and destitute people, over ten millions of dollars. Iowa, up until this time has as a state made no contribution to this fund. Every state in this middle western section has made appropriations in varying amounts. Missouri and Colorado delayed until the federal administration ordered federal funds discontinued. It certainly is not the wish of this Legislature that similar action should be taken against Iowa. I, therefore, urge that the Appropriations Committees of the Senate and House immediately appropriate for the use of the Federal Emergency Relief Administration for Iowa to be administered under the same regulations as now govern distribution of

Digitized by Google

federal funds, the sum of three million dollars. The revenue to cover such appropriation to come from such future legislation as this General Assembly deems wise.

Respectfully submitted,
CLYDE L. HERRING, *Governor.*

Bonnstetter of Kossuth moved that the House recess until the fall of the gavel.

The motion prevailed and the House recessed until the fall of the gavel.

The House reconvened, Speaker Miller in the chair.

INTRODUCTION OF BILLS

House File No. 325, by committee on appropriations, a bill for an act to make an appropriation for direct relief and/or work relief and expenses incident thereto for the purpose of caring for the unemployed and needy.

Read first and second times and placed on calendar.

Speidel of Washington moved that the House adjourn until 9:30 a. m. tomorrow. Motion lost.

Bonnstetter of Kossuth moved that the rule prohibiting the second and third reading of a bill on the same day be suspended.

McCreery of Linn offered as a substitute motion that House File No. 325 be made a special order for 2:00 o'clock p. m., Tuesday, January 30.

Bonnstetter of Kossuth moved to amend the McCreery motion by striking the words and figures "2:00 o'clock p. m." and inserting in lieu thereof the words and figures "10:00 o'clock a. m." Amendment adopted.

SPECIAL ORDER

Motion as amended prevailed and House File No. 325 was made a special order for 10:00 o'clock a. m., on Tuesday, January 30.

On motion of Mitchell of Webster the House adjourned until 9:30 o'clock a. m., Tuesday, January 30.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 30, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. W. Barlow, pastor Collegiate Presbyterian Church, Ames, Iowa.

Journal of January 29 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Durant of Hancock for the day, on request of Hopp of Mills; Ostby of Worth for the day, on request of Hopp of Mills; Strachan of Humboldt for the day, on request of Hanson of Winnebago.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Wieben of Tama from the business men of Tama County. Referred to committee on tax revision.

Favoring the establishment of a Hydro-Electric Power Commission. Metcalf of Muscatine from Local Union No. 251, International Typographical Union, Muscatine, Iowa. Referred to committee on public utilities.

Opposing taxation of fraternal societies. Schroeder of Carroll from citizens of Arcadia. Referred to committee on insurance.

Favoring an old age pension. Paisley of Lee from members of Mary Harlan Tent No. 19, Daughters of Union Veterans 1861-1865. Referred to committee on appropriations.

REPORT OF COMMITTEE

Hanson of Winnebago, from the committee on drainage, submitted the following report:

MR. SPEAKER: Your committee on drainage to whom was referred Senate File No. 233, a bill for an act to provide for the appointment of

Digitized by Google

a conservator for drainage districts; provide for the issuance of conservator's bonds; provide adequate proceedings in the district court; and defining the meaning of the term 'drainage district' for the purpose of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. H. N. HANSON, *Chairman.*

Report adopted.

SENATE MESSAGES CONSIDERED

Senate File No. 108, a bill for an act to amend chapter thirty-seven (37), Acts of the Forty-fifth (45th) General Assembly, relating to the sale of beer, and to prohibit the sale of beer after July first (1st), 1934, unless sixty-six and two-thirds per cent (66 2/3%) or more of the grain used in its manufacture consists of barley malt.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 243, a bill for an act to amend section ten (10) of chapter thirty (30) of the Laws of the Forty-fifth General Assembly to provide for an increase in license fees to provide adequate funds to make possible the development of the Iowa twenty-five year Conservation Program.

Read first and second times and referred to committee on fish and game.

REPORT OF SPECIAL COMMITTEE ON EMERGENCY RELIEF

Your committee appointed by the President of the Senate and the Speaker of the House to make recommendations for raising funds for relief purposes in the State of Iowa hereby make the following report:

In a conference with E. H. Mulock, State Administrator of Relief Funds, we were advised of the situation with reference to unemployment relief as it exists in the State of Iowa, and your committee reached the conclusion that the need for relief at this time is imperative. The situation as it exists in the State of Iowa, is presented in a letter dated January 19, 1934, addressed to Representative John H. Mitchell, a copy of which letter was placed on the desk of each member of the legislature on January 24, and subsequently printed in the Journals of the House and Senate.

We have secured an opinion from the Attorney General which indicates that funds for unemployment relief must be provided for by way of an appropriation by this Extra Session of the Forty-fifth General Assembly. This opinion of the Attorney General is contained in the pamphlet above referred to and printed in the Journals of the House and Senate .

Digitized by Google

Your committee further reports that all grants from the Federal Emergency Relief Administration are made on a basis of "one to three", one dollar from the Federal Administration for every three dollars raised in Iowa. We are advised that the Federal Administration will discontinue aid and assistance unless an appropriation, as suggested in the preceding paragraph, is provided.

Giving full credit to CWA and PWA it is estimated by the Emergency Relief Administration in Iowa that at least three million dollars ($3,000,000) will be required for this relief in Iowa and your committee feels that the revenues out of any new tax bill up to the amount of three million dollars ($3,000,000) should be used for the purpose of taking care of the appropriation.

Your committee therefore recommends that the first three million dollars ($3,000,000) derived from any new taxes to be enacted by this Extra Session of the General Assembly should be allocated to the general fund of the State of Iowa to meet this emergency relief appropriation.

G. W. PATTERSON,
VINCENT F. HARRINGTON,
FRANK I. COYKENDALL,
On the part of the Senate.

JOHN H. MITCHELL, *Chairman*,
ADA GARNER,
MARION BRUCE,
On the part of the House.

McCreery of Linn moved that the House resolve itself into a committee of the whole for the consideration of House File No. 325. Motion prevailed.

Johnson of Linn moved that the Speaker act as chairman of the committee of the whole. Motion prevailed.

COMMITTEE OF THE WHOLE

The House resolved itself into a committee of the whole, for the consideration of House File No. 325, Speaker Miller in the chair.

Foster of Cedar moved that the committee now rise. Motion prevailed and the committee rose.

The House reconvened, Speaker Miller in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 8 congratulating the President of the United States on this the fifty-second anniversary of his birth.

BYRON G. ALLEN, *Secretary*.

Digitized by Google

SENATE CONCURRENT RESOLUTION NO. 8

Be It Resolved by the Senate, the House concurring: On this, the fifty-second anniversary of his birth, we congratulate the President. We wish him many more years of health, happiness and accomplishment.

Be It Further Resolved, That the Secretary of the Senate and the Clerk of the House transmit by wire to the President this resolution and later transmit to him an engrossed copy thereof.

Johnson of Linn asked and obtained unanimous consent for the immediate consideration of Senate Concurrent Resolution No. 8.

Johnson of Linn moved its adoption. Motion prevailed and Senate Concurrent Resolution No. 8 was adopted.

CONSIDERATION OF BILLS

The time of the Special Order having arrived House File No. 325, a bill for an act to make an appropriation for direct relief and/or work relief and expenses incidental thereto for the purpose of caring for the unemployed and needy, was taken up for consideration.

Jensen of Audubon offered the following amendment and moved its adoption:

Amend House File 325 by striking all of Section one (1) and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated out of a fund created by the imposing of a one-half cent per gallon license fee on all motor vehicle fuel imported and used within this state a sum of three million dollars ($3,000,000.00), for direct relief and/or work relief and for expenses incidental thereto, for the purpose of caring for unemployed and needy persons within this state. Such license fee shall be in addition to that imposed by Chapter 251-A, Code, 1931, and Section 4755-b38, Code 1931, as amended by the Acts of the 45th General Assembly. The imposing of the license fee, as herein provided, shall cease when the sum of three million dollars ($3,000,000.00) has been collected."

Amendment adopted.

Moore of Harrison moved that the vote by which the Jensen amendment was adopted by the House be reconsidered.

On the question "Shall the vote by which the House adopted the Jensen amendment be reconsidered?" a roll call was demanded.

The ayes were, 50.

Avery	Bouska	Bruce	Dean
Beswick	Bowers	Casey	Doran
Bonnstetter	Brady	Cunningham	Fabritz

Digitized by Google

Falvey	Johnson	Mitchell	Sheridan
Felter	Koch	Moore of	Smith
Fuelling	Lichty	Harrison	Sours
Gallagher	McCarthy	Mooty	Swift
Garner	McDermott	Paisley	Treimer
Gissel	McFarlane	Peaco	Wiese
Grau	McLean	Peet	Willis
Grell	Malone	Reed	Wolf
Hanson of Lyon	Mercer	Ryder	Mr. Speaker
Hartman	Millhone	Schmitz	

The nays were, 48.

Aldrich	Ellsworth	Jenkins	Snyder
Alesch	Fletcher	Jensen	Speidel
Augustine	Foster	Laughlin	Stanzel
Beath	Frizzell	Lookingbill	Stewart
Burgess	Fuester	McCreery	Teter
Craven	Gittinger	McKinnon	Thies
Crouch	Goode	Metcalf	Thiessen
Davis	Hook	Osborn	Weed
Dole	Hopp	Rawlings	Wieben
Donlon	Hough	Roe	Yager
Dreessen	Hultman	Schlatter	Zipse
Elliott	Humeston	Schroeder	Zylstra

Absent or not voting, 10.

Durant	Maniece	Porter	Stimpson
Hanson of	Moore of Benton	Rice	Strachan
Winnebago	Ostby	Stansell	

The House reconsidered.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate insists on its amendments to the following bill:

House File No. 97, a bill for an act to amend 4505, Code, 1931, and to repeal section 4486, Code, 1931, relating to the protection of the permanent school fund, and asks for the appointment of a conference committee.

The Senate has named as its members of the conference committee, Senators Miller of Buchanan, Elthon, Calhoun and Pendray.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 8, a bill for an act to legalize action of the Board of Supervisors, Lee County, Iowa, in making expenditures from Lee County Insane Fund for the purpose of paying expenses and maintenance of the Lee County Home.

BYRON G. ALLEN, *Secretary*.

CONFERENCE COMMITTEE APPOINTED

The Speaker appointed as members of the conference committee to consider House File No. 97, Grau of Buena Vista, Hook of Taylor, Hanson of Lyon and Schroeder of Carroll.

Digitized by Google

On motion of Stimpson of Jones the House recessed until 1:00 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 325.

Jensen of Audubon asked and obtained unanimous consent to withdraw the amendment to House File No. 325 offered by him at the morning session today.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 281, a bill for an act to make an appropriation for direct relief and/or work relief and expenses incidental thereto for the purpose of caring for the unemployed and needy.

BYRON G. ALLEN, *Secretary*.

SENATE MESSAGES CONSIDERED

Senate File No. 281, a bill for an act to make an appropriation for direct relief and/or work relief and expenses incidental thereto for the purpose of caring for the unemployed and needy.

Read first and second times and passed on file.

Mitchell of Webster moved that Senate File No. 281 be substituted for House File No. 325. Motion prevailed and the substitution was made.

Mitchell of Webster asked and obtained unanimous consent to suspend the rule prohibiting the second and third reading of a bill on the same day.

CALL OF THE HOUSE

MR. SPEAKER: We, the undersigned, hereby request a call of the House for the consideration of Senate File No. 281.

C. E. LOOKINGBILL.	ED RAWLINGS.
E. H. FABRITZ.	THOMAS STIMPSON.
F. J. MCCARTHY.	WM. KOCH.

Digitized by Google

A roll call showed all members were present except Durant of Hancock, McKinnon of Henry, Millhone of Page, Osborn of Decatur, Ostby of Worth, Porter of Delaware, Stansell of Clarke and Strachan of Humboldt.

Durant of Hancock, Strachan of Humboldt, Porter of Delaware and Ostby of Worth having been previously excused, Reed of Mahaska moved that Millhone of Page and Stansell of Clarke be excused from the call of the House. Motion prevailed.

Mitchell of Webster moved that McKinnon of Henry and Osborn of Decatur be temporarily excused. Motion prevailed.

Jensen of Audubon offered the following amendment and moved its adoption:

Amend Senate File No. 281 by striking all of Section one (1) and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated out of a fund created by the imposing of a one-half cent per gallon license fee on all motor vehicle fuel imported and used within this state, a sum of three million dollars ($3,000,000.00), for direct relief and/or work relief and for expenses incidental thereto, for the purpose of caring for unemployed and needy persons within this state. Such license fee shall be in addition to all other taxes or license fees on motor vehicle fuel and subject to the same refunds as provided by law. The imposing of the license fee, as herein provided, shall cease when the sum of three million dollars ($3,000,000.00) has been collected."

McLean of Marshall moved to amend the Jensen amendment by inserting after the figures "$3,000,000.00" in line four (4) of section 1, the following words: "or so much thereof as may be necessary."

Zylstra of Sioux moved the previous question on the McLean amendment to the Jensen amendment. Motion prevailed.

Amendment to amendment adopted.

Avery of Clay offered the following amendment and moved its adoption:

Amend the Jensen amendment by striking from lines 9 and 10 of the amendment the following words: "and subject to the same refunds as provided by law."

On the question "Shall the Avery amendment to the Jensen amendment be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 5.

Avery	Gittinger	Humeston	Peet
Dole			

The nays were, 90.

Aldrich	Frizzell	Lookingbill	Schroeder
Alesch	Fuelling	McCarthy	Sheridan
Augustine	Fuester	McCreery	Smith
Beath	Gallagher	McFarlane	Snyder
Beswick	Garner	McKinnon	Sours
Bonnstetter	Gissel	McLean	Speidel
Bouska	Goode	Malone	Stanzel
Bowers	Grau	Maniece	Stewart
Bruce	Grell	Mercer	Stimpson
Burgess	Hanson of Lyon	Metcalf	Swift
Casey	Hanson of Winnebago	Mitchell	Teter
Crouch	Hartman	Moore of Benton	Thies
Cunningham	Hook	Moore of Harrison	Thiessen
Dean	Hopp	Mooty	Treimer
Donlon	Hough	Paisley	Weed
Doran	Hultman	Rawlings	Wieben
Dreessen	Jenkins	Reed	Wiese
Elliott	Jensen	Rice	Willis
Ellsworth	Johnson	Roe	Wolf
Fabritz	Koch	Ryder	Yager
Felter	Laughlin	Schlatter	Zipse
Fletcher	Lichty	Schmitz	Zylstra
Foster			Mr. Speaker

Absent or not voting, 13.

Brady	Falvey	Osborn	Porter
Craven	McDermott	Ostby	Stansell
Davis	Millhone	Peaco	Strachan
Durant			

Amendment to amendment lost.

On the question "Shall the Jensen amendment as amended be adopted?" a roll call was demanded.

The ayes were, 49.

Aldrich	Felter	Hultman	Snyder
Alesch	Fletcher	Humeston	Speidel
Augustine	Frizzell	Jenkins	Stanzel
Beath	Fuester	Jensen	Stimpson
Bonnstetter	Gissel	Lookingbill	Teter
Casey	Gittinger	McCreery	Thies
Craven	Goode	McKinnon	Thiessen
Davis	Grau	McLean	Treimer
Dean	Hanson of Winnebago	Metcalf	Weed
Doran	Hook	Peet	Yager
Dreessen	Hopp	Rawlings	Zipse
Elliott	Hough	Roe	Zylstra
Ellsworth			

The nays were, 51.

Avery	Brady	Dole	Foster
Beswick	Bruce	Donlon	Fuelling
Bouska	Burgess	Fabritz	Gallagher
Bowers	Cunningham	Falvey	Garner

Digitized by Google

Grell	McFarlane	Paisley	Smith
Hanson of Lyon	Malone	Peaco	Sours
Hartman	Maniece	Reed	Stewart
Johnson	Mercer	Rice	Swift
Koch	Mitchell	Ryder	Wieben
Laughlin	Moore of Benton	Schlatter	Wiese
Lichty	Moore of Harrison	Schmidt	Willis
McCarthy	Mooty	Schroeder	Wolf
McDermott		Sheridan	Mr. Speaker

Absent or not voting, 8.

Crouch	Millhone	Ostby	Stansell
Durant	Osborn	Porter	Strachan

Amendment as amended lost.

McCreery of Linn offered the following amendment and moved its adoption:

Amend Senate File No. 281 by substituting a comma (,) for the period (.) at the end of section two (2) and adding the following:

"but in no case shall funds appropriated under this act be used to pay wages for relief work in excess of 35c per hour."

On the question "Shall the McCreery amendment be adopted?" a roll call was demanded.

The ayes were, 70.

Aldrich	Fletcher	Koch	Rice
Alesch	Frizzell	Laughlin	Roe
Avery	Fuelling	Lichty	Schlatter
Beath	Fuester	Lookingbill	Snyder
Beswick	Gissel	McCarthy	Sours
Bonnstetter	Gittinger	McCreery	Speidel
Bowers	Goode	McDermott	Stanzel
Bruce	Grau	McFarlane	Stimpson
Burgess	Hanson of Lyon	McKinnon	Thies
Casey	Hanson of Winnebago	McLean	Thiessen
Craven	Hook	Malone	Treimer
Crouch	Hough	Maniece	Weed
Davis	Hultman	Mercer	Wieben
Dean	Humeston	Moore of Benton	Willis
Donlon	Jenkins	Mooty	Wolf
Doran	Jensen	Paisley	Yager
Ellsworth	Johnson	Peet	Zipse
Felter		Reed	

The nays were, 29.

Augustine	Falvey	Moore of Harrison	Smith
Bouska	Foster	Peaco	Stewart
Brady	Gallagher	Rawlings	Swift
Cunningham	Garner	Ryder	Teter
Dole	Grell	Schmitz	Wiese
Dreessen	Hartman	Sheridan	Zylstra
Elliott	Hopp		Mr. Speaker
Fabritz	Mitchell		

Digitized by Google

Absent or not voting, 9.

Durant	Osborn	Porter	Stansell
Metcalf	Ostby	Schroeder	Strachan
Millhone			

Amendment adopted.

Grau of Buena Vista offered the following amendment and moved its adoption:

Amend Senate File No. 281, Section two (2), line three (3) by striking the period and adding the following: "and requisitioned through the Comptroller's office".

Grau of Buena Vista asked and obtained unanimous consent to withdraw the amendment offered by him.

Bonnstetter of Kossuth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Fletcher	Lichty	Schlatter
Alesch	Foster	Lookingbill	Schmitz
Augustine	Frizzell	McCarthy	Schroeder
Avery	Fuelling	McCreery	Sheridan
Beswick	Fuester	McFarlane	Smith
Bonnstetter	Gallagher	McKinnon	Snyder
Bouska	Garner	Malone	Sours
Brady	Gissell	Maniece	Speidel
Bruce	Gittinger	Mercer	Stewart
Burgess	Grau	Metcalf	Stimpson
Casey	Grell	Mitchell	Swift
Craven	Hanson of	Moore of Benton	Teter
Crouch	Winnebago	Moore of	Thies
Cunningham	Hartman	Harrison	Thiessen
Davis	Hook	Paisley	Treimer
Dean	Hopp	Peaco	Wieben
Dole	Hough	Peet	Wiese
Donlon	Hultman	Rawlings	Willis
Dreessen	Humeston	Reed	Wolf
Elliott	Jensen	Rice	Yager
Ellsworth	Johnson	Roe	Zylstra
Fabritz	Koch	Ryder	Mr. Speaker
Falvey	Laughlin		

The nays were, 13.

Beath	Goode	McDermott	Stanzel
Bowers	Hanson of Lyon	McLean	Weed
Doran	Jenkins	Mooty	Zipse
Felter			

Absent or not voting, 7.

Durant	Osborn	Porter	Strachan
Millhone	Ostby	Stansell	

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Bonnstetter of Kossuth moved to reconsider the vote by which Senate File No. 281 passed the House and the motion to reconsider be laid on the table. Motion prevailed.

APPOINTMENT OF A STEERING COMMITTEE

As provided for under House Rule No. 75 the Speaker propounded to the House the question "Shall a steering committee be appointed at this time?"

On the question "Shall a steering committee be appointed at this time?" a roll call was demanded.

The ayes were, 89.

Alesch	Falvey	Koch	Rice
Augustine	Felter	Laughlin	Roe
Avery	Fletcher	Lichty	Ryder
Beath	Foster	Lookingbill	Schlatter
Beswick	Frizzell	McCarthy	Schmitz
Bonnstetter	Fuelling	McCreery	Schroeder
Bouska	Fuester	McDermott	Sheridan
Bowers	Gallagher	McFarlane	Snyder
Bruce	Garner	McLean	Sours
Burgess	Gittinger	Malone	Speidel
Casey	Goode	Maniece	Stanzel
Craven	Grau	Mercer	Stewart
Crouch	Hanson of Lyon	Metcalf	Stimpson
Cunningham	Hanson of Winnebago	Mitchell	Swift
Davis	Hartman	Moore of Benton	Thies
Dean	Hook	Moore of Harrison	Thiessen
Dole	Hopp	Mooty	Treimer
Donlon	Hough	Paisley	Weed
Doran	Hultman	Peaco	Wieben
Dreessen	Humeston	Peet	Wiese
Elliott	Jenkins	Rawlings	Willis
Ellsworth	Johnson	Reed	Wolf
Fabritz			

The nays were, 7.

Aldrich	Grell	Smith	Zipse
Gissel	Jensen	Yager	

Absent or not voting, 12.

Brady	Millhone	Porter	Teter
Durant	Osborn	Stansell	Zylstra
McKinnon	Ostby	Strachan	Mr. Speaker

The motion to appoint a steering committee prevailed.

The Speaker appointed the following as members of the steering committee: Burgess of Woodbury, Koch of Bremer, Foster of Cedar, Stewart of Calhoun, Grau of Buena Vista, Sheridan of Lee, Malone of Cass, Willis of Dallas, and Metcalf of Muscatine.

Digitized by Google

Burgess of Woodbury moved that all bills now on the calendar and in hands of committees be rereferred to the steering committee.

Rawlings of Monona offered as an amendment to the Burgess motion the following: "except appropriation bills and tax revision bills".

The amendment to the motion was adopted.

The Burgess motion as amended was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report that it has examined and finds correctly enrolled: House Files No. 323 and 194. Senate Files No. 268, 177, 246 and 148.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 323 and 194. Senate Files No. 268, 177, 246 and 148.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 30th day of January, 1934, sent to the Governor for his approval: House Files No. 323 and 194. WM. KOCH, *Chairman.*

Report adopted.

AMENDMENT FILED

Treimer of O'Brien filed the following amendment:

Amend House File No. 298 by striking therefrom the first word "the" in line thirteen (13) Section Two (2), and substituting therefor the word "fire."

On motion of Sours of Floyd the House adjourned until 9:30 o'clock a. m., Wednesday, January 31.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 31, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. E. A. Elliott of Des Moines, Iowa.

Journal of January 30, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Durant of Hancock for the day, on request of Lookingbill of Story; Strachan of Humboldt for the day, on request of Hanson of Winnebago.

PETITIONS AND MEMORIALS

Favoring the establishment of a public power commission. Grell of Scott, from the executive committee of the International Typographical Union. Referred to the committee on public utilities.

Favoring local option. Willis of Dallas, from the voters of the sixth congressional district. Referred to the committee on liquor control.

Opposing the establishment of a tax providing for the replacement of school equipment. Brady of Pottawattamie, from the Council Bluffs Association of Insurance Agents. Referred to the committee on insurance.

CONSIDERATION OF SENATE AMENDMENTS

On request of Maniece of Emmet unanimous consent having been given, House File No. 224, a bill for an act to make permanent the temporary transfer, made November 6, 1931, of money from the secondary road maintenance fund to the general fund of Emmet County, with Senate amendment, was taken up and the amendment read and considered.

Digitized by Google

SENATE AMENDMENT TO HOUSE FILE 224

Amend House File 224 by striking from lines nine (9) and ten (10) of section one (1), the words "secondary road maintenance fund to the general fund" and inserting in lieu thereof the words: "general fund to the secondary road maintenance fund of said county".

Maniece of Emmet moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 73.

Aldrich	Ellsworth	Jensen	Smith
Alesch	Fabritz	Johnson	Sours
Augustine	Falvey	Laughlin	Speidel
Avery	Felter	Lookingbill	Stansell
Beath	Fletcher	McCreery	Stanzel
Beswick	Frizzell	McDermott	Stimpson
Bonnstetter	Fuelling	Maniece	Swift
Bouska	Fuester	Mercer	Teter
Bowers	Garner	Mooty	Thies
Bruce	Gissel	Osborn	Thiessen
Casey	Goode	Ostby	Treimer
Craven	Hanson of Winnebago	Reed	Weed
Crouch	Hartman	Rice	Wieben
Davis	Hook	Roe	Wiese
Dean	Hopp	Ryder	Wolf
Dole	Hultman	Schlatter	Yager
Donlon	Humeston	Schmitz	Zipse
Dreessen		Schroeder	Zylstra
Elliott			Mr. Speaker

The nays were, none.

Absent or not voting, 35.

Brady	Hanson of Lyon	Malone	Peet
Burgess	Hough	Metcalf	Porter
Cunningham	Jenkins	Millhone	Rawlings
Doran	Koch	Mitchell	Sheridan
Durant	Lichty	Moore of Benton	Snyder
Foster	McCarthy	Moore of Harrison	Stewart
Gallagher	McFarlane	Paisley	Strachan
Gittinger	McKinnon	Peaco	Willis
Grau	McLean		
Grell			

The House concurred in the Senate amendment to House File 224.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has refused to concur in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 281, a bill for an act to make an appropriation for

Digitized by Google

direct relief and/or work relief and expenses incidental thereto for the purpose of caring for the unemployed and needy.

BYRON G. ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Bonnstetter of Kossuth moved that the House insist on the House amendments to Senate File No. 281 in which the Senate refused to concur.

On the question "Shall the House insist on the House amendments to Senate File No. 281?" a roll call was demanded.

The ayes were, 72.

Aldrich	Felter	Jensen	Schmitz
Alesch	Fletcher	Johnson	Smith
Augustine	Frizzell	Laughlin	Snyder
Avery	Fuelling	Lookingbill	Sours
Beath	Fuester	McCarthy	Speidel
Bonnstetter	Garner	McCreery	Stansell
Bouska	Gissel	McDermott	Stanzel
Bowers	Gittinger	McLean	Stimpson
Bruce	Goode	Maniece	Thies
Casey	Hanson of Lyon	Mercer	Thiessen
Craven	Hanson of Winnebago	Millhone	Treimer
Crouch	Hook	Osborn	Weed
Davis	Hopp	Paisley	Wieben
Dean	Hough	Peet	Wolf
Dole	Hultman	Reed	Yager
Donlon	Humeston	Rice	Zipse
Doran	Jenkins	Roe	Zylstra
Ellsworth		Schlatter	Mr. Speaker
Falvey			

The nays were, 17.

Beswick	Hartman	Moore of Harrison	Rawlings
Dreessen	Lichty	Mooty	Ryder
Elliott	McFarlane	Ostby	Swift
Fabritz	McKinnon		Wiese
Gallagher	Mitchell		

Absent or not voting, 19.

Brady	Grau	Moore of Benton	Stewart
Burgess	Grell	Peaco	Strachan
Cunningham	Koch	Porter	Teter
Durant	Malone	Schroeder	Willis
Foster	Metcalf	Sheridan	

The House insisted on its amendments to Senate File No. 281.

CONFERENCE COMMITTEE ON SENATE FILE NO. 281

The Speaker appointed as members of the conference committee on Senate File No. 281 on the part of the House: McCreery of Linn, Fabritz of Wapello, Wieben of Tama, Hook of Taylor and Bruce of Pocahontas.

Digitized by Google

CONSIDERATION OF BILLS

Rawlings of Monona asked and obtained unanimous consent for the immediate consideration of Senate File No. 235, a bill for an act to make an emergency appropriation to the state department of agriculture for the purpose of defraying the necessary expenses now being incurred and imposed upon said department by the provisions of chapter four hundred twenty-seven (427), code, 1931, the unbonded agricultural warehouse act, with report of committee recommending passage.

Rawlings of Monona moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Frizzell	Laughlin	Ryder
Alesch	Fuelling	Lichty	Schlatter
Augustine	Fuester	Lookingbill	Schmitz
Avery	Gallagher	McCarthy	Schroeder
Beath	Garner	McFarlane	Sheridan
Beswick	Gissel	McLean	Smith
Bouska	Gittinger	Malone	Snyder
Bowers	Goode	Maniece	Sours
Bruce	Grau	Mercer	Speidel
Burgess	Grell	Metcalf	Stewart
Casey	Hanson of Lyon	Millhone	Stimpson
Craven	Hanson of Winnebago	Mitchell	Swift
Davis	Hartman	Moore of Harrison	Teter
Dole	Hook	Mooty	Thies
Donlon	Hopp	Osborn	Thiessen
Doran	Hough	Ostby	Treimer
Dreessen	Hultman	Paisley	Weed
Ellsworth	Humeston	Peaco	Wieben
Fabritz	Jenkins	Rawlings	Wiese
Falvey	Jensen	Reed	Willis
Felter	Johnson	Rice	Wolf
Fletcher	Koch	Roe	Mr. Speaker
Foster			

The nays were, 2.

McDermott	Zipse

Absent or not voting, 17.

Bonnstetter	Durant	Moore of Benton	Stanzel
Brady	Elliott	Peet	Strachan
Crouch	McCreery	Porter	Yager
Cunningham	McKinnon	Stansell	Zylstra
Dean			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Digitized by Google

House File No. 151, a bill for an act to provide an appropriation to defray the expenses of the Supreme Court and the judges thereof during the biennium from July first nineteen hundred thirty-three to June thirtieth nineteen hundred thirty-five, with report of committee recommending passage, was taken up for consideration.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Fuelling	Lookingbill	Schlatter
Augustine	Fuester	McCarthy	Schmitz
Avery	Gallagher	McDermott	Schroeder
Beswick	Garner	McFarlane	Sheridan
Bonnstetter	Gissel	McLean	Smith
Bouska	Gittinger	Malone	Snyder
Bowers	Goode	Mercer	Speidel
Bruce	Grau	Metcalf	Stanzel
Burgess	Grell	Millhone	Stewart
Casey	Hanson of Lyon	Mitchell	Stimpson
Craven	Hanson of Winnebago	Moore of Harrison	Swift
Davis	Hartman	Mooty	Teter
Dean	Hook	Osborn	Thies
Dole	Hough	Paisley	Thiessen
Donlon	Hultman	Peaco	Treimer
Doran	Humeston	Peet	Weed
Dreessen	Jenkins	Rawlings	Wieben
Ellsworth	Jensen	Reed	Wiese
Falvey	Johnson	Rice	Willis
Felter	Koch	Roe	Wolf
Fletcher	Laughlin	Ryder	Yager
Foster	Lichty		Zylstra
Frizzell			

The nays were, 2.

Beath	Gissel

Absent or not voting, 19.

Alesch	Elliott	Maniece	Stansell
Brady	Fabritz	Moore of Benton	Strachan
Crouch	Hopp	Ostby	Zipse
Cunningham	McCreery	Porter	Mr. Speaker
Durant	McKinnon	Sours	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 296, a bill for an act to amend Section thirty-four (34), Chapter One hundred eighty-eight (188), laws of the forty-fifth General Assembly, relating to payments to the State

Digitized by Google

Printing Board, for work and supplies furnished to certain state departments, was taken up for consideration.

Bonnstetter of Kossuth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Fuelling	Lookingbill	Schroeder
Augustine	Fuester	McCarthy	Smith
Avery	Gallagher	McDermott	Snyder
Beath	Garner	McLean	Sours
Beswick	Gissel	Malone	Speidel
Bonnstetter	Gittinger	Metcalf	Stansell
Bouska	Goode	Millhone	Stewart
Bowers	Grau	Moore of Harrison	Stimpson
Burgess	Grell	Mooty	Swift
Casey	Hanson of Lyon	Osborn	Teter
Craven	Hartman	Ostby	Thies
Davis	Hook	Paisley	Thiessen
Dean	Hough	Peaco	Treimer
Dole	Hultman	Rawlings	Weed
Doran	Humeston	Reed	Wieben
Dreessen	Jenkins	Roe	Wiese
Ellsworth	Jensen	Ryder	Willis
Fabritz	Koch	Schlatter	Wolf
Felter	Laughlin	Schmitz	Yager
Fletcher	Lichty		Zipse
Frizzell			

The nays were, 6.

Bruce	Mercer	Sheridan	Stanzel
McFarlane	Peet		

Absent or not voting, 22.

Alesch	Elliott	Johnson	Porter
Brady	Falvey	McCreery	Rice
Crouch	Foster	McKinnon	Strachan
Cunningham	Hanson of Winnebago	Maniece	Zylstra
Donlon	Hopp	Mitchell	Mr. Spaker
Durant		Moore of Benton	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 300, a bill for an act to make an appropriation for payment of the extra expense of the State Printing Board incurred by and on account of the forty-fifth extraordinary session of the General Assembly, was taken up for consideration.

Bonnstetter of Kossuth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 85.

Aldrich	Falvey	Laughlin	Schmitz
Augustine	Felter	Lichty	Schroeder
Avery	Fletcher	Lookingbill	Sheridan
Beath	Frizzell	McCarthy	Smith
Beswick	Fuelling	McDermott	Snyder
Bonnstetter	Fuester	McFarlane	Speidel
Bouska	Gallagher	McLean	Stansell
Bowers	Garner	Malone	Stanzel
Bruce	Gissel	Mercer	Stewart
Burgess	Gittinger	Metcalf	Stimpson
Casey	Goode	Millhone	Swift
Craven	Grau	Moore of Benton	Thies
Crouch	Hanson of Lyon	Mooty	Thiessen
Davis	Hartman	Osborn	Treimer
Dean	Hook	Paisley	Weed
Dole	Hough	Peaco	Wieben
Donlon	Hultman	Rawlings	Wiese
Doran	Humeston	Reed	Willis
Dreessen	Jenkins	Roe	Wolf
Elliott	Jensen	Ryder	Yager
Ellsworth	Koch	Schlatter	Zipse
Fabritz			

The nays were, none.

Absent or not voting, 23.

Alesch	Hanson of Winnebago	Mitchell	Rice
Brady	Hopp	Moore of Harrison	Sours
Cunningham	Johnson	Ostby	Strachan
Durant	McCreery	Peet	Teter
Foster	McKinnon	Porter	Zylstra
Grell	Maniece		Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommend that they be placed on the calendar: House File No. 326 (new bill); House File No. 211; Senate Files No. 90, 181, 182, 184 and 254.

JAMES BURGESS, *Chairman.*

LEAVE OF ABSENCE

On motion of Bonnstetter of Kossuth the following members were granted leave of absence for the balance of the day on account of committee meeting: Hanson of Winnebago, Hopp of Mills and Maniece of Emmet.

Digitized by Google

CONSIDERATION OF BILLS

House File No. 211, a bill for an act to legalize the proceedings of the City Council of the City of Davenport, Iowa, a municipal corporation, by virtue of a special charter, relating to the improvement of certain streets and one alley by paving, without having obtained jurisdiction therefore as provided by Section Sixty-nine thirteen, (6913), Sixty-nine fourteen (6914), and Sixty-nine fifteen (6915), Code, 1927, and any and all other irregularities, and legalizing the special improvement bonds issued to pay for said improvements as provided by Section Sixty-nine twenty-five (6925), and Sixty-nine twenty-six (6926), Code, 1927, was taken up for consideration.

Wiese of Scott moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Falvey	Koch	Schlatter
Augustine	Felter	Laughlin	Schmitz
Avery	Fletcher	Lichty	Schroeder
Beath	Foster	Lookingbill	Smith
Beswick	Frizzell	McCarthy	Snyder
Bonnstetter	Fuelling	McDermott	Sours
Bouska	Fuester	McKinnon	Speidel
Bowers	Garner	McLean	Stansell
Brady	Gissel	Malone	Stanzel
Bruce	Gittinger	Metcalf	Stewart
Casey	Goode	Millhone	Stimpson
Crouch	Grau	Moore of Benton	Swift
Davis	Grell	Moore of Harrison	Teter
Dean	Hanson of Lyon	Mooty	Thies
Dole	Hartman	Osborn	Thiessen
Donlon	Hook	Paisley	Treimer
Doran	Hough	Peet	Weed
Dreessen	Hultman	Reed	Wieben
Elliott	Humeston	Rice	Wiese
Ellsworth	Jenkins	Ryder	Wolf
Fabritz	Jensen		Yager

The nays were, none.

Absent or not voting, 25.

Alesch	Hanson of Winnebago	Mercer	Sheridan
Burgess	Hopp	Mitchell	Strachan
Craven	Johnson	Ostby	Willis
Cunningham	McCreery	Peaco	Zipse
Durant	McFarlane	Porter	Zylstra
Gallagher	Maniece	Rawlings	Mr. Speaker
		Roe	

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 254, a bill for an act to legalize acts and proceedings of board of directors of the rural independent school district number 2, Fremont township, Winneshiek County, Iowa, and to legalize an election held in said school district and to legalize the school building bonds of said school districts, was taken up for consideration.

Schmitz of Winneshiek moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 69.

Aldrich	Falvey	Laughlin	Snyder
Augustine	Felter	Lichty	Stansell
Avery	Fletcher	McFarlane	Stanzel
Beath	Frizzell	Malone	Stewart
Beswick	Fuelling	Mercer	Stimpson
Bonnstetter	Fuester	Metcalf	Swift
Bowers	Gallagher	Millhone	Teter
Bruce	Garner	Mooty	Thies
Casey	Gissel	Osborn	Thiessen
Craven	Gittinger	Rawlings	Treimer
Crouch	Goode	Reed	Weed
Dole	Hanson of Lyon	Ryder	Wieben
Donlon	Hartman	Schlatter	Wiese
Doran	Hultman	Schmitz	Willis
Dreessen	Humeston	Schroeder	Wolf
Elliott	Jensen	Sheridan	Zylstra
Ellsworth	Koch	Smith	Mr. Speaker
Fabritz			

The nays were, 4.

Bouska	McDermott	Rice	Roe

Absent or not voting, 35.

Alesch	Hanson of	McCreery	Paisley
Brady	Winnebago	McKinnon	Peaco
Burgess	Hook	McLean	Peet
Cunningham	Hopp	Maniece	Porter
Davis	Hough	Mitchell	Sours
Dean	Jenkins	Moore of Benton	Speidel
Durant	Johnson	Moore of	Strachan
Foster	Lookingbill	Harrison	Yager
Grau	McCarthy	Ostby	Zipse
Grell			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Schmitz of Winneshiek moved that the vote by which Senate

Digitized by Google

File No. 254 passed the House be reconsidered and that the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 90, a bill for an act to amend and clarify Section forty-one hundred seventy-nine (4179), Code, 1931, relating to the transportation of pupils attending school in consolidated school districts, was taken up for consideration.

Avery of Clay moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 70.

Aldrich	Dreessen	Humeston	Ryder
Augustine	Elliott	Jenkins	Schlatter
Avery	Ellsworth	Jensen	Schmitz
Beath	Fabritz	Johnson	Smith
Beswick	Falvey	Laughlin	Stansell
Bouska	Felter	Lichty	Stanzel
Bowers	Fletcher	McCarthy	Stewart
Bruce	Foster	McDermott	Swift
Burgess	Fuelling	McLean	Teter
Casey	Fuester	Malone	Thies
Craven	Gallagher	Metcalf	Thiessen
Crouch	Garner	Millhone	Treimer
Cunningham	Gissel	Mooty	Wieben
Davis	Goode	Osborn	Wiese
Dean	Grau	Ostby	Yager
Dole	Hanson of Lyon	Peet	Zylstra
Donlon	Hartman	Reed	Mr. Speaker
Doran	Hook		

The nays were, 7.

Bonnstetter	Gittinger	Stimpson	Zipse
Frizzell	Roe	Weed	

Absent or not voting, 31.

Alesch	Koch	Moore of Benton	Schroeder
Brady	Lookingbill	Moore of	Sheridan
Durant	McCreery	Harrison	Snyder
Grell	McFarlane	Paisley	Sours
Hanson of	McKinnon	Peaco	Speidel
Winnebago	Maniece	Porter	Strachan
Hopp	Mercer	Rawlings	Willis
Hough	Mitchell	Rice	Wolf
Hultman			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to inform your honorable body that the Senate has named a conference committee, on the part of the Senate,

Digitized by Google

to confer on the differences between the House and Senate on Senate File 281, a bill for an act to make an appropriation for direct relief and/or work relief and expenses incidental thereto for the purpose of caring for the unemployed and needy.

The President has named the following Senators as members of the conference committee: Senators Geske, Byers, Frailey, Irwin and Mullaney. BYRON G. ALLEN, *Secretary of the Senate.*

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills: January 30: House Files No. 116 and 210.

HOUSE FILE NO. 294 WITHDRAWN

Bonnstetter of Kossuth asked and obtained unanimous consent to withdraw House File No. 294 from further consideration of the House.

On the motion of Johnson of Linn, the House recessed until 2:30 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 20, H. F. 269, H. F. 279, House Substitute for H. F. No. 280, H. F. No. 281, H. F. No. 284, H. F. No. 313, H. F. No. 315, H. F. No. 223, H. F. No. 236, H. F. No. 295, H. F. No. 316, S. F. No. 41, S. F. No. 80, S. F. No. 232. JAMES BURGESS, *Chairman.*

INTRODUCTION OF BILLS

House File 326, by the steering committee, a bill for an act to repeal section four (4) of House File No. 160, as passed by the Forty-fifth General Assembly in extraordinary session (approved January 23, 1934), and to enact a substitute therefor, relating to the refunds of overpayment of motor vehicle license fees.

Read first and second times and placed on calendar.

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 8 and 224. Senate File No. 269.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 8 and 224, Senate File No. 269.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 31st day of January, 1934, sent to the Governor for his approval: House Files No. 8 and 224. WM. KOCH, *Chairman.*

Report adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 293, a bill for an act relating to the powers of river front commissions by adding thereto the power to erect and finance armories, coliseums and other public buildings.

Also: That the Senate has adopted the report of the conference committee and concurred in the amendments proposed therein, on Senate File 281, a bill for an act to make an appropriation for direct relief and/or work relief and expenses incidental thereto for the purpose of caring for the unemployed and needy. BYRON G. ALLEN, *Secretary.*

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 281

MR. SPEAKER: We, the undersigned Conference Committee appointed to consider the difference between the Senate and House on Senate File 281, being a bill for an act to make an appropriation for direct relief and/or work relief and expenses incidental thereto for the purpose of

Digitized by Google

caring for the unemployed and needy, begs leave to report that it has had the same under consideration and recommends that the following amendment be substituted in lieu of the House amendment to read as follows: ", but in no case shall the hourly rate for work in exchange for relief be less than twenty-five cents nor more than thirty-five cents."

Also amend the title by inserting after the word "needy" the following: ", and to regulate the hourly rates for work in exchange for relief."

Respectfully submitted,

M. X. GESKE,
J. R. FRAILEY,
H. L. IRWIN,
FRANK BYERS,
T. W. MULLANEY,
On the part of the Senate.

D. R. MCCREERY,
S. W. WIEBEN,
MARION BRUCE,
CHAS. S. HOOK,
On the part of the House.

EXPLANATION OF SIGNING OF THE REPORT

We, the undersigned members of the Senate Conference Committee to whom was referred Senate File 281, desire to dissent from the majority opinion expressed in the conference report and have signed the same with the understanding that this dissenting opinion be attached thereto. In signing the committee report we did so realizing the importance of the measure and for the reason we did not desire to cause any delay in disposing of the bill and because the House amendment was approved by the state emergency relief committee before our committee and said committee urged that we accept the House amendment.

We insist that no wage scale should have been adopted or fixed by law for the reason that the maximum provided in said report is much lower than the minimum provided for by the Federal Government in relief of work and tends to lower and demoralize the rate of wages paid laboring men privately employed.

FRANK C. BYERS,
H. L. IRWIN.

CALL OF THE HOUSE

MR. SPEAKER: We the undersigned asked a call of the House on the Conference Committee Report on Senate File No. 281.

LEROY MERCER
D. R. MCCREERY
P. H. DONLON
WM. KOCH
C. S. HOOK

A roll call showed all members present except: Aldrich of Wright, Alesch of Plymouth, Doran of Boone, Durant of Hancock, Gissel of Buchanan, Hanson of Lyon, Hanson of Winnebago, Hopp of Mills, McCarthy of Woodbury, McFarlane of Black Hawk, McLean of Marshall, Maniece of Emmet, Peaco of Clinton, Peet of Guthrie, Porter of Delaware, Sheridan of Lee, Stansell of Clark, Stimpson of Jones, Strachan of Humboldt, and Zylstra of Sioux.

Digitized by Google

Durant of Hancock, Porter of Delaware, Strachan of Humboldt, Hanson of Winnebago, Hopp of Mills, and Maniece of Emmet having been previously excused, Fabritz of Wapello moved that balance of the absentees be excused. Motion prevailed.

CONFERENCE COMMITTEE REPORT ADOPTED

McCreery of Linn asked and obtained unanimous consent for the immediate consideration of the conference committee report on Senate File No. 281.

McCreery of Linn moved that the report be adopted and the amendments recommended by said conference committee be concurred in.

On the question "Shall the conference committee report be adopted and the amendment proposed therein concurred in?", a roll call was demanded.

The ayes were, 79.

Augustine	Felter	Laughlin	Ryder
Avery	Fletcher	Lookingbill	Schlatter
Beath	Frizzell	McCreery	Schmitz
Beswick	Fuelling	McDermott	Schroeder
Bonnstetter	Fuester	McKinnon	Smith
Bouska	Gallagher	Malone	Snyder
Bowers	Garner	Mercer	Sours
Brady	Gittinger	Metcalf	Speidel
Bruce	Goode	Millhone	Stanzel
Burgess	Grau	Mitchell	Stewart
Casey	Grell	Moore of Benton	Swift
Craven	Hanson of Lyon	Moore of Harrison	Thies
Crouch	Hook	Mooty	Thiessen
Davis	Hough	Osborn	Treimer
Dean	Hultman	Ostby	Wieben
Dole	Humeston	Paisley	Willis
Donlon	Jenkins	Reed	Wolf
Ellsworth	Jensen	Rice	Yager
Fabritz	Johnson	Roe	Zipse
Falvey	Koch		Mr. Speaker

The nays were, 9.

Cunningham	Foster	Lichty	Weed
Dreessen	Hartman	Teter	Wiese
Elliott			

Absent or not voting, 20.

Aldrich	Hanson of Winnebago	Maniece	Sheridan
Alesch	Hopp	Peaco	Stansell
Doran	McCarthy	Peet	Stimpson
Durant	McFarlane	Porter	Strachan
Gissel	McLean	Rawlings	Zylstra

Digitized by Google

So the report of the conference committee was adopted, and the amendments proposed therein were concurred in.

SENATE MESSAGES CONSIDERED

Senate File No. 293, a bill for an act to amend section fifty-amend section fifty-eight hundred twenty (5820) Code of 1931 relating to the powers of river front commissions by adding thereto the power to erect and finance armories, coliseums and other public buildings, and furnish and equip same, upon real estate under its jurisdiction,

Read first and second times and passed on file.

CONSIDERATION OF BILLS

Fabritz asked and obtained unanimous consent for the immediate consideration of Senate File No. 293, a bill for an act to amend section fifty-eight hundred (5820) Code of 1931 relating to the powers of river front commissions by adding thereto the power to erect and finance armories, coliseums and other public buildings, and furnish and equip same, upon real estate under its jurisdiction.

Fabritz of Wapello moved that the rules prohibiting the second and third reading of a bill on the same day be suspended. Motion prevailed.

Fabritz of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Augustine	Donlon	Hanson of Lyon	Metcalf
Avery	Ellsworth	Hartman	Millhone
Beath	Fabritz	Hook	Moore of Benton
Beswick	Falvey	Hough	Moore of Harrison
Bonnstetter	Felter	Hultman	Mooty
Bouska	Fletcher	Humeston	Osborn
Bowers	Foster	Jensen	Ostby
Brady	Frizzell	Johnson	Paisley
Bruce	Fuelling	Koch	Peaco
Burgess	Gallagher	Laughlin	Reed
Casey	Garner	Lichty	Rice
Cunningham	Gittinger	Lookingbill	Roe
Davis	Goode	McCreery	Ryder
Dean	Grau	McKinnon	Schlatter
Dole	Grell	Malone	

Digitized by Google

Schmitz	Stanzel	Thiessen	Willis
Smith	Stewart	Treimer	Wolf
Snyder	Swift	Weed	Yager
Sours	Teter	Wieben	Mr. Speaker
Speidel	Thies	Wiese	

The nays were, none.

Absent or not voting, 30.

Aldrich	Fuester	McFarlane	Schroeder
Alesch	Gissel	McLean	Sheridan
Craven	Hanson of	Maniece	Stansell
Crouch	Winnebago	Mercer	Stimpson
Doran	Hopp	Mitchell	Strachan
Dreessen	Jenkins	Peet	Zipse
Durant	McCarthy	Porter	Zylstra
Elliott	McDermott	Rawlings	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Augustine of Ringgold asked and obtained unanimous consent for the immediate consideration of House File No. 326, a bill for an act to repeal section four (4) of House File No. 160, as passed by the Forty-fifth General Assembly in extraordinary session (approved January 23, 1934), and to enact a substitute therefor, relating to the refunds of overpayment of motor vehicle license fees.

Goode of Davis moved that the rules prohibiting the second and third reading of a bill on the same day be suspended. Motion prevailed.

Yager of Dickinson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Augustine	Donlon	Goode	McDermott
Avery	Dreessen	Grau	McKinnon
Beath	Elliott	Grell	Malone
Beswick	Ellsworth	Hanson of Lyon	Mercer
Bonnstetter	Fabritz	Hartman	Millhone
Bouska	Falvey	Hook	Moore of Benton
Bowers	Felter	Hultman	Moore of
Bruce	Fletcher	Humeston	Harrison
Burgess	Foster	Jenkins	Mooty
Casey	Frizzell	Johnson	Osborn
Craven	Fuelling	Koch	Ostby
Cunningham	Fuester	Laughlin	Paisley
Davis	Gallagher	Lichty	Peaco
Dean	Garner	Lookingbill	Rawlings
Dole	Gittinger	McCreery	Reed

Digitized by Google

Rice	Snyder	Teter	Wiese
Roe	Sours	Thies	Willis
Ryder	Speidel	Thiessen	Wolf
Schlatter	Stanzel	Treimer	Yager
Schmitz	Stewart	Weed	Zipse
Schroeder	Swift	Wieben	Mr. Speaker
Smith			

The nays were, none.

Absent or not voting, 24.

Aldrich	Hanson of	McFarlane	Porter
Alesch	Winnebago	McLean	Sheridan
Brady	Hopp	Maniece	Stansell
Crouch	Hough	Metcalf	Stimpson
Doran	Jensen	Mitchell	Strachan
Durant	McCarthy	Peet	Zylstra
Gissel			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

RESIGNATION OF COMMITTEE CLERK

The is to certify that I resign as committee clerk, this action to take effect February 1st. LOUISE ALTON.

On the motion of Mercer of Johnson the House adjourned until 10:00 o'clock a. m. Thursday, February 1.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 1, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. E. L. Schaffer, pastor Castle Memorial United Brethern Church, Des Moines, Iowa.

Journal of January 31, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Gissel of Buchanan for the day, on request of Beath of Adams; Ostby of Worth for the day, on request of Ryder of Dubuque; Stimpson of Jones for the day, on request of Hough of Fayette; Hartman of Des Moines for the day, on request of Hough of Fayette; Doran of Boone for the day, on request of Hanson of Lyon.

CONSIDERATION OF BILLS

Senate File No. 184, a bill for an act to amend chapter seven (7), section six (6), acts of the forty-fifth general assembly, relating to reports on the auditing of financial records of counties, schools, cities and towns, was taken up for consideration.

Gallagher of Iowa moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Craven	Felter	Hook
Alesch	Crouch	Fletcher	Hough
Augustine	Cunningham	Foster	Hultman
Avery	Davis	Frizzell	Humeston
Beath	Dean	Fuelling	Jenkins
Beswick	Dole	Fuester	Johnson
Bonnstetter	Donlon	Gallagher	Koch
Bouska	Dreessen	Garner	Laughlin
Bowers	Durant	Gittinger	Lichty
Brady	Elliott	Goode	Lookingbill
Bruce	Ellsworth	Grau	McCreery
Burgess	Fabritz	Grell	McFarlane
Casey	Falvey	Hanson of Lyon	McKinnon

Digitized by Google

McLean	Paisley	Schroeder	Teter
Malone	Peaco	Smith	Thiessen
Mercer	Peet	Snyder	Treimer
Millhone	Rawlings	Sours	Weed
Mitchell	Reed	Speidel	Wieben
Moore of Benton	Rice	Stansell	Wolf
Moore of Harrison	Roe	Stewart	Zipse
	Ryder	Strachan	Zylstra
Mooty	Schlatter	Swift	Mr. Speaker
Osborn			

The nays were, none.

Absent or not voting, 19.

Doran	Hopp	Ostby	Stimpson
Gissel	Jensen	Porter	Thies
Hanson of Winnebago	McCarthy	Schmitz	Wiese
	Maniece	Sheridan	Willis
Hartman	Metcalf	Stanzel	Yager

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 181, a bill for an act to amend chapter ninety-nine (99), section one (1), acts of the forty-fifth general assembly, relating to settlement of poor persons, was taken up for consideration.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Aldrich	Ellsworth	Lookingbill	Schlatter
Alesch	Fabritz	McCreery	Schmitz
Augustine	Felter	McDermott	Schroeder
Avery	Fletcher	McKinnon	Smith
Beath	Foster	McLean	Snyder
Beswick	Frizzell	Malone	Sours
Bonnstetter	Fuelling	Mercer	Speidel
Bouska	Fuester	Metcalf	Stansell
Bowers	Gallagher	Millhone	Stanzel
Brady	Garner	Mitchell	Stewart
Bruce	Gittinger	Moore of Benton	Swift
Burgess	Goode	Moore of Harrison	Teter
Casey	Grau		Thies
Craven	Grell	Mooty	Thiessen
Crouch	Hanson of Lyon	Osborn	Treimer
Cunningham	Hook	Paisley	Weed
Davis	Hultman	Peaco	Wieben
Dean	Humeston	Peet	Wolf
Dole	Jenkins	Rawlings	Yager
Donlon	Jensen	Reed	Zipse
Dreessen	Koch	Rice	Zylstra
Durant	Laughlin	Roe	Mr. Speaker
Elliott	Lichty	Ryder	

Digitized by Google

The nays were, none.

Absent or not voting, 18.

Doran	Hartman	McFarlane	Stimpson
Falvey	Hopp	Maniece	Strachan
Gissel	Hough	Ostby	Wiese
Hanson of Winnebago	Johnson	Porter	Willis
	McCarthy	Sheridan	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 182, a bill for an act to amend section seven (7), chapter four (4), acts of the forty-fifth general assembly, relating to the office of state comptroller, was taken up for consideration.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Ellsworth	Lookingbill	Ryder
Alesch	Fabritz	McCreery	Schlatter
Augustine	Falvey	McDermott	Schmitz
Avery	Felter	McFarlane	Smith
Beath	Fletcher	McKinnon	Snyder
Beswick	Foster	McLean	Sours
Bonnstetter	Frizzell	Malone	Speidel
Bouska	Fuester	Mercer	Stansell
Bowers	Gallagher	Metcalf	Stanzel
Brady	Garner	Millhone	Stewart
Bruce	Gittinger	Moore of Benton	Strachan
Burgess	Goode	Moore of Harrison	Swift
Casey	Grau	Mooty	Teter
Craven	Grell	Osborn	Thies
Crouch	Hanson of Lyon	Paisley	Thiessen
Cunningham	Hook	Peaco	Treimer
Davis	Hultman	Peet	Weed
Dean	Humeston	Rawlings	Wieben
Dole	Jenkins	Reed	Wolf
Donlon	Jensen	Rice	Yager
Dreessen	Johnson	Roe	Zipse
Durant	Koch		Mr. Speaker
Elliott	Lichty		

The nays were, none.

Absent or not voting, 19.

Doran	Hartman	Maniece	Sheridan
Fuelling	Hopp	Mitchell	Stimpson
Gissel	Hough	Ostby	Wiese
Hanson of Winnebago	Laughlin	Porter	Willis
	McCarthy	Schroeder	Zylstra

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 20, a bill for an act to repeal section twelve (12), chapter eighty-nine (89), acts 45th general assembly, and to enact a substitute therefor, relating to the salary of the superintendent of the Hospital for Epilepties and School for Feebleminded, was taken up for consideration.

Brady of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Fabritz	Koch	Schmitz
Alesch	Falvey	Lichty	Sheridan
Augustine	Felter	McCreery	Smith
Avery	Fletcher	McDermott	Snyder
Beath	Foster	McFarlane	Sours
Beswick	Frizzell	McLean	Speidel
Bonnstetter	Fuelling	Malone	Stansell
Bowers	Fuester	Mercer	Stanzel
Brady	Gallagher	Metcalf	Stewart
Bruce	Garner	Millhone	Strachan
Burgess	Gittinger	Moore of Benton	Swift
Casey	Goode	Mooty	Teter
Craven	Grau	Osborn	Thies
Crouch	Grell	Paisley	Thiessen
Cunningham	Hanson of Lyon	Peaco	Treimer
Davis	Hook	Peet	Weed
Dean	Hough	Rawlings	Wieben
Dole	Hultman	Reed	Wiese
Donlon	Humeston	Rice	Wolf
Dreessen	Jenkins	Roe	Yager
Durant	Jensen	Ryder	Zipse
Elliott	Johnson	Schlatter	Mr. Speaker
Ellsworth			

The nays were, none.

Absent or not voting, 19.

Bouska	Hopp	Maniece	Porter
Doran	Laughlin	Mitchell	Schroeder
Gissel	Lookingbill	Moore of Harrison	Stimpson
Hanson of Winnebago	McCarthy	Ostby	Willis
Hartman	McKinnon		Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 269, a bill for an act to amend the law as it appears in sections thirty-two hundred forty-four-b one (3244-b1),

Digitized by Google

thirty-two hundred forty-four-b three (3244-b3) and thirty-two hundred forty-four-b six (3244-b6), Code, 1931, relating to certain standards as to weight of bread, providing penalties for violation, and authorizing the secretary of agriculture to make rules and regulations for the enforcement of the law pertaining to bread, and amending chapter one hundred sixty-one (161), relating to the time, place and manner of weighing bread, was taken up for consideration.

Rawlings of Monona called up the amendment filed by him and found on page 357 of the Journal of December 8, and moved its adoption. Amendment adopted.

Johnson of Linn moved that Section 4 be stricken from the bill.

Rawlings of Monona moved that action on House File No. 269 be deferred but that it retain its place on the calendar. Motion prevailed.

House File No. 279, a bill for an act to repeal section two (2), chapter sixty-four (64), acts of the forty-fifth (45th) General Assembly, relative to printing and furnishing of school records by the state of Iowa, was taken up for consideration.

Bonnstetter of Kossuth moved that the bill be laid on the table.

On the question "Shall House File No. 279 be laid on the table?" a roll call was demanded.

The ayes were, 50.

Alesch	Fuester	Malone	Smith
Beath	Garner	Metcalf	Speidel
Bonnstetter	Gittinger	Moore of Harrison	Stewart
Craven	Goode	Osborn	Teter
Crouch	Hanson of Lyon	Paisley	Thies
Davis	Hook	Rawlings	Thiessen
Donlon	Hough	Reed	Weed
Dreessen	Hultman	Rice	Wieben
Fabritz	Humeston	Roe	Yager
Falvey	Jensen	Schlatter	Zipse
Felter	Lookingbill	Schroeder	Zylstra
Fletcher	McDermott	Sheridan	Mr. Speaker
Frizzell	McKinnon		

The nays were, 47.

Aldrich	Burgess	Ellsworth	Johnson
Augustine	Casey	Foster	Koch
Avery	Cunningham	Fuelling	Lichty
Beswick	Dean	Gallagher	McCarthy
Bouska	Dole	Grau	McCreery
Bowers	Durant	Grell	McFarlane
Bruce	Elliott	Jenkins	McLean

Digitized by Google

Mercer	Peaco	Sours	Treimer
Millhone	Peet	Stansell	Wiese
Mitchell	Ryder	Stanzel	Willis
Moore of Benton	Schmitz	Strachan	Wolf
Mooty	Snyder	Swift	

Absent or not voting, 11.

Brady	Hanson of Winnebago	Hopp	Ostby
Doran	Hartman	Laughlin	Porter
Gissel		Maniece	Stimpson

Motion prevailed and House File No. 279 was laid on the table.

House substitute for House File No. 280, a bill for an act to repeal chapter two hundred forty-six (246), sections forty-eight hundred seventeen (4817) to forty-eight hundred twenty-nine (4829), inclusive, Code, 1931, and to enact a substitute therefor; providing for the appointment of weed commissioners, defining the term "noxious weeds", providing for the destruction of weeds, providing for the assessment of costs thereof, and providing penalties for the violation of the provisions of this act, was taken up for consideration.

Speidel of Washington called up the amendment filed by him and found on page 572 of the Journal of December 29, and moved its adoption.

On the motion of Hanson of Lyon the House recessed until 1:30 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

The House resumed consideration of House substitute for House File No. 280.

Speidel of Washington asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 572 of the Journal of December 29.

Speidel of Washington offered the following amendments and moved their adoption:

Amend the House substitute for House File No. 280, Section two, line one, by striking the word "may", and inserting in lieu thereof the word "shall".

Also, amend Section two by striking therefrom all of paragraph two and renumbering the remaining paragraphs.

Digitized by Google

Also, Section two, paragraph four, line 33, strike the following "or commissioners".

Also, Section three, paragraph four, line 14, strike the sentence, "Over each or all weed commissioner or commissioners." and substitute therefor the following: "Over the county weed commission.".

Also, Section seven, line one, strike the following: "or commissioners".

Stanzel of Sac moved the previous question on the amendment.

A roll call was demanded and on the question "Shall the previous question now be put on the amendment?"

The ayes were, 18.

Bowers	Foster	Jensen	Speidel
Bruce	Gallagher	McLean	Strachan
Dean	Hook	Mooty	Treimer
Durant	Hultman	Snyder	Willis
Ellsworth	Humeston		

The nays were, 62.

Aldrich	Frizzell	McFarlane	Schroeder
Alesch	Fuelling	McKinnon	Sheridan
Beath	Garner	Malone	Smith
Beswick	Gittinger	Mercer	Stansell
Bouska	Goode	Mitchell	Stanzel
Burgess	Grau	Moore of	Stewart
Casey	Grell	Harrison	Swift
Craven	Hanson of Lyon	Paisley	Teter
Crouch	Jenkins	Peaco	Thies
Davis	Johnson	Rawlings	Thiessen
Dole	Koch	Reed	Weed
Dreessen	Laughlin	Rice	Wieben
Elliott	Lichty	Roe	Wiese
Fabritz	McCarthy	Ryder	Yager
Felter	McCreery	Schlatter	Zipse
Fletcher	McDermott	Schmitz	

Absent or not voting, 28.

Augustine	Fuester	Lookingbill	Peet
Avery	Gissel	Maniece	Porter
Bonnstetter	Hanson of	Metcalf	Sours
Brady	Winnebago	Millhone	Stimpson
Cunningham	Hartman	Moore of Benton	Wolf
Donlon	Hopp	Osborn	Zylstra
Doran	Hough	Ostby	Mr. Speaker
Falvey			

Motion lost.

McCreery of Linn moved to amend the Speidel amendment by adding following line three of the amendment, the following:

"Also amend Sec. 2, paragraph 1, by adding at the end of the paragraph the following:

"The Board of Supervisors may designate the County Engineer or one of his force as Weed Commissioner. Such Commissioner shall have the authority under the Board of Supervisors to exterminate, as far as possible, the weeds mentioned in this act in the manner herein prescribed."

Digitized by Google

McCreery of Linn asked and obtained unanimous consent to withdraw his amendment.

McKinnon of Henry moved the previous question on the pending amendment. Motion prevailed.

Reed of Mahaska moved that House substitute for House File No. 280 and all amendments be laid on the table.

A roll call was demanded and on the question "Shall House Substitute for House File No. 280 and all pending amendments be laid on the table?"

The ayes were, 44.

Aldrich	Frizzell	Lookingbill	Smith
Alesch	Fuelling	McCarthy	Stansell
Beswick	Fuester	McDermott	Stanzel
Bonnstetter	Garner	McKinnon	Stewart
Crouch	Gittinger	Malone	Teter
Davis	Goode	Metcalf	Thies
Dole	Grell	Osborn	Thiessen
Dreessen	Hook	Reed	Weed
Fabritz	Hough	Roe	Wiese
Falvey	Humeston	Schlatter	Yager
Foster	Laughlin	Schmitz	Zipse

The nays were, 46.

Augustine	Elliott	McFarlane	Ryder
Avery	Ellsworth	McLean	Sheridan
Beath	Felter	Millhone	Snyder
Bouska	Fletcher	Moore of Benton	Sours
Bowers	Gallagher	Moore of	Speidel
Bruce	Hanson of Lyon	Harrison	Strachan
Burgess	Hultman	Mooty	Swift
Casey	Jenkins	Paisley	Treimer
Craven	Johnson	Peaco	Wieben
Dean	Koch	Peet	Wolf
Donlon	Lichty	Rawlings	Zylstra
Durant	McCreery	Rice	

Absent or not voting, 18.

Brady	Hanson of	Maniece	Schroeder
Cunningham	Winnebago	Mercer	Stimpson
Doran	Hartman	Mitchell	Willis
Gissel	Hopp	Ostby	Mr. Speaker
Grau	Jensen	Porter	

Motion to lay on the table lost.

On the question "Shall the Speidel amendment be adopted?" a roll call was demanded.

The ayes were, 11.

Brady	Gallagher	McCreery	Speidel
Durant	Hultman	McLean	Strachan
Falvey	Johnson	Snyder	

Digitized by Google

The nays were, 78.

Aldrich	Fletcher	McDermott	Schmitz
Alesch	Foster	McFarlane	Schroeder
Beath	Frizzell	McKinnon	Sheridan
Beswick	Fuelling	Malone	Smith
Bonnstetter	Fuester	Mercer	Sours
Bouska	Garner	Metcalf	Stansell
Bowers	Gittinger	Millhone	Stanzel
Bruce	Goode	Moore of	Stewart
Burgess	Grell	Harrison	Swift
Casey	Hanson of Lyon	Mooty	Teter
Craven	Hook	Osborn	Thies
Crouch	Hough	Paisley	Thiessen
Davis	Humeston	Peaco	Weed
Dean	Jenkins	Peet	Wieben
Dole	Johnson	Rawlings	Wiese
Dreessen	Koch	Reed	Willis
Elliott	Laughlin	Rice	Wolf
Ellsworth	Lichty	Roe	Yager
Fabritz	Lookingbill	Ryder	Zipse
Felter	McCarthy	Schlatter	Zylstra

Absent or not voting, 19.

Augustine	Gissel	Hopp	Ostby
Avery	Grau	Jensen	Porter
Cunningham	Hanson of	Maniece	Stimpson
Donlon	Winnebago	Mitchell	Treimer
Doran	Hartman	Moore of Benton	Mr. Speaker

Amendment lost.

Strachan of Humboldt called up the amendment filed by him and found on page 857 of the Journal of January 22, and moved its adoption.

Mitchell of Webster moved that the House adjourn until 10:00 a. m. Friday, February 2.

A roll call was demanded and on the question "Shall the House adjourn until 10:00 o'clock a. m. Friday, February 2?"

The ayes were, 41.

Brady	Goode	Mitchell	Smith
Casey	Grell	Moore of	Snyder
Crouch	Hook	Harrison	Sours
Davis	Hultman	Mooty	Stansell
Dean	Humeston	Peaco	Stewart
Dreessen	Laughlin	Peet	Swift
Fabritz	Lichty	Reed	Treimer
Falvey	McCarthy	Ryder	Wieben
Fuelling	McFarlane	Schmitz	Willis
Fuester	McKinnon	Sheridan	Zylstra
Garner	Millhone		

The nays were, 54.

Aldrich	Avery	Bonnstetter	Bruce
Alesch	Beath	Bouska	Craven
Augustine	Beswick	Bowers	Dole

Digitized by Google

Donlon	Hanson of Lyon	Metcalf	Strachan
Durant	Hough	Moore of Benton	Teter
Elliott	Jenkins	Osborn	Thies
Ellsworth	Jensen	Paisley	Thiessen
Felter	Johnson	Rawlings	Weed
Fletcher	Koch	Rice	Wiese
Foster	Lookingbill	Roe	Wolf
Frizzell	McCreery	Schlatter	Yager
Gallagher	McDermott	Speidel	Zipse
Gittinger	McLean	Stanzel	Mr. Speaker
Grau	Malone		

Absent or not voting, 13.

Burgess	Hanson of	Maniece	Porter
Cunningham	Winnebago	Mercer	Schroeder
Doran	Hartman	Ostby	Stimpson
Gissel	Hopp		

Motion lost.

The Strachan amendment was adopted.

McCreery of Linn moved to amend House Substitute for House File No. 280 by adding to paragraph one (1) of Section two (2) the following:

"Such commissioner shall have the authority under the Board of Supervisors to exterminate, as far as possible, the weeds mentioned in this act, in the manner herein prescribed".

Millhone of Page moved the previous question on the main bill and all pending amendments. Motion prevailed.

The McCreery amendment was lost.

Rawlings of Monona moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 44.

Alesch	Foster	Millhone	Sheridan
Augustine	Grau	Moore of Benton	Snyder
Avery	Hanson of Lyon	Moore of	Sours
Beath	Hultman	Harrison	Speidel
Bonnstetter	Jenkins	Mooty	Swift
Bruce	Jensen	Osborn	Thies
Casey	Laughlin	Paisley	Treimer
Dean	McCreery	Rawlings	Wieben
Durant	McLean	Rice	Wolf
Falvey	Mercer	Ryder	Zylstra
Felter	Metcalf	Schroeder	Mr. Speaker
Fletcher			

Digitized by Google

The nays were, 53.

Aldrich	Frizzell	Lichty	Schmitz
Beswick	Fuelling	Lookingbill	Smith
Bouska	Fuester	McCarthy	Stansell
Bowers	Gallagher	McDermott	Stanzel
Burgess	Garner	McFarlane	Stewart
Craven	Gittinger	McKinnon	Strachan
Crouch	Goode	Malone	Teter
Davis	Grell	Mitchell	Thiessen
Dole	Hook	Peaco	Weed
Donlon	Hough	Peet	Wiese
Dreessen	Humeston	Reed	Willis
Elliott	Johnson	Roe	Yager
Ellsworth	Koch	Schlatter	Zipse
Fabritz			

Absent or not voting, 11.

Brady	Gissel	Hartman	Ostby
Cunningham	Hanson of	Hopp	Porter
Doran	Winnebago	Maniece	Stimpson

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Teter of Marion moved that the vote by which the House Substitute for House File No. 280 failed to pass the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 326, a bill for an act relating to the refunds for overpayment of motor vehicle license fees. BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Weed of Madison, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 293 and 281.

A. R. WEED, *Acting Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 293 and 281.

Digitized by Google

EXPLANATION OF VOTE

I, the undersigned, desire to make this explanation of my vote on Wednesday, January 31st, at which time I voted in favor of accepting the Conference Committee's report on Senate File 281. While I am opposed to the placing of any restriction on wages to be paid out of the appropriation provided for in said bill by the Federal Emergency Relief Administration, I felt that because of the fact that unless the State of Iowa, through its Legislature, acted immediately and passed such appropriation the Federal Government might withdraw from the State of Iowa all Federal relief, including CWA, PWA and other emergency relief funds, and that we should concur in the Conference Committee's report on said bill in order to facilitate its early passage and prevent such withdrawal of funds. JOHN H. MITCHELL, *Representative of Webster County.*

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills: January 31, House Files No. 194 and 323.

AMENDMENTS FILED

Grau of Buena Vista filed the following amendment:

Amend House File No. 269, section four (4) by inserting in line four (4) immediately following the word "bread" the following: "when weighed for inspection".

Also amend section four (4), line six (6) by inserting immediately following the word "state" as it appears the second time in said line the following: "when weighed for inspection".

Beswick of Van Buren filed the following amendment:

Amend House File No. 269 as follows:

By striking from section four (4), lines eight (8), nine (9) and ten (10), the following: "at the time when said bread crosses the state line, or at the first point of stop for sale or delivery of said bread after crossing the Iowa state line, and that" and by inserting in lieu thereof the word "and".

Grau of Buena Vista filed the following amendment:

Amend House File 269 as follows: Insert immediately after the word "striking" in line two (2) of section three (3), the following, "from lines two (2) and three (3) the words 'the five preceding sections' and inserting in lieu thereof the following words and figures, to-wit: "sections thirty-two hundred forty-four-b1 (3244-b1) to thirty-two hundred forty-four-f1 (3244-f1), inclusive, and by striking".

Rawlings of Monona moved that the House adjourn until 9:30 o'clock a. m. Friday, February 2.

Digitized by Google

Speidel of Washington moved to amend the motion by adjourning until 10:00 o'clock a. m. Friday, February 2. Motion prevailed.

The Rawlings motion, as amended, prevailed and the House stood adjourned until 10:00 o'clock a. m. Friday, February 2.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 2, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Philip L. Shutt, Lay-reader St. James Episcopal Church, Independence, Iowa.

Journal of February 1, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Mitchell of Webster for the day, on request of Cunningham of Polk; McFarlane of Black Hawk for the day, on request of Lichty of Black Hawk; Stimpson of Jones for the day, on request of Hough of Fayette; Hartman of Des Moines for the day, on request of Hough of Fayette; Jenkins of Louisa for the day, on request of Snyder of Hamilton; Brady of Pottawattamie for the day, on request of Bonnstetter of Kossuth; Peet of Guthrie for the day, on request of Millhone of Page.

PETITIONS AND MEMORIALS

Favoring the old age pension bill. Durant, from the citizens of Hancock county. Referred to the committee on appropriations.

Favoring the extension of the penalty on the first half of the taxes to June first, 1934. Metcalf, from the Board of Supervisors of Muscatine county. Referred to the committee on tax revision.

CONSIDERATION OF BILLS

House File No. 269, a bill for an act to amend the law as it appears in sections thirty-two hundred forty-four-b one (3244-b1), thirty-two hundred forty-four-b three (3244-b3) and thirty-two hundred forty-four-b six (3244-b6), Code, 1931, relating to certain standards as to weight of bread, providing penalties for violation, and authorizing the secretary of agriculture to make rules and regulations for the enforcement of the law pertaining to bread, and amending Chapter one hundred sixty-one (161), relating to

Digitized by Google

the time, place and manner of weighing bread, was taken up for consideration.

Beswick of Van Buren asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 1006 of the Journal of February 1.

Johnson of Linn asked and obtained unanimous consent to withdraw the amendment offered by him and found on page 999 of the Journal of February 1.

Grau of Buena Vista called up the first amendment filed by him and found on page 1006 of the Journal of February 1, and moved its adoption.

Amendment adopted.

Grau of Buena Vista called up the second amendment filed by him and found on page 1006 of the Journal of February 1, and moved its adoption.

Amendment adopted.

Rawlings of Monona moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Ellsworth	Laughlin	Ryder
Alesch	Fabritz	Lookingbill	Schlatter
Augustine	Falvey	McCarthy	Schmitz
Avery	Felter	McCreery	Schroeder
Beath	Fletcher	McDermott	Smith
Beswick	Fuelling	McKinnon	Snyder
Bonnstetter	Fuester	McLean	Sours
Bouska	Gallagher	Malone	Speidel
Bruce	Garner	Mercer	Stansell
Burgess	Gissel	Metcalf	Stanzel
Casey	Gittinger	Millhone	Stewart
Craven	Goode	Moore of Harrison	Strachan
Crouch	Grau	Mooty	Swift
Cunningham	Grell	Osborn	Thies
Davis	Hanson of Lyon	Ostby	Thiessen
Dean	Hook	Peaco	Treimer
Dole	Hough	Rawlings	Wiese
Donlon	Humeston	Reed	Willis
Dreessen	Jensen	Rice	Wolf
Durant	Johnson	Roe	Yager
Elliott	Koch		Zipse

The nays were, 2.

Frizzell	Weed

Digitized by Google

Absent or not voting, 23.

Bowers	Hartman	Maniece	Sheridan
Brady	Hopp	Mitchell	Stimpson
Doran	Hultman	Moore of Benton	Teter
Foster	Jenkins	Paisley	Wieben
Hanson of Winnebago	Lichty	Peet	Zylstra
	McFarlane	Porter	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Rawlings of Monona asked and obtained unanimous consent to defer action on House File No. 281 temporarily, and that it retain its place on the calendar.

House File No. 284, a bill for an act to amend section seventy-four hundred twenty-d six (7420-d6), Code, 1931, relating to the rate of interest on public deposits, was taken up for consideration.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Aldrich	Fabritz	Lookingbill	Schroeder
Alesch	Falvey	McCreery	Sheridan
Augustine	Felter	McDermott	Smith
Avery	Frizzell	McKinnon	Snyder
Beath	Fuelling	McLean	Sours
Beswick	Fuester	Malone	Speidel
Bonnstetter	Gallagher	Mercer	Stansell
Bouska	Garner	Millhone	Stanzel
Bowers	Gissel	Moore of Benton	Stewart
Bruce	Gittinger	Moore of Harrison	Strachan
Burgess	Goode	Mooty	Swift
Casey	Grau	Osborn	Thiessen
Craven	Grell	Ostby	Treimer
Crouch	Hanson of Lyon	Paisley	Weed
Cunningham	Hook	Peaco	Wieben
Davis	Hough	Rawlings	Wiese
Dean	Hultman	Reed	Willis
Dole	Humeston	Rice	Wolf
Donlon	Jensen	Roe	Yager
Dreessen	Johnson	Ryder	Zipse
Durant	Koch	Schlatter	Zylstra
Elliott	Laughlin	Schmitz	Mr. Speaker
Ellsworth	Lichty		

The nays were, none.

Absent or not voting, 18.

Brady	Hanson of Winnebago	McCarthy	Peet
Doran	Hartman	McFarlane	Porter
Fletcher	Hopp	Maniece	Stimpson
Foster	Jenkins	Metcalf	Teter
		Mitchell	Thies

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 313, a bill for an act to amend Section ninety-three hundred forty-b1 (9340-b1), Code, 1931, as amended, pertaining to investments of building and loan associations and to authorize such associations to accept bonds of Home Owners' Loan Corporation in payment or exchange for notes and mortgages, was taken up for consideration.

Sheridan of Lee moved to amend by striking Section two (2) and inserting in lieu thereof the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in two (2) newspapers of this state as provided by law."

Amendment adopted.

Dole of Jefferson moved to amend House File No. 313, Section 1, line 8, by striking the word "note" and inserting in lieu thereof the word "notes".

Amendment adopted.

Swift of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 93.

Aldrich	Falvey	Lookingbill	Schlatter
Alesch	Felter	McCarthy	Schmitz
Augustine	Fletcher	McCreery	Schroeder
Avery	Frizzell	McDermott	Sheridan
Beath	Fuelling	McKinnon	Smith
Beswick	Fuester	McLean	Snyder
Bonnstetter	Gallagher	Malone	Sours
Bouska	Garner	Maniece	Speidel
Bowers	Gissel	Mercer	Stansell
Bruce	Gittinger	Millhone	Stanzel
Burgess	Goode	Moore of Benton	Stewart
Casey	Grau	Moore of Harrison	Strachan
Craven	Grell	Mooty	Swift
Crouch	Hanson of Lyon	Osborn	Thies
Cunningham	Hook	Ostby	Thiessen
Davis	Hopp	Paisley	Treimer
Dean	Hough	Peaco	Weed
Dole	Hultman	Rawlings	Wieben
Donlon	Humeston	Reed	Wiese
Dreessen	Jensen	Rice	Willis
Durant	Johnson	Roe	Wolf
Elliott	Koch	Ryder	Yager
Ellsworth	Laughlin		Mr. Speaker
Fabritz	Lichty		

Digitized by Google

The nays were, none.

Absent or not voting, 15.

Brady	Hartman	Mitchell	Teter
Doran	Jenkins	Peet	Zipse
Foster	McFarlane	Porter	Zylstra
Hanson of Winnebago	Metcalf	Stimpson	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 315, a bill for an act to amend section fifty-seven hundred forty-five (5745) code, 1931, relating to the power of city or town councils to regulate dance halls, was taken up for consideration.

McCreery of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 85.

Aldrich	Falvey	Koch	Roe
Alesch	Felter	Laughlin	Ryder
Avery	Fletcher	Lichty	Schlatter
Beath	Foster	Lookingbill	Schmitz
Beswick	Frizzell	McCarthy	Schroeder
Bouska	Gallagher	McCreery	Sheridan
Bowers	Garner	McDermott	Snyder
Bruce	Gissel	McKinnon	Sours
Burgess	Gittinger	McLean	Speidel
Casey	Goode	Malone	Stansell
Craven	Grau	Mercer	Stanzel
Crouch	Grell	Millhone	Stewart
Cunningham	Hanson of Lyon	Moore of Benton	Strachan
Davis	Hanson of Winnebago	Moore of Harrison	Thies
Dean	Hook	Mooty	Thiessen
Dole	Hopp	Osborn	Treimer
Donlon	Hough	Paisley	Weed
Dreessen	Hultman	Peaco	Wieben
Durant	Humeston	Rawlings	Wolf
Elliott	Jensen	Reed	Yager
Ellsworth	Johnson	Rice	Mr. Speaker
Fabritz			

The nays were, 6.

Fuelling	Smith	Zipse	Zylstra
Fuester	Wiese		

Absent or not voting, 17.

Augustine	Jenkins	Mitchell	Stimpson
Bonnstetter	McFarlane	Ostby	Swift
Brady	Maniece	Peet	Teter
Doran	Metcalf	Porter	Willis
Hartman			

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

McCreery of Linn moved that the vote by which House File No. 315 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 223, a bill for an act to create a commission of aeronautics; to prescribe the powers and duties thereof; to provide for investigations and hearings by said commission; to provide for certain law enforcement duties thereof, and for appeal from the orders of said commission, was taken up for consideration.

Reed of Mahaska moved to amend House File No. 223 as follows:

Strike from Sec. 1, line three (3) the words, "five persons, not more than three" and insert in lieu thereof the words "three persons, not more than two".

Amend Sec. 2, lines four (4) and five (5) by striking the word "two" where it appears in both lines, and insert in lieu thereof the word "one" in both lines.

A roll call was demanded and on the question "Shall the Reed amendment be adopted?"

The ayes were, 69.

Aldrich	Felter	McCreery	Snyder
Alesch	Fletcher	McDermott	Sours
Avery	Foster	McKinnon	Speidel
Beath	Frizzell	McLean	Stansell
Beswick	Fuelling	Malone	Stanzel
Bonnstetter	Fuester	Millhone	Stewart
Bouska	Gallagher	Mooty	Teter
Bowers	Garner	Ostby	Thies
Bruce	Gissel	Paisley	Thiessen
Casey	Gittinger	Peaco	Treimer
Davis	Grau	Rawlings	Weed
Dean	Hanson of Lyon	Reed	Wieben
Dole	Hanson of Winnebago	Rice	Wiese
Donlon	Hook	Roe	Willis
Dreessen	Hough	Ryder	Wolf
Durant	Humeston	Schlatter	Yager
Elliott	Lichty	Smith	Zipse
Ellsworth			

The nays were, 13.

Craven	Goode	Johnson	Osborn
Crouch	Hopp	Mercer	Swift
Fabritz	Hultman	Moore of Benton	Mr. Speaker
Falvey			

Absent or not voting, 26.

Augustine	Cunningham	Hartman	Koch
Brady	Doran	Jenkins	Laughlin
Burgess	Grell	Jensen	Lookingbgill

Digitized by Google

McCarthy	Mitchell	Porter	Stimpson
McFarlane	Moore of	Schmitz	Strachan
Maniece	Harrison	Schroeder	Zylstra
Metcalf	Peet	Sheridan	

Amendment adopted.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 67.

Avery	Fabritz	Koch	Ryder
Beswick	Falvey	Lichty	Schlatter
Bouska	Foster	McCarthy	Schmitz
Bowers	Fuelling	McCreery	Schroeder
Bruce	Fuester	McDermott	Sours
Burgess	Gissel	McKinnon	Speidel
Casey	Gittinger	Malone	Stanzel
Craven	Goode	Mercer	Strachan
Crouch	Grau	Millhone	Swift
Cunningham	Grell	Moore of Benton	Thies
Dean	Hanson of Lyon	Mooty	Treimer
Dole	Hanson of	Osborn	Wieben
Donlon	Winnebago	Paisley	Wiese
Dreessen	Hopp	Peaco	Willis
Durant	Hough	Rawlings	Wolf
Elliott	Hultman	Reed	Yager
Ellsworth	Johnson	Rice	Mr. Speaker

The nays were, 26.

Aldrich	Frizzell	McLean	Stewart
Alesch	Gallagher	Ostby	Teter
Beath	Garner	Roe	Thiessen
Bonnstetter	Hook	Smith	Weed
Davis	Humeston	Snyder	Zipse
Felter	Jensen	Stansell	Zylstra
Fletcher	Lookingbill		

Absent or not voting, 15.

Augustine	Jenkins	Metcalf	Peet
Brady	Laughlin	Mitchell	Porter
Doran	McFarlane	Moore of	Sheridan
Hartman	Maniece	Harrison	Stimpson

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Mercer of Johnson moved that the vote by which House File No. 223 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 236, a bill for an act to provide for increasing annual fees to be paid to the Auditor of State by building and loan

Digitized by Google

associations; to provide for appointment by the Auditor of State of a chief examiner of building and loan associations; to fix the maximum salary of such chief examiner; to make appropriation for the same and to repeal sections ninety-three hundred twenty-three (9323) to ninety-three hundred twenty-seven (9327) both inclusive, ninety-three hundred thirty-two (9332), ninety-three hundred thirty-five (9335), ninety-three hundred thirty-seven (9337), ninety-three hundred thirty-eight (9338), ninety-three hundred forty-five (9345) and ninety-three hundred fifty-nine (9359) and ninety-three hundred eighty-one (9381), Code, 1931, together with amendments thereto, and to amend section ninety-three hundred and eighty (9380), Code, 1931, was taken up for consideration.

Swift of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Felter	McCreery	Schmitz
Alesch	Fuelling	McDermott	Schroeder
Avery	Gallagher	McKinnon	Sheridan
Beath	Gissel	McLean	Smith
Beswick	Gittinger	Malone	Snyder
Bouska	Goode	Mercer	Speidel
Bowers	Grau	Millhone	Stansell
Bruce	Grell	Moore of Benton	Stanzel
Burgess	Hanson of Lyon	Moore of Harrison	Strachan
Cunningham	Hook	Mooty	Swift
Davis	Hopp	Osborn	Teter
Dean	Hough	Paisley	Thies
Dole	Hultman	Peaco	Treimer
Donlon	Jensen	Reed	Wieben
Durant	Johnson	Roe	Wiese
Elliott	Koch	Ryder	Willis
Ellsworth	Lichty	Schlatter	Yager
Fabritz	Lookingbill		Mr. Speaker
Falvey	McCarthy		

The nays were, 12.

Crouch	Frizzell	Humeston	Thiessen
Fletcher	Fuester	Sours	Weed
Foster	Garner	Stewart	Zipse

Absent or not voting, 23.

Augustine	Dreessen	McFarlane	Porter
Bonnstetter	Hanson of Winnebago	Maniece	Rawlings
Brady	Hartman	Metcalf	Rice
Casey	Jenkins	Mitchell	Stimpson
Craven	Laughlin	Ostby	Wolf
Doran		Peet	Zylstra

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Swift of Dubuque moved that the vote by which House File No. 236 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 295, a bill for an act to repeal section seven thousand seven hundred fourteen b-one (7714-b1), Code, 1931, relating to drainage refunding bonds, and to enact a substitute therefor, to amend section seven thousand seven hundred fourteen b-ten (7714-b10), Code, 1931, relating to drainage refunding bonds, and to amend Chapter three hundred fifty-eight b-one (358-b1), Code, 1931, relating to drainage refunding bonds, by adding thereto section seven thousand seven hundred fourteen c-one (7714-c1) relating to the redemption of land sold for failure to pay drainage assessments, was taken up for consideration.

Jensen of Audubon moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Aldrich	Foster	McCarthy	Schmitz
Alesch	Frizzell	McDermott	Schroeder
Avery	Fuelling	McKinnon	Smith
Beath	Fuester	McLean	Snyder
Beswick	Gallagher	Malone	Speidel
Bouska	Garner	Maniece	Stansell
Bowers	Gissel	Mercer	Stewart
Burgess	Gittinger	Millhone	Strachan
Craven	Goode	Moore of Benton	Swift
Crouch	Grell	Moore of	Teter
Cunningham	Hanson of Lyon	Harrison	Thies
Dean	Hanson of	Mooty	Thiessen
Dole	Winnebago	Osborn	Treimer
Donlon	Hook	Paisley	Weed
Dreessen	Hopp	Peaco	Wieben
Durant	Hough	Rawlings	Wiese
Elliott	Hultman	Reed	Willis
Ellsworth	Humeston	Rice	Wolf
Fabritz	Jensen	Roe	Yager
Falvey	Johnson	Ryder	Zipse
Felter	Koch	Schlatter	Mr. Speaker
Fletcher	Lichty		

The nays were, 2.

Bruce	Davis

Digitized by Google

Absent or not voting, 22.

Augustine	Hartman	Metcalf	Sheridan
Bonnstetter	Jenkins	Mitchell	Sours
Brady	Laughlin	Ostby	Stanzel
Casey	Lookingbill	Peet	Stimpson
Doran	McCreery	Porter	Zylstra
Grau	McFarlane		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Jensen of Audubon moved that the vote by which House File No. 295 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

HOUSE FILE NO. 282 WITHDRAWN

Rawlings of Monona asked and obtained unanimous consent to withdraw House File No. 282 from the further consideration of the House.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar.

H. F. No. 180, H. F. No. 268, H. F. No. 290.

JAS. BURGESS, *Chairman.*

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 283, a bill for an act to authorize certain cities acting under the commission form of government to take title to private owned armories.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 285, a bill for an act to legalize the expenditure of the Board of Supervisors of Muscatine County, Iowa, during the year 1933, in the sum of $11,969.31, from the County Insane Fund, for the maintenance of the County Home.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 114, a bill for an act to make permanent a temporary transfer from the Secondary Road Construction Fund of Audubon County to the County Poor fund of said County. BYRON G. ALLEN, *Secretary.*

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 235, 254 and 90; House File No. 326.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 235, 254 and 90; House File No. 326.

BILLS SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 2nd day of February, 1934, sent to the Governor for his approval: House File No. 326. WM. KOCH, *Chairman.*

Report adopted.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

January 31: House Files No. 8 and 224.

AMENDMENTS FILED

Gallagher of Iowa and Zylstra of Sioux filed the following amendment:

Amend house rule 75 by adding thereto a paragraph as follows: "A majority vote will be sufficient to send any bill out to the floor and all votes in the committee shall be record votes."

On motion of Stansell of Clarke the House adjourned until 10:00 a. m. Monday, February 5, 1934.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 5, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Loren E. Lair, Pastor Fairview Christian Church, Taylor County, Iowa.

Journal of February 2 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Wieben of Tama, for the day, on request of Dreessen of Crawford; Beswick of Van Buren for the forenoon, on request of Dole of Jefferson; Stimpson of Jones for the day, on request of Hough of Fayette.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Stimpson, from the business men of Jones county. Referred to the committee on tax revision.

Opposing any addition to the present gas tax. Rice, from the citizens of Keokuk county. Referred to the committee on ways and means.

Favoring local option. Willis of Dallas, from the voters of the sixth congressional district. Referred to the committee on liquor control.

Recommendations by the Progressive Farmers Union of Iowa, by Zylstra of Sioux. Referred to the committee on tax revision.

ADDITIONAL COPIES ORDERED PRINTED

Lookingbill of Story asked and obtained unanimous consent to have 500 additional copies of House File No. 78 printed.

SENATE MESSAGES CONSIDERED

Senate File No. 283, a bill for an act to authorize certain cities

Digitized by Google

acting under the commission form of government to take title to privately owned armories, to assume the indebtedness existing against said armories and to finance such indebtedness by the issuance of the bonds of the city; also to pledge the yearly net rentals of such armories to the payment of such bonds and the interest thereon.

Read first and second times and referred to steering committee.

Senate File No. 285, a bill for an act to legalize the expenditure of the Board of Supervisors of Muscatine County, Iowa, during the year 1933, in the sum of $11,969.31, from the County Insane Fund, for the maintenance of the County Home.

Read first and second times and referred to steering committee.

CONSIDERATION OF SENATE AMENDMENT

On request of Osborn of Decatur, unanimous consent having been given, House File No. 235, a bill for an act to invest the Auditor of State with power to authorize county treasurers in certain instances to discontinue the carrying of certain items of account on the books of his office, and to apportion certain losses in public revenues among taxing districts, with Senate amendment, was taken up and the amendment read and considered.

SENATE AMENDMENT TO HOUSE FILE 235

Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in two newspapers of this state, as provided by law.

Mr. Osborn moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 80.

Aldrich	Dole	Fuelling	Hough
Alesch	Donlon	Fuester	Hultman
Augustine	Doran	Gissel	Humeston
Avery	Dreessen	Gittinger	Jensen
Bonnstetter	Durant	Goode	Johnson
Bouska	Elliott	Grau	Koch
Bruce	Ellsworth	Hanson of Lyon	Lookingbill
Burgess	Fabritz	Hanson of Winnebago	McCarthy
Casey	Falvey	Hartman	McCreery
Crouch	Felter	Hook	McDermott
Cunningham	Fletcher	Hopp	McKinnon
Dean	Frizzell		Malone

Digitized by Google

Mercer	Peaco	Sheridan	Teter
Metcalf	Peet	Smith	Thies
Millhone	Rawlings	Sours	Treimer
Moore of Benton	Reed	Speidel	Weed
Moore of Harrison	Roe	Stansell	Willis
Osborn	Ryder	Stanzel	Yager
Ostby	Schlatter	Stewart	Zylstra
Paisley	Schmitz	Swift	Mr. Speaker
	Schroeder		

The nays were, none.

Absent or not voting, 28.

Beath	Gallagher	McLean	Stimpson
Beswick	Garner	Maniece	Strachan
Bowers	Grell	Mitchell	Thiessen
Brady	Jenkins	Mooty	Wieben
Craven	Laughlin	Porter	Wiese
Davis	Lichty	Rice	Wolf
Foster	McFarlane	Snyder	Zipse

The House concurred in Senate amendment to House File No. 235.

CONSIDERATION OF BILLS

House File No. 316, a bill for an act to amend section one (1), chapter one hundred forty (140), Acts of the Forty-fifth General Assembly, which section amended section seventy-four hundred eighty-nine (7489), Code of 1931, and to permit the board of supervisors having control of a drainage district to refund, under certain circumstances, all of the surplus funds on hand to the persons having paid the assessments creating said surplus, was taken up for consideration.

Hopp of Mills offered the following amendment and moved its adoption:

"Amend House File No. 316, section one (1), by striking from line nine (9) thereof, the word "may", and inserting in lieu thereof the word "shall".

Amendment lost.

Thies of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 64.

Aldrich	Bouska	Cunningham	Dreessen
Alesch	Brady	Davis	Durant
Avery	Burgess	Dean	Elliott
Bonnstetter	Casey	Donlon	Ellsworth

Digitized by Google

Fabritz	Hough	Ostby	Sheridan
Falvey	Humeston	Paisley	Smith
Felter	Jensen	Peaco	Snyder
Fuester	Koch	Peet	Stewart
Garner	Lookingbill	Rawlings	Strachan
Gissel	McDermott	Reed	Swift
Gittinger	McKinnon	Rice	Thies
Grell	Malone	Roe	Thiessen
Hanson of Lyon	Mercer	Ryder	Treimer
Hanson of Winnebago	Metcalf	Schlatter	Wiese
	Millhone	Schmitz	Willis
Hartman	Osborn	Schroeder	Wolf
Hook			

The nays were, 18.

Augustine	Frizzell	Johnson	Stansell
Crouch	Fuelling	McCarthy	Stanzel
Dole	Gallagher	McCreery	Weed
Doran	Goode	Mooty	Yager
Fletcher	Jenkins		

Absent or not voting, 26.

Beath	Hopp	Mitchell	Stimpson
Beswick	Hultman	Moore of Benton	Teter
Bowers	Laughlin	Moore of Harrison	Wieben
Bruce	Lichty		Zipse
Craven	McFarlane	Porter	Zylstra
Foster	McLean	Sours	Mr. Speaker
Grau	Maniece	Speidel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Thies of Pottawattamie moved that the vote by which House File No. 316 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Rawlings of Monona asked and obtained unanimous consent to defer action on House File No. 281, and that it retain its place on the calendar.

Senate File No. 41, a bill for an act to amend section ten thousand one hundred thirty-eight (10138), Code of Iowa, 1931, relating to the selection and platting of a homestead, was taken up for consideration.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Avery	Bouska	Burgess
Alesch	Beath	Bowers	Casey
Augustine	Bonnstetter	Bruce	Crouch

Digitized by Google

Cunningham	Gittinger	McDermott	Snyder
Davis	Goode	McKinnon	Sours
Dean	Grau	Metcalf	Speidel
Dole	Grell	Millhone	Stansell
Donlon	Hanson of Lyon	Moore of Benton	Stanzel
Doran	Hanson of Winnebago	Mooty	Stewart
Dreessen	Hartman	Osborn	Strachan
Durant	Hook	Paisley	Swift
Elliott	Hopp	Peaco	Teter
Ellsworth	Hough	Peet	Thies
Fabritz	Hultman	Rawlings	Thiessen
Falvey	Humeston	Reed	Treimer
Felter	Jenkins	Roe	Weed
Fletcher	Jensen	Ryder	Wiese
Frizzell	Johnson	Schlatter	Willis
Fuelling	Koch	Schmitz	Wolf
Fuester	Lookingbill	Schroeder	Yager
Gallagher	McCarthy	Sheridan	Zylstra
Garner	McCreery	Smith	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 19.

Beswick	Lichty	Mercer	Porter
Brady	McFarlane	Mitchell	Rice
Craven	McLean	Moore of Harrison	Stimpson
Foster	Malone	Ostby	Wieben
Laughlin	Maniece		Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 80, a bill for an act to repeal section two thousand thirteen-c five (2013-c5), Code, 1931, and to enact a substitute therefor relating to the requisition of vehicles condemned under chapter ninety-seven (97) of said Code, was taken up for consideration.

On motion of McKinnon of Henry the amendments proposed by the committee, found on page 335 of the Journal of December 7, were adopted.

Johnson of Linn moved to amend Senate File No. 80 by inserting in section one (1), following the word "county" as used the second time, the words: ", including cities under special charter,".

Amendment adopted.

McKinnon of Henry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 95.

Aldrich	Fletcher	Lookingbill	Schmitz
Alesch	Frizzell	McCarthy	Schroeder
Augustine	Fuelling	McCreery	Sheridan
Avery	Fuester	McDermott	Smith
Beath	Gallagher	McKinnon	Snyder
Bonnstetter	Garner	Mercer	Sours
Bouska	Gissel	Metcalf	Speidel
Bowers	Gittinger	Millhone	Stansell
Brady	Goode	Mitchell	Stanzel
Bruce	Grau	Moore of Benton	Stewart
Burgess	Grell	Moore of Harrison	Strachan
Crouch	Hanson of Lyon	Mooty	Swift
Cunningham	Hanson of Winnebago	Osborn	Teter
Davis	Hartman	Ostby	Thies
Dean	Hook	Paisley	Thiessen
Dole	Hopp	Peaco	Treimer
Donlon	Hough	Peet	Weed
Doran	Hultman	Rawlings	Wiese
Dreessen	Humeston	Reed	Willis
Durant	Jenkins	Rice	Wolf
Elliott	Jensen	Roe	Yager
Ellsworth	Johnson	Ryder	Zipse
Fabritz	Koch	Schlatter	Zylstra
Falvey			Mr. Speaker
Felter			

The nays were, none.

Absent or not voting, 13.

Beswick	Laughlin	McLean	Porter
Casey	Lichty	Malone	Stimpson
Craven	McFarlane	Maniece	Wieben
Foster			

So the bill having received a constitutional majority was declared to have passed the House and the title as amended agreed to.

Senate File No. 232, a bill for an act to amend section seventy-five hundred sixty-two (7562), Code, 1931, relating to the classification and re-classification of assessments in levee and drainage districts, was taken up for consideration.

Hanson of Winnebago called up the amendment filed by him and found on page 543 of the Journal of December 27 and moved its adoption. Amendment adopted.

Avery of Clay moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 89.

Aldrich	Felter	Koch	Roe
Alesch	Fletcher	Lichty	Ryder
Avery	Frizzell	Lookingbill	Schmitz
Beath	Fuelling	McCarthy	Schroeder
Bonnstetter	Fuester	McCreery	Sheridan
Bouska	Gallagher	McKinnon	Smith
Bowers	Gissel	Malone	Snyder
Brady	Gittinger	Mercer	Sours
Bruce	Goode	Metcalf	Speidel
Burgess	Grau	Millhone	Stansell
Casey	Grell	Mitchell	Stanzel
Craven	Hanson of Lyon	Moore of Benton	Stewart
Crouch	Hanson of Winnebago	Moore of Harrison	Strachan
Cunningham	Hartman	Mooty	Swift
Davis	Hook	Osborn	Thies
Dean	Hopp	Ostby	Thiessen
Dole	Hough	Paisley	Treimer
Donlon	Hultman	Peaco	Weed
Dreessen	Humeston	Peet	Wiese
Durant	Jenkins	Rawlings	Willis
Ellsworth	Jensen	Reed	Wolf
Fabritz	Johnson	Rice	Yager
Falvey			

The nays were, 2.

Doran	Elliott

Absent or not voting, 17.

Augustine	McDermott	Porter	Wieben
Beswick	McFarlane	Schlatter	Zipse
Foster	McLean	Stimpson	Zylstra
Garner	Maniece	Teter	Mr. Speaker
Laughlin			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Avery of Clay moved that the vote by which Senate File No. 232 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Moore of Harrison asked and obtained unanimous consent that action be deferred on House File No. 180 and that it retain its place on the calendar.

House File No. 268, a bill for an act to amend Chapter Six Hundred Sixteen-D-One (616-D1) Code, 1931, relating to the Police Radio Broadcasting System and to provide an appropriation therefor, was taken up for consideration.

Fabritz of Wapello moved the previous question. Motion prevailed.

Stewart of Calhoun moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 64.

Aldrich	Fuester	McFarlane	Schmitz
Avery	Gallagher	Malone	Sheridan
Beath	Garner	Mercer	Smith
Bouska	Grau	Metcalf	Snyder
Brady	Grell	Mitchell	Sours
Bruce	Hanson of Lyon	Moore of Benton	Speidel
Burgess	Hanson of Winnebago	Moore of Harrison	Stanzel
Crouch	Hartman	Mooty	Stewart
Cunningham	Hultman	Osborn	Strachan
Davis	Jenkins	Peaco	Swift
Dean	Jensen	Peet	Treimer
Donlon	Johnson	Reed	Willis
Durant	Lichty	Roe	Wolf
Elliott	Lookingbill	Ryder	Yager
Fabritz	McCarthy	Schlatter	Zylstra
Falvey	McCreery		Mr. Speaker
Fuelling			

The nays were, 34.

Alesch	Ellsworth	Hough	Schroeder
Augustine	Felter	Humeston	Stansell
Bonnstetter	Fletcher	McDermott	Stimpson
Bowers	Frizzell	McKinnon	Thies
Casey	Gissel	Ostby	Thiessen
Craven	Gittinger	Paisley	Weed
Dole	Goode	Rawlings	Wiese
Doran	Hook	Rice	Zipse
Dreessen	Hopp		

Absent or not voting, 10.

Beswick	Laughlin	Millhone	Teter
Foster	McLean	Porter	Wieben
Koch	Maniece		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Stewart of Calhoun moved that the vote by which House File No. 268 passed the House be reconsidered, and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 18, a bill for an act to require the use of certain safety equipment on Motor Vehicles.

Digitized by Google

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 113, a bill for an act to amend Subsection one (1) of Section eleven thousand eight hundred thirty-two (11832) of the Code of Iowa 1931, relating to the probate powers of the Clerk of the District Court.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 249, a bill for an act to make an appropriation to I. N. Salyers.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 299, a bill for an act to authorize the issuance of a patent to Lots 7 and 8 in Section 23, Township 78, Range 23, Polk County, Iowa.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 181, 182 and 184; House File No. 114.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 181, 182 and 184; House File No. 114.

BILLS SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 5th day of February, 1934, sent to the Governor for his approval: House File No. 114.

WM. KOCH, *Chairman.*

Report adopted.

BILL APPROVED BY THE GOVERNOR

A message was received from the Governor announcing that he had approved the following bill:

February 2: House File No. 326.

Digitized by Google

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as committee clerk to Representative W. A. Mooty and R. A. Peet to take effect as of February 5, 1934.

DOROTHY B. LEWIS.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 135, H. F. No. 257, H. F. No. 216, S. F. No. 12, S. F. 126, S. F. No. 273.

Bills to be introduced by steering committee: H. F. No. 327.

JAS. BURGESS, *Chairman.*

AMENDMENT FILED

Durant of Hancock, Dean of Cerro Gordo and Speidel of Washington filed the following amendment:

Amend the amendment to House File 180, as filed by Moore and Malone and appearing on page 412 of the Journal of December 13, 1933, as follows:

Strike all of section 1 of said amendment and in lieu thereof insert the following:

"Section 1. In order to cooperate with the United States Department of Agriculture and the Agricultural Adjustment Administration and extension service in continuing the activities contemplated in chapter one hundred thirty-eight (138), Code, 1931, in any county where no farm aid organization qualifies for county aid as provided in said chapter, an organization shall then qualify for county aid for the above mentioned purposes as hereinafter provided."

On the motion of Moore of Harrison the House adjourned until 10 o'clock a. m. Tuesday, February 6.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 6, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. P. M. Thomas, pastor First Friends Church, Des Moines, Iowa.

Journal of February 5 corrected and approved.

PETITIONS AND MEMORIALS

Opposing additional tax on gas. McFarlane and Lichty, from the voters of Black Hawk county; Stansell, from the citizens of Clarke county; Schlatter, from the automobile owners of Jackson county. Referred to the committee on ways and means.

Favoring an increase in license fees for the development of the Iowa Twenty-five Year Conservative Program. Hopp, from the citizens of Mills county. Referred to the committee on conservation of resources.

INTRODUCTION OF BILLS

House File No. 327, by steering committee, a bill for an act to legalize the corporate acts and proceedings of Keokuk Base Ball Grounds Association of Keokuk, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Keokuk Base Ball Grounds Association.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 113, a bill for an act to amend Subsection one (1) of Section eleven thousand eight hundred thirty-two (11832) of the Code of Iowa, 1931, relating to the probate powers of the Clerk of the District Court.

Read first and second times and referred to steering committee.

Digitized by Google

Senate File No. 299, a bill for an act to authorize the issuance of a patent to Lots Seven (7) and eight (8) in Section twenty-three (23), Township seventy-eight (78), Range twenty-three (23), Polk County, Iowa.

Read first and second times and referred to steering committee.

Senate File No. 18, a bill for an act to require the use of certain safety equipment on motor vehicles.

Read first and second times and referred to steering committee.

Senate File No. 249, a bill for an act to make an appropriation to I. N. Salyers.

Read first and second times and referred to committee on appropriations.

ACTION ON HOUSE FILES NO. 281 AND 180 DEFERRED

Rawlings of Monona asked and obtained unanimous consent that action on House File No. 281 be deferred and that it retain its place on the calendar.

Moore of Harrison asked and obtained unanimous consent that action on House File No. 180 be deferred and that it retain its place on the calendar.

CONSIDERATION OF BILLS

House File No. 290, a bill for an act to amend Chapter 148, Acts of the Forty-fifth General Assembly, relating to the investment of funds of insurance companies, was taken up for consideration.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Burgess	Dreessen	Fuelling
Alesch	Casey	Durant	Fuester
Avery	Craven	Elliott	Gallagher
Beath	Cunningham	Ellsworth	Gittinger
Beswick	Davis	Falvey	Grau
Bouska	Dean	Felter	Grell
Bowers	Dole	Fletcher	Hanson of Lyon
Brady	Donlon	Foster	Hanson of Winnebago
Bruce	Doran	Frizzell	

Digitized by Google

Hartman	McDermott	Rawlings	Stimpson
Hook	McFarlane	Reed	Strachan
Hopp	McLean	Rice	Swift
Hough	Malone	Roe	Teter
Hultman	Maniece	Ryder	Thiessen
Humeston	Metcalf	Schlatter	Treimer
Jenkins	Millhone	Schmitz	Wieben
Jensen	Mitchell	Smith	Wiese
Johnson	Moore of Benton	Snyder	Willis
Koch	Mooty	Sours	Wolf
Laughlin	Osborn	Speidel	Yager
Lichty	Ostby	Stansell	Zipse
Lookingbill	Peaco	Stanzel	Zylstra
McCarthy	Peet	Stewart	Mr. Speaker
McCreery			

The nays were, 1.

Weed

Absent or not voting, 15.

Augustine	Garner	Mercer	Porter
Bonnstetter	Gissel	Moore of	Schroeder
Crouch	Goode	Harrison	Sheridan
Fabritz	McKinnon	Paisley	Thies

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Treimer of O'Brien moved that the vote by which House File No. 290 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

POINT OF ORDER

Roe of Allamakee raised the point of order in regard to House File No. 43 being referred to the steering committee. He contended that the bill having been previously considered before the House, that it was unfinished business and as a result was before the House for consideration.

Speaker Miller held in as much as the function of the steering committee is to arrange the bills in their order on the calendar as in their judgment they may see fit, the chair holds that House File No. 43 having been previously considered and being on the calendar comes under House Rule No. 10 as unfinished business, and is therefore up for consideration.

Also: Roberts Rules of Order (Revised) holds (Page 63, Sec. a) when the adjournment does not close the session, the business interrupted by it is the first in order after the reading of the minutes at the next meeting and is treated as if there had been no adjournment.

Digitized by Google

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 43, a bill for an act to amend section sixty-one hundred twenty-seven (6127), sixty-one hundred thirty-four-d six (6134-d6), sixty-one hundred thirty-five (6135), sixty-one hundred forty-two (6142), Code, 1931, relating to public utilities and to the power of cities and towns, which was under consideration on January 29, as shown on page 963 of the Journal.

Beswick of Van Buren offered the following amendment and moved its adoption:

Amend House File No. 43, Section two (2) by striking lines three (3) and four (4) and inserting in lieu thereof the following: "Line 7, strike the words "or heat" and insert in lieu thereof the words "heat or telephone service".

Amendment adopted.

Grau of Buena Vista moved the previous question.

Motion prevailed.

Roe of Allamakee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 63.

Aldrich	Frizzell	McKinnon	Schlatter
Alesch	Fuester	McLean	Schmitz
Augustine	Gallagher	Malone	Schroeder
Beath	Garner	Maniece	Smith
Bonnstetter	Gittinger	Metcalf	Speidel
Burgess	Goode	Mitchell	Stanzel
Craven	Grau	Mooty	Stewart
Cunningham	Grell	Osborn	Stimpson
Davis	Hanson of Lyon	Ostby	Teter
Dole	Hook	Paisley	Thies
Donlon	Hough	Peaco	Thiessen
Dreessen	Humeston	Peet	Weed
Fabritz	Jensen	Rawlings	Yager
Falvey	Laughlin	Reed	Zipse
Felter	Lookingbill	Rice	Zylstra
Fletcher	McFarlane	Roe	

The nays were, 34.

Avery	Casey	Fuelling	Johnson
Beswick	Crouch	Hanson of Winnebago	Koch
Bouska	Dean	Hartman	McCarthy
Bowers	Doran	Hopp	McDermott
Brady	Durant	Hultman	Mercer
Bruce	Ellsworth		Moore of Benton

Digitized by Google

Moore of Harrison	Sours	Treimer	Willis
Ryder	Stansell	Wieben	Wolf
	Swift	Wiese	Mr. Speaker

Absent or not voting, 11.

Elliott	Jenkins	Millhone	Snyder
Foster	Lichty	Porter	Strachan
Gissel	McCreery	Sheridan	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Roe of Allamakee moved that the vote by which House File No. 43 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 153, a bill for an act providing for the discontinuance of the "Stamp-Note Plan" as authorized by the Forty-fifth General Assembly.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 235.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 235.

BILL SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports

Digitized by Google

that it has, on this 6th day of February, 1934, sent to the Governor for his approval: House File No. 235. WM. KOCH, *Chairman.*

Report adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Elliott of Polk for balance of the day, on request of Cunningham of Polk.

On motion of Sours of Floyd the House recessed until 2 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

SPECIAL PROGRAM

The "Rusty Hinge" Male Quartette of Mason City, consisting of W. Earl Hall, Earl M. Dean, Dr. Raymond F. Kuuz and Floyd Fraser, entertained the House with an interesting musical and vocal program, on the conclusion of which the House gave a rising vote of thanks in appreciation of the numbers rendered.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 256, a bill for an act to make an appropriation to the City of Waterloo, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 257, a bill for an act to make an appropriation to the Soldier Valley Mutual Telephone and Telegraph Company.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 259, a bill for an act to make an appropriation to Robert A. Miller.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 260, a bill for an act to make an appropriation to Dan Rhodes.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 263, a bill for an act to make an appropriation to Cornell College.

Digitized by Google

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 266, a bill for an act to make an appropriation to certain veterinarians employed by the Department of Agriculture in special cases to cover fees and mileage.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 278, a bill for an act to make an appropriation to Viva Thackrey, Coleman Hospital, Doctors G. H. West and C. H. Miller, Fred J. Sternborg and Fred J. Sternborg, Trustee.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 280, a bill for an act to make an appropriation to the Secretary of War. BYRON G. ALLEN, *Secretary.*

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 80; S. F. No. 168; S. F. No. 242. Introducing committee bill No. 329. JAS. BURGESS, *Chairman.*

On the motion of Mercer of Johnson the House adjourned until 10:00 o'clock a. m. Wednesday, February 7.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 7, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Dr. Arthur E. Bennett, President Upper Iowa University, Fayette, Iowa.

Journal of February 6, corrected and approved.

INTRODUCTION OF BILLS

House File No. 328, by committee on appropriations, a bill for an act to make an emergency appropriation to the Iowa State Board of Education for the purpose of providing a water system, including a water softener, and for fire-proofing the roof and remodeling the attic of the main building at the Iowa School for the Blind, Vinton, Iowa.

Read first and second times and placed on calendar.

House File No. 329, by steering committee, a bill for an act to amend Senate File No. 281, as passed by the Forty-fifth General Assembly, in extraordinary session, relating to the caring for the unemployed and needy and regulating the hourly rates for work in exchange for relief.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 256, a bill for an act to make an appropriation to the City of Waterloo, Iowa.

Read first and second times and referred to committee on appropriations.

Senate File No. 257, a bill for an act to make an appropriation to the Soldier Valley Mutual Telephone and Telegraph Company.

Read first and second times and referred to committee on appropriations.

Digitized by Google

Senate File No. 259, a bill for an act to make an appropriation to Robert A. Miller.

Read first and second times and referred to committee on appropriations.

Senate File No. 260, a bill for an act to make an appropriation to Dan Rhodes.

Read first and second times and referred to committee on appropriations.

Senate File No. 263, a bill for an act to make an appropriation to Cornell College.

Read first and second times and referred to committee on appropriations.

Senate File No. 266, a bill for an act to make an appropriation to certain veterinarians employed by the Department of Agriculture in special cases to cover fees and mileage.

Read first and second times and referred to committee on appropriations.

Senate File No. 278, a bill for an act to make an appropriation to Viva Thackrey, Coleman Hospital, Doctors G. H. West and C. H. Miller, Fred J. Sternborg and Fred J. Sternborg, trustee.

Read first and second times and referred to committee on appropriations.

Senate File No. 280, a bill for an act to make an appropriation to the Secretary of War.

Read first and second times and referred to committee on appropriations.

ACTION ON HOUSE FILE NO. 180 DEFERRED

Doran of Boone asked and obtained unanimous consent to temporarily defer action on House File No. 180.

CONSIDERATION OF BILLS

Senate File No. 118, a bill for an act to make an appropriation for Ed A. Schmidt, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time

Digitized by Google

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Fabritz	Johnson	Ryder
Alesch	Falvey	Koch	Schlatter
Avery	Felter	Laughlin	Sheridan
Beath	Fletcher	Lichty	Smith
Beswick	Frizzell	Lookingbill	Snyder
Bonnstetter	Fuelling	McCarthy	Sours
Bouska	Fuester	McDermott	Stansell
Bowers	Gallagher	McKinnon	Stanzel
Bruce	Garner	McLean	Stewart
Burgess	Gissel	Malone	Stimpson
Casey	Gittinger	Maniece	Strachan
Craven	Goode	Metcalf	Swift
Crouch	Grau	Millhone	Teter
Cunningham	Hanson of Lyon	Mooty	Thies
Davis	Hanson of	Osborn	Thiessen
Dean	Winnebago	Paisley	Treimer
Dole	Hartman	Peaco	Weed
Donlon	Hook	Peet	Wieben
Doran	Hopp	Rawlings	Wolf
Dreessen	Hough	Reed	Yager
Durant	Hultman	Rice	Zipse
Elliott	Humeston	Roe	Mr. Speaker
Ellsworth	Jensen		

The nays were, 1.

Foster

Absent or not voting, 18.

Augustine	McFarlane	Moore of	Schroeder
Brady	Mercer	Harrison	Speidel
Grell	Mitchell	Ostby	Wiese
Jenkins	Moore of Benton	Porter	Willis
McCreery		Schmitz	Zylstra

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 149, a bill for an act to make an appropriation to Robert A. Turpin, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Beswick	Brady	Craven
Alesch	Bonnstetter	Bruce	Crouch
Avery	Bouska	Burgess	Cunningham
Beath	Bowers	Casey	Davis

Digitized by Google

Dean	Grau	McDermott	Sheridan
Dole	Grell	McKinnon	Snyder
Donlon	Hanson of Lyon	McLean	Sours
Doran	Hanson of Winnebago	Malone	Speidel
Dreessen	Hartman	Maniece	Stansell
Durant	Hook	Metcalf	Stanzel
Elliott	Hopp	Millhone	Stewart
Ellsworth	Hough	Mooty	Stimpson
Fabritz	Hultman	Osborn	Strachan
Felter	Humeston	Ostby	Swift
Fletcher	Jenkins	Paisley	Teter
Foster	Jensen	Peaco	Thies
Frizzell	Johnson	Peet	Thiessen
Fuelling	Koch	Rawlings	Treimer
Fuester	Laughlin	Reed	Weed
Gallagher	Lichty	Roe	Willis
Garner	Lookingbill	Ryder	Wolf
Gissel	McCarthy	Schlatter	Yager
Gittinger		Schmitz	Zipse
Goode			

The nays were, none.

Absent or not voting, 16.

Augustine	Mitchell	Porter	Wieben
Falvey	Moore of Benton	Rice	Wiese
McCreery	Moore of Harrison	Schroeder	Zylstra
McFarlane		Smith	Mr. Speaker
Mercer			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

ACTION ON HOUSE FILE NO. 281 DEFERRED

Rawlings of Monona asked and obtained unanimous consent that action on House File No. 281 be deferred, and that it retain its place on the calendar.

CONSIDERATION OF BILLS

House File No. 135, a bill for an act to amend section twenty-eight hundred twelve (2812), Code, 1931, relating to the annual license fee to be paid by restaurants, and to amend Chapter one hundred thirty-three (133), Code, 1931, providing for an inspection fee from any restaurant hereafter opened or hereafter changing ownership, and providing for the creation of a separate fund in the hands of the State Treasurer to be known as the restaurant fund, and limiting the purpose for which said fund may be used, was taken up for consideration.

Cunningham of Polk called up the amendment filed by him and found on page 803 of the Journal of January 19 and moved its adoption.

Digitized by Google

Cunningham of Polk offered the following amendment to the amendment:

"Insert a period after the word "restaurant" in line six (6) of the paragraph beginning with the figures "2812f1" and strike the remainder of the paragraph, which includes the following words: "located within the grounds of the state fair or any county or district fair."

Lookingbill of Story moved the previous question on the pending amendment and main bill. Motion prevailed.

Amendment to the amendment adopted.

SPECIAL PROGRAM

Doran of Boone asked and obtained unanimus consent to permit Oley Nelson, Sergeant-at-Arms, to escort the Commander-in-Chief of the Grand Army of the Republic, Col. Russell C. Martin of Los Angeles, California, and others to the Speaker's desk.

The Sergeant-at-Arms, Oley Nelson, introduced Col. Martin, who addressed the House.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 135.

The amendment by Cunningham of Polk, as amended, was adopted.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Doran	Hultman	Millhone
Alesch	Durant	Jenkins	Mitchell
Augustine	Elliott	Johnson	Moore of Benton
Avery	Ellsworth	Koch	Moore of Harrison
Beath	Fabritz	Laughlin	Mooty
Beswick	Fletcher	Lichty	Osborn
Bowers	Frizzell	Lookingbill	Ostby
Brady	Gallagher	McCarthy	Paisley
Burgess	Gissel	McCreery	Peaco
Casey	Gittinger	McDermott	Peet
Craven	Grau	McFarlane	Rawlings
Cunningham	Grell	McKinnon	Ryder
Dean	Hanson of Winnebago	Malone	Schlatter
Dole	Hopp	Mercer	Schmitz
Donlon		Metcalf	

Digitized by Google

Sheridan	Stewart	Thiessen	Willis
Snyder	Strachan	Treimer	Wolf
Sours	Swift	Weed	Zylstra
Stansell	Thies	Wieben	

The nays were, 25.

Bouska	Fuester	Hough	Schroeder
Bruce	Garner	Humeston	Smith
Davis	Goode	Jensen	Stanzel
Dreessen	Hanson of Lyon	McLean	Stimpson
Falvey	Hartman	Reed	Yager
Foster	Hook	Roe	Zipse
Fuelling			

Absent or not voting, 10.

Bonnstetter	Maniece	Speidel	Wiese
Crouch	Porter	Teter	Mr. Speaker
Felter	Rice		

So the bill having received a constitutional majority was declared to have passed the House and the title as amended agreed to.

Cunningham of Polk moved that the vote by which House File No. 135 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 257, a bill for an act to amend Sections seventy-four hundred twenty-a9 (7420-a9), seventy-four hundred twenty-b1 (7420-b1) and seventy-four hundred twenty-a18 (7420-a18), Code, 1931, relating to proof, certification, amount and manner of filing claims against the State Sinking Fund where a bank or trust company has reorganized and issued trust certificates; and also payment, interest, presentation of objections regarding such claims and distribution by trustees; and providing rules for construction, was taken up for consideration.

Ellsworth of Hardin called up the amendment filed by him and found on pages 571 and 572 of the Journal of December 29, and moved its adoption. Amendment adopted.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Aldrich	Beswick	Brady	Crouch
Alesch	Bonnstetter	Bruce	Cunningham
Avery	Bouska	Burgess	Davis
Beath	Bowers	Casey	Dean

Digitized by Google

Dole	Hanson of Lyon	McKinnon	Schlatter
Doran	Hanson of Winnebago	McLean	Schroeder
Dreessen	Hartman	Malone	Sheridan
Durant	Hook	Maniece	Smith
Elliott	Hopp	Mercer	Snyder
Ellsworth	Hough	Metcalf	Stanzel
Fabritz	Hultman	Millhone	Stewart
Falvey	Humeston	Mitchell	Stimpson
Felter	Jenkins	Moore of Benton	Strachan
Fletcher	Jensen	Moore of Harrison	Swift
Foster	Johnson	Mooty	Teter
Frizzell	Koch	Osborn	Thiessen
Gallagher	Laughlin	Ostby	Treimer
Garner	Lookingbill	Paisley	Weed
Gissel	McCarthy	Peaco	Wieben
Gittinger	McCreery	Reed	Willis
Goode	McDermott	Roe	Wolf
Grau	McFarlane	Ryder	Yager
Grell			Zylstra

The nays were, none.

Absent or not voting, 18.

Augustine	Lichty	Schmitz	Thies
Craven	Peet	Sours	Wiese
Donlon	Porter	Speidel	Zipse
Fuelling	Rawlings	Stansell	Mr. Speaker
Fuester	Rice		

So the bill having received a constitutional majority was declared to have passed the House and the title as amended agreed to.

Ellsworth of Hardin moved that the vote by which House File No. 257 passed the House be reconsidered and the mtion to reconsider be laid on the table. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 275, a bill for an act to make an appropriation to James Berry and Tolbert Moore.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 307, a bill for an act to make an appropriation to C. R. Piercy.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 308, a bill for an act to make an appropriation to Amos Hilton.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

Digitized by Google

House File No. 309, a bill for an act to make an appropriation to H. C. Shaw.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 311, a bill for an act to make an appropriation to H. D. Howard.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 153 and 41.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 153 and 41.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bill:

February 5: House File No. 114.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Wiese of Scott for the day, on request of Grell of Scott; Mercer of Johnson for balance of the day, on request of Koch of Bremer; Doran of Boone for balance of the day, on request of Avery of Clay.

On the motion of Rawlings of Monona the House recessed until 1:30 p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

Senate File No. 12, a bill for an act to amend section eleven

Digitized by Google

thousand seven hundred seventy-four (11774) of the Code, 1931, relating to redemption by debtor of real property from Execution Sale, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Fabritz	Laughlin	Sheridan
Alesch	Felter	Lookingbill	Smith
Avery	Fletcher	McCarthy	Snyder
Beath	Frizzell	McDermott	Sours
Beswick	Fuester	McLean	Speidel
Bonnstetter	Garner	Malone	Stanzel
Bouska	Gissel	Millhone	Stewart
Bowers	Gittinger	Moore of Harrison	Stimpson
Brady	Goode	Mooty	Strachan
Bruce	Grell	Osborn	Swift
Casey	Hanson of Lyon	Ostby	Teter
Craven	Hanson of Winnebago	Peet	Thies
Crouch	Hartman	Rawlings	Thiessen
Davis	Hook	Reed	Treimer
Dean	Hopp	Rice	Weed
Dole	Hough	Roe	Wieben
Donlon	Hultman	Schlatter	Wolf
Dreessen	Humeston	Schmitz	Yager
Durant	Jenkins	Schroeder	Zipse
Elliott	Jensen		Mr. Speaker
Ellsworth			

The nays were, none.

Absent or not voting, 28.

Augustine	Gallagher	McKinnon	Peaco
Burgess	Grau	Maniece	Porter
Cunningham	Johnson	Mercer	Ryder
Doran	Koch	Metcalf	Stansell
Falvey	Lichty	Mitchell	Wiese
Foster	McCreery	Moore of Benton	Willis
Fuelling	McFarlane	Paisley	Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Lookingbill of Story moved that the vote by which Senate File No. 12 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 216, a bill for an act to provide for the issuing of a permit to pipe line companies engaged in the business of owning, operating or controlling lines for the transportation or transmission of gas, gasoline, oils, or motor fuels and/or inflam-

Digitized by Google

mable fluids within or through this state; providing an annual inspection fee therefor; providing for the regulation of the construction, location and inspection of pipe lines; providing for the right of eminent domain and regulating the use of such right; providing that the board of railroad commissioners shall have supervision over pipe lines, and providing for the fixing of property security and responsibility by pipe line companies for the protection of persons sustaining damage by them; fixing jurisdiction in the district court of the county where any controversy arises involving said pipe lines, and providing a method of service of notice of suit against pipe line companies; and providing for injunction and penalty for violation of same; and repealing chapter three hundred eighty-three-D one (383-D1), code, 1931, was taken up for consideration.

Mitchell of Webster called up the amendments filed by him and found on page 521 of the Journal of December 12 and moved their adoption. Amendments adopted.

Peaco of Clinton called up the amendment filed by him and found on pages 483 and 484 of the Journal of December 18, and moved its adoption.

On the question "Shall the Peaco amendment to House File No. 216 be adopted?" a roll call was demanded.

The ayes were, 25.

Alesch	Fabrits	Hartman	Ostby
Augustine	Falvey	Hook	Peaco
Beath	Felter	Hough	Schlatter
Craven	Fuelling	Hultman	Sours
Davis	Fuester	Lookingbill	Thies
Durant	Hanson of Winnebago	McFarlane	Thiessen
Ellsworth			

The nays were, 53.

Aldrich	Gallagher	Malone	Speidel
Avery	Garner	Millhone	Stewart
Beswick	Gissel	Mitchell	Stimpson
Bouska	Gittinger	Mooty	Strachan
Bowers	Grau	Osborn	Swift
Bruce	Grell	Peet	Teter
Burgess	Hanson of Lyon	Reed	Treimer
Casey	Hopp	Rice	Weed
Cunningham	Humeston	Roe	Wieben
Dole	Jensen	Ryder	Wolf
Donlon	Laughlin	Schmitz	Zipse
Elliott	McCreery	Sheridan	Zylstra
Fletcher	McDermott	Smith	Mr. Speaker
Frizzell			

Digitized by Google

Absent or not voting, 30.

Bonnstetter	Jenkins	Mercer	Schroeder
Brady	Johnson	Metcalf	Snyder
Crouch	Koch	Moore of Benton	Stansell
Dean	Lichty	Moore of	Stanzel
Doran	McCarthy	Harrison	Wiese
Dreessen	McKinnon	Paisley	Willis
Foster	McLean	Porter	Yager
Goode	Maniece	Rawlings	

Amendment lost.

Mitchell of Webster called up the amendment filed by him and found on page 689 of the Journal of January 8, and moved its adoption. Amendment adopted.

Speidel of Washington moved that action on House File No. 216 be deferred and that it retain its place on the calendar. Motion lost.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Alesch	Fuelling	McFarlane	Sheridan
Augustine	Gallagher	Malone	Smith
Avery	Gittinger	Metcalf	Snyder
Beswick	Goode	Millhone	Sours
Brady	Grell	Mitchell	Stanzel
Bruce	Hanson of Lyon	Moore of	Stewart
Burgess	Hanson of	Harrison	Strachan
Casey	Winnebago	Mooty	Swift
Crouch	Hook	Osborn	Teter
Cunningham	Hopp	Paisley	Thies
Davis	Hultman	Peet	Treimer
Dole	Jenkins	Rawlings	Weed
Donlon	Koch	Reed	Wieben
Durant	Laughlin	Rice	Willis
Elliott	Lichty	Roe	Wolf
Ellsworth	McCarthy	Ryder	Yager
Fabritz	McCreery	Schlatter	Zylstra
Falvey	McDermott	Schmitz	Mr. Speaker
Frizzell			

The nays were, 24.

Aldrich	Felter	Hartman	Ostby
Beath	Fletcher	Hough	Peaco
Bouska	Foster	Humeston	Schroeder
Bowers	Fuester	Jensen	Speidel
Craven	Gissel	Lookingbill	Thiessen
Dean	Grau	McLean	Zipse

Digitized by Google

Absent or not voting, 13.

Bonnstetter	Johnson	Mercer	Stansell
Doran	McKinnon	Moore of Benton	Stimpson
Dreessen	Maniece	Porter	Wiese
Garner			

So the bill having received a constitutional majority was declared to have passed the House.

Mitchell of Webster asked and obtained unanimous consent to have the Chief Clerk correct the title of House File No. 216 as follows:

Amend the title by striking from lines four and five the words "providing an annual inspection fee therefor." and inserting in lieu thereof the words "providing for construction and annual inspection fees".

Title as amended was agreed to.

Mitchell of Webster moved that the vote by which House File No. 216 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 126, a bill for an act authorizing courts to enter rule for mental examination of persons who affirmatively plead their own mental disability in any legal proceedings to which they are parties, was taken up for consideration.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Aldrich	Felter	Johnson	Schmitz
Alesch	Fletcher	Koch	Schroeder
Augustine	Foster	Lichty	Sheridan
Beath	Frizzell	Lookingbill	Smith
Beswick	Fuelling	McCarthy	Snyder
Bouska	Fuester	McCreery	Sours
Bowers	Gallagher	McDermott	Speidel
Brady	Gissel	McFarlane	Stanzel
Bruce	Gittinger	Malone	Stewart
Burgess	Goode	Metcalf	Strachan
Casey	Grau	Millhone	Swift
Craven	Grell	Mitchell	Teter
Crouch	Hanson of Lyon	Mooty	Thies
Cunningham	Hanson of Winnebago	Osborn	Thiessen
Davis	Hartman	Ostby	Treimer
Dean	Hook	Paisley	Weed
Dole	Hopp	Peaco	Willis
Donlon	Hough	Peet	Wolf
Durant	Hultman	Rawlings	Yager
Elliott	Humeston	Reed	Zipse
Ellsworth	Jenkins	Rice	Zylstra
Fabritz	Jensen	Roe	Mr. Speaker
Falvey		Schlatter	

Digitized by Google

The nays were, none.

Absent or not voting, 18.

Avery	Laughlin	Moore of Benton	Stansell
Bonnstetter	McKinnon	Moore of Harrison	Stimpson
Doran	McLean	Porter	Wieben
Dreessen	Maniece	Ryder	Wiese
Garner	Mercer		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 273, a bill for an act to require the board of supervisors and the members thereof to close or cause to be closed, against vehicular travel, all secondary roads which may be formally vacated or affirmatively abandoned by said board, to provide the manner of such closing, to provide for the doing of the work of such closing by members of the board or by the county engineer, to provide for the cost of said work, to prohibit the removal of barriers erected in order to effect such closing, and to declare the civil and criminal responsibility for the negligent failure to perform said duty and for the wrongful removal of said erections, was taken up for consideration.

Johnson of Linn moved to amend Senate File No. 273 as follows:

Strike all from Sec. 2, line 4, beginning with the word "shall" and ending with the word "addition" in line 8 thereof, which includes the following: "shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding one hundred dollars ($100) or by imprisonment in the county jail not exceeding thirty (30) days, or by both such fine and imprisonment and in addition".

McFarlane of Black Hawk moved as a substitute for the Johnson amendment that Sec. 2 and Sec. 3 be stricken from Senate File No. 273

Substitution made.

On the question "Shall the substitute amendment be adopted?" a roll call was demanded.

The ayes were, 84.

Aldrich	Craven	Falvey	Grell
Alesch	Cunningham	Felter	Hanson of Lyon
Avery	Davis	Foster	Hanson of Winnebago
Beath	Dole	Frizzell	Hartman
Beswick	Donlon	Fuelling	Hook
Bouska	Durant	Gallagher	Hopp
Bowers	Elliott	Gissel	Hough
Bruce	Ellsworth	Gittinger	Hultman
Burgess	Fabritz	Goode	

Digitized by Google

Jenkins	Malone	Ryder	Swift
Jensen	Metcalf	Schlatter	Teter
Johnson	Millhone	Schmitz	Thiessen
Koch	Mooty	Schroeder	Treimer
Laughlin	Osborn	Sheridan	Weed
Lichty	Ostby	Smith	Wieben
Lookingbill	Paisley	Snyder	Willis
McCarthy	Peaco	Sours	Wolf
McCreery	Peet	Speidel	Yager
McDermott	Reed	Stanzel	Zipse
McFarlane	Rice	Stewart	Zylstra
McKinnon	Roe	Strachan	Mr. Speaker
McLean			

The nays were, none.

Absent or not voting, 24.

Augustine	Dreessen	Maniece	Porter
Bonnstetter	Fletcher	Mercer	Rawlings
Brady	Fuester	Mitchell	Stansell
Casey	Garner	Moore of Benton	Stimpson
Crouch	Grau	Moore of	Thies
Dean	Humeston	Harrison	Wiese
Doran			

Substitute amendment adopted.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Felter	Laughlin	Ryder
Alesch	Fletcher	Lichty	Schlatter
Augustine	Foster	Lookingbill	Schmitz
Avery	Frizzell	McCarthy	Sheridan
Beath	Fuelling	McCreery	Smith
Beswick	Gallagher	McDermott	Snyder
Bouska	Gissel	McFarlane	Sours
Bowers	Gittinger	McKinnon	Stanzel
Bruce	Goode	McLean	Stewart
Burgess	Grell	Malone	Strachan
Casey	Hanson of Lyon	Metcalf	Swift
Craven	Hanson of	Millhone	Thies
Crouch	Winnebago	Mitchell	Thiessen
Cunningham	Hook	Mooty	Treimer
Davis	Hopp	Osborn	Weed
Dole	Hough	Ostby	Wieben
Donlon	Hultman	Paisley	Willis
Durant	Humeston	Peaco	Wolf
Elliott	Jenkins	Peet	Yager
Ellsworth	Jensen	Reed	Zipse
Fabritz	Johnson	Rice	Zylstra
Falvey	Koch	Roe	Mr. Speaker

The nays were, none.

Digitized by Google

Absent or not voting, 21.

Bonnstetter	Garner	Moore of Harrison	Speidel
Brady	Grau	Porter	Stansell
Dean	Hartman	Rawlings	Stimpson
Doran	Maniece	Schroeder	Teter
Dreessen	Mercer		Wiese
Fuester	Moore of Benton		

So the bill having received a constitutional majority was declared to have passed the House.

Reed of Mahaska asked and obtained unanimous consent to have the Chief Clerk correct the title as follows:

Amend the title by striking from lines eight (8), nine (9), and ten (10), the following:

", and to declare the civil and criminal responsibility for the negligent failure to perform said duty".

AMENDMENTS FILED

Bonnstetter of Kossuth offers the following amendment to House File No. 180:

Substitute for the amendment by Durant of Hancock, Dean of Cerro Gordo and Speidel of Washington found on Page No. 1028 of the House Journal for February 5th, the following:

Strike all of section one (1) of the amendment by Moore of Harrison and Malone of Cass found on Pages 412-415 of the House Journal for December 13th and substitute in lieu thereof the following:

"Section 1. Chapter one hundred thirty-eight (138), Code, 1931, is hereby repealed, and the following sections of this Act are enacted in lieu thereof, provided that any farm aid association which now exists in any county and which has already qualified for the appropriation now provided in said chapter, may, for the years 1934 and 1935 only, continue its present organization, and in such case shall be entitled to receive during said years only, the appropriation provided in said chapter one hundred thirty-eight (138)."

Fabritz of Wapello filed the following amendment:

Amend Senate File 168, Section one (1), line six (6), by inserting immediately after the word "grown" the words "and coal produced".

REPORT OF STEERING COMMITTEE

Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 276, S. F. No. 17, S. F. No. 113, S. F. No. 285.

To be introduced by steering committee: House File No. 330, House File No. 331.

JAS. BURGESS, *Chairman.*

On the motion of Malone of Cass the House adjourned until 10 a. m. Thursday, February 8.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 8, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. R. L. L. Barnstable, Pastor Asbury M. E. Church, Des Moines, Iowa.

Journal of February 7, corrected and approved.

PETITIONS AND MEMORIALS

Favoring the passage of the old age pension bill. Fabritz of Wapello, from the citizens of Eldon, Iowa; McCarthy of Woodbury, from the Georgia Circle. Referred to the committee on appropriations.

Opposing the establishment of a sinking fund for the purpose of insuring school property. McCarthy of Woodbury, from the Sioux City Fire and Casualty Underwriters. Referred to the committee on insurance.

Opposing any increase in hunting, fishing and trapping license fees. McKinnon, from the citizens of Henry county. Referred to the committee on fish and game.

Opposing an increase in gasoline tax. Wiese, from the citizens of Scott county. Referred to the committee on ways and means.

INTRODUCTION OF BILLS

House File No. 330, by steering committee, a bill for an act to amend paragraph six (6) of Section eighty-nine hundred twenty-seven (8927) of the Code of Iowa, 1931, relating to the corporate stock and bonds in which insurance companies other than life may invest their capital and funds.

Read first and second times and placed on calendar.

House File No. 331, by steering committee, a bill for an emergency act providing for the waiver by "certificate holders" of

Digitized by Google

the earnings or income of banks or trust companies and waiving the contribution of any part of the future earnings or income of the bank or trust company into the trust fund created for the benefit of "certificate holders" or the application of any part of the earnings or income to the payment of outstanding certificates of trust; and binding non-outstanding "certificate holders" upon written waiver of required number and amount; providing for public bodies as "certificate holders" entering into such written consents or waivers; and providing rules of construction in event of conflict or unconstitutionality of a part of the act.

Read first and second times and placed on calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Crouch of Greene for the day, on request of Jenkins of Louisa; Cunningham of Polk for the day, on request of Weed of Madison.

HOUSE FILE NO. 276 REREFERRED

Burgess of Woodbury asked and obtained unanimous consent to have House File No. 276 rereferred to the steering committee.

ACTION ON HOUSE FILE NO. 281 DEFERRED

Rawlings of Monona asked and obtained unanimous consent that action on House File No. 281 be deferred, and that it retain its place on the calendar.

CALL OF THE HOUSE

MR. SPEAKER: We the undersigned demand a call of the House on House File 180.

R. G. MOORE.	FOREST L. DAVIS.
A. H. BONNSTETTER.	LLOYD W. ZIPSE.
C. L. RICE.	C. E. MALONE.

A roll call revealed all members present except Crouch of Greene, Cunningham of Polk, Porter of Delaware, Sheridan of Lee, Wiese of Scott and Zylstra of Sioux.

Crouch of Greene, Cunningham of Polk and Porter of Delaware having been previously excused, the following were on motion temporarily excused: Sheridan of Lee, Wiese of Scott, and Zylstra of Sioux.

Sheridan of Lee and Zylstra of Sioux appeared in the chamber.

Digitized by Google

CONSIDERATION OF BILLS

House File No. 180, a bill for an act to repeal chapter one hundred thirty-eight (138), title IX of the code of 1931, relating to farm aid association and to enact a substitute therefore relating to educational work for improving and advancing agriculture, home economics, and junior extension work in rural communities, and rural adult education in each county; and to provide county appropriations for conducting such educational work, was taken up for consideration.

Moore of Harrison called up the amendment filed by him and Malone of Cass, and found on page 412, 413, 414 and 415, in the Journal of December 13, and moved its adoption.

MOTION TO LAY ON THE TABLE

Reed of Mahaska moved that House File No. 180 and all pending amendments be laid on the table.

On the question "Shall House File No. 180 and all pending amendments be laid on the table?" a roll call was demanded.

The ayes were, 57.

Avery	Hanson of Lyon	Metcalf	Sours
Beath	Hanson of	Millhone	Speidel
Beswick	Winnebago	Moore of Benton	Stansell
Bowers	Hopp	Mooty	Stewart
Craven	Hough	Osborn	Strachan
Doran	Hultman	Paisley	Swift
Durant	Jenkins	Peet	Teter
Ellsworth	Johnson	Rawlings	Thies
Felter	Laughlin	Reed	Treimer
Fletcher	Lichty	Ryder	Weed
Frizzell	Lookingbill	Schlatter	Wieben
Fuelling	McCreery	Schroeder	Willis
Gallagher	McFarlane	Smith	Wolf
Gissel	McLean	Snyder	Yager
Grau	Mercer		

The nays were, 47.

Aldrich	Donlon	Hook	Ostby
Alesch	Dreessen	Humeston	Peaco
Augustine	Elliott	Jensen	Rice
Bonnstetter	Fabritz	Koch	Roe
Bouska	Falvey	McCarthy	Schmitz
Brady	Foster	McDermott	Sheridan
Bruce	Fuester	McKinnon	Stanzel
Burgess	Garner	Malone	Stimpson
Casey	Gittinger	Maniece	Thiessen
Davis	Goode	Mitchell	Zipse
Dean	Grell	Moore of	Zylstra
Dole	Hartman	Harrison	Mr. Speaker

Digitized by Google

Absent or not voting, 4.

Crouch	Cunningham	Porter	Wiese

Motion prevailed and House File No. 180 was laid on the table.

CONSIDERATION OF BILLS

House File No. 327, a bill for an act to legalize the corporate acts and proceedings of Keokuk Base Ball Grounds Association of Keokuk, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Keokuk Base Ball Grounds Association, was taken up for consideration.

Sheridan of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Fuelling	McDermott	Schlatter
Avery	Gallagher	McFarlane	Schmitz
Beath	Garner	McLean	Schroeder
Beswick	Gissel	Malone	Sheridan
Bouska	Gittinger	Mercer	Snyder
Bowers	Goode	Metcalf	Stansell
Burgess	Grau	Millhone	Stanzel
Casey	Hanson of Lyon	Mitchell	Stewart
Davis	Hanson of Winnebago	Moore of Benton	Stimpson
Dole	Hartman	Mooty	Strachan
Donlon	Hook	Osborn	Swift
Doran	Hopp	Ostby	Teter
Dreessen	Hultman	Paisley	Thies
Durant	Humeston	Peaco	Thiessen
Elliott	Jenkins	Peet	Treimer
Ellsworth	Johnson	Rawlings	Weed
Fabritz	Koch	Reed	Wieben
Felter	Laughlin	Rice	Willis
Fletcher	McCarthy	Roe	Yager
Foster	McCreery	Ryder	Mr. Speaker
Frizzell			

The nays were, none.

Absent or not voting, 27.

Alesch	Cunningham	Lichty	Smith
Augustine	Dean	Lookingbill	Sours
Bonnstetter	Falvey	McKinnon	Speidel
Brady	Fuester	Maniece	Wiese
Bruce	Grell	Moore of Harrison	Wolf
Craven	Hough	Porter	Zipse
Crouch	Jensen		Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Digitized by Google

SPECIAL ORDER MADE

Willis of Dallas asked and obtained unanimous consent that Senate File No. 17 be made a special order for 10 o'clock a. m. Tuesday, February 13.

CONSIDERATION OF BILLS

House File No. 80, a bill for an act relating to fur bearing animals and to permit the killing of fox at any time in any manner and repealing all provisions of law imposing restrictions and limitations upon the right to kill and trap same, was taken up for consideration.

On motion of Schmitz of Winneshiek the amendments proposed by the committee, found on page 324 of the Journal of December 7, were adopted.

Bowers of Union called up the amendment filed by him and found on page 484 of the Journal of December 18, and moved its adoption. Amendment adopted.

Doran of Boone moved to amend House File No. 80 by inserting after the word "manner" in line 1 of Sec. 1, the words "except by poisoning". Amendment adopted.

Bowers of Union moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Alesch	Fuester	Lichty	Schmitz
Augustine	Gallagher	Lookingbill	Schroeder
Avery	Garner	McCarthy	Sheridan
Beath	Gissel	McDermott	Snyder
Bonnstetter	Gittinger	McFarlane	Speidel
Bouska	Goode	McLean	Stansell
Bowers	Grau	Malone	Stanzel
Bruce	Hanson of Lyon	Maniece	Stimpson
Burgess	Hanson of Winnebago	Metcalf	Strachan
Casey	Hartman	Millhone	Swift
Craven	Hook	Mitchell	Teter
Dole	Hopp	Moore of Benton	Thies
Donlon	Hough	Mooty	Thiessen
Dreessen	Hultman	Ostby	Weed
Durant	Jenkins	Paisley	Wieben
Ellsworth	Jensen	Peaco	Willis
Felter	Johnson	Rawlings	Wolf
Fletcher	Koch	Reed	Yager
Frizzell	Laughlin	Ryder	Zipse
Fuelling		Schlatter	Zylstra

Digitized by Google

The nays were, 14.

Aldrich	Fabritz	McCreery	Smith
Beswick	Falvey	Osborn	Sours
Davis	Grell	Peet	Treimer
Doran	Humeston		

Absent or not voting, 15.

Brady	Elliott	Moore of Harrison	Roe
Crouch	Foster	Porter	Stewart
Cunningham	McKinnon	Rice	Wiese
Dean	Mercer		Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House.

Hanson of Winnebago asked and obtained unanimous consent to have the Chief Clerk correct the title as follows:

Amend the title by inserting after the word "manner" in line 2 the following: ", except by poisoning,".

Title as amended agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 275, 307, 308, 309, and 311.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 275, 307, 308, 309, and 311.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 8th day of February, 1934, sent to the Governor for his approval: House Files No. 275, 307, 308, 309, and 311.

WM. KOCH, *Chairman.*

Report adopted.

On the motion of Peaco of Clinton the House recessed until 1:30 o'clock p. m. today.

Digitized by Google

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the House is asked:

House File No. 1, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; and to repeal all laws or parts of laws in conflict herewith.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 1

(1) Amend the title to House File 1 by striking from lines nine (9) and ten (10), the following: "to amend Chapter twenty-four (24), Code, 1931;".

(2) Amend Section 9 by adding after the word "deductions" in line 59 the following words: "in this subsection".

(3) Amend Section 10 by substituting the word "for" for the word "on" in the eighth (8th) line thereof.

(4) Amend Section 21 by adding after the word "practicable" in line 2 the words: "and in any event within two (2) years".

(5) Amend Section 22, line twenty-eight (28), by inserting after the word "book" the following: "and shall forthwith record said lien in the manner provided for recording real estate mortgages,".

(6) Further amend Section 22 by striking line twenty-nine (29) and inserting in lieu thereof the following: "lien shall be effective from the time of the indexing thereof."

(7) Further amend Section 22 by inserting a new sentence after line twenty-nine (29), as follows: "The Board shall pay a recording fee as provided in Section fifty-one hundred seventy-seven (5177), Code, 1931, for the recording of such lien, or the satisfaction thereof."

(8) Amend Section 28 by substituting the word "or" for the word "and" in the twenty-sixth (26th) line thereof.

(9) Amend Section 29 by striking from line 6 the word "domestic".

(10) Amend Section 29, line 4, by adding after the comma (,) following the word "national" the word "private,".

(11) Amend Section 29, sub-paragraph (a), by inserting after the comma after the word "associations" where it first appears in line eight of said section, the following: "reciprocal or inter-insurance exchanges,".

(12) Amend Section thirty-two (32), subsection one (1), by adding a

Digitized by Google

period (.) after the word "require" in line ten (10) thereof, striking the remainder of said subsection and adding in lieu of the part so stricken, the following:

"The board shall compute, determine and assess the tax upon the combined net income shown by such consolidated return and as apportioned and allocated according to Section 28 of this Act; provided that the term 'taxable income' as used in this act shall not include income represented by dividends received by any one of such corporations from another when the income of the dividend paying corporation is reported to and subject to taxation under this act by the state of Iowa."

(13) Amend Section 37 by striking all of subsection "c" and inserting in lieu thereof the following:

"(c) 'Retail sale' or 'sale at retail' means the sale to a consumer or to any person for any purpose, other than for processing or for resale, of tangible personal property and the sale of gas, electricity, water, and communication service to retail consumers or users."

(14) Amend Section 38 by striking all of said section and substituting in lieu thereof the following:

"Sec. 38. Tax imposed. 1. There is hereby imposed, beginning the first day of April, 1934, and ending the thirtieth day of June, 1936, a retail sales tax, at the rates hereinafter specified and fixed, upon the gross receipts from all sales of tangible personal property, consisting of goods, wares, or merchandise, except as otherwise provided in this division, sold at retail in the state of Iowa to consumers or users, which retail sales tax shall be levied, computed and collected according to the following rates:

"(a) Upon annual gross receipts up to $50,000, or any part thereof, a tax of one per cent (1%).

"(b) Upon annual gross receipts from $50,000 to $100,000, or any part thereof, a tax of one and one-half per cent (1½%).

"(c) Upon annual gross receipts from $100,000 to $150,000, or any part thereof, a tax of two per cent (2%).

"(d) Upon annual gross receipts in excess of $150,000, a tax of two and one-half per cent (2½%).

"2. For the purposes of this section, every person, firm, corporation, association, partnership, or agency whatsoever, owning, operating, or managing in whole or in part, any agency, store or stores in this state, for the purpose of selling at retail any tangible personal property, consisting of goods, wares, or merchandise, to consumers or users, shall be considered as a single unit for the collection of the tax imposed in this section, and the rates provided in this section shall be applied upon the entire volume of all sales made by any such retailer through all retail establishments under the management, operation, or control, in whole or in part, of such retailer. The board shall provide for joint returns from the retailer in all cases where more than one retail agency or store is under the same management, supervision, ownership or control, in whole or in part.

"3. There is also hereby imposed, beginning the first day of April, 1934, and ending the thirtieth day of June, 1936, an annual tax of two

Digitized by Google

and one-half per cent (2½%) upon the gross receipts from the sales, furnishing, or service by public service corporations or others, of gas, electricity, water, and communication service, including the gross receipts from such sales by any municipal corporation furnishing gas, electricity, water, and communication service to the public in its proprietary capacity, except as otherwise provided in this division, when sold at retail in the state of Iowa to consumers or users; and a like rate of tax is hereby imposed during said period upon the gross receipts from all sale of tickets or admissions to places of amusement and athletic events, except as otherwise provided in this division.

"4. The tax herein levied and imposed shall be computed and collected as hereinafter provided."

(15) Amend Section 40 by striking the word "levied" following the word "tax" in line 6 and inserting in lieu thereof the word "imposed".

(16) Amend Section 41-a by striking the word "may" in line one (1) and inserting in lieu thereof the words: "shall, as far as practicable,".

(17) Amend Section 4 by striking from line 4 the word "15th" and inserting in lieu thereof the word "20th".

Further amend Section 44 by striking from line 21 the word "forty-six" and inserting in lieu thereof the word "forty-five".

(18) Amend Section 51 by striking from line 18 the figures "47" and inserting in lieu thereof the figures "46".

(19) Amend Section fifty-three (53) by striking subsection three (3).

(20) Amend Section 59 by striking from line 4 the words "upon his approval" and inserting in lieu thereof the words, "Upon certification from the board".

(21) Amend Section 61 by inserting as subsection 2 following subsection 1, the following:

"2. During the year 1934 only, the board shall set aside and cause to be paid into a fund to be known as the 'state emergency relief fund,' which fund is hereby created, the next three million dollars ($3,000,000.00) collected under this act; to be used as provided in Senate File 281, Acts of the Forty-fifth General Assembly in Extraordinary Session."

Further amend by inserting as subsection 3 the following:

"3. On September 1, 1934, and quarterly thereafter, the board shall set aside and cause to be paid into the general fund of the state from the balance of said special tax fund a sum, which together with other state revenues expendable for such purposes, shall be sufficient to pay all items of general expense of the state government for the next ensuing year as authorized and appropriated for by the general assembly, but the sum so set aside shall not exceed six million dollars ($6,000,000.00) per annum. Provided, however, that if the sum so set aside is insufficient to pay all of said items of general expense, a levy and certification shall be made by the board under the provisions of Sections seventy-one hundred eighty-two (7182) and seventy-one hundred eighty-three (7183), 1931 Code of Iowa, sufficient to raise such deficiency. Provided, however, the board in making the levy or certification as contemplated by Sections seventy-one hundred eighty-two (7182) and seventy-one hundred eighty-three (7183), Code, 1931, may take into consideration the anticipated amount

Digitized by Google

of taxes to be collected after September 1st, and also the amount available for the succeeding year, and may reduce accordingly the levy or certification by such amount so anticipated, the provisions of Chapter two hundred forty-seven (247), Acts of the Forty-fifth General Assembly, to the contrary notwithstanding."

Further amend by renumbering subsection 2 as subsection 4.

(22) Amend Section 62 by striking the words and figures, "August 1, 1934", in line 13 and substituting in lieu thereof the words and figures, "September 1, 1935".

(23) Amend Section sixty-two (62) by striking subsection Four (4).

(24) Amend Section 62 by inserting the words "and private banks" after the word "stock" in lines 6, 10, 25, and 28, respectively.

CONSIDERATION OF SENATE AMENDMENTS

On request of Rice of Keokuk unanimous consent having been given, House File No. 1, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this Act; and to repeal all laws or parts of laws in conflict herewith, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 1, AS AMENDED

(1) Amend the title to House File 1 by striking from lines nine (9) and ten (10), the following: "to amend Chapter twenty-four (24), Code, 1931;".

(2) Amend Section 9 by adding after the word "deductions" in line 59 the following words: "in this subsection".

(3) Amend Section 10 by substituting the word "for" for the word "on" in the eighth (8th) line thereof.

(4) Amend Section 21 by adding after the word "practicable" in line 2 the words: "and in any event within two (2) years".

(5) Amend Section 22, line twenty-eight (28), by inserting after the word "book" the following: "and shall forthwith record said lien in the manner provided for recording real estate mortgages,".

(6) Further amend Section 22 by striking line twenty-nine (29) and inserting in lieu thereof the following: "lien shall be effective from the time of the indexing thereof."

(7) Further amend Section 22 by inserting a new sentence after line twenty-nine (29), as follows: "The Board shall pay a recording

Digitized by Google

fee as provided in Section fifty-one hundred seventy-seven (5177), Code, 1931, for the recording of such lien, or the satisfaction thereof."

(8) Amend Section 28 by substituting the word "or" for the word "and" in the twenty-sixth (26th) line thereof.

(9) Amend Section 29 by striking from line 6 the word "domestic".

(10) Amend Section 29, line 4, by adding after the comma (,) following the word "national" the word "private,".

(11) Amend Section 29, sub-paragraph (a), by inserting after the comma after the word "associations" where it first appears in line eight of said section, the following: "reciprocal or inter-insurance exchanges,".

(12) Amend Section thirty-two (32), subsection one (1), by adding a period (.) after the word "require" in line ten (10) thereof, striking the remainder of said subsection and adding in lieu of the part so stricken, the following:

"The board shall compute, determine and assess the tax upon the combined net income shown by such consolidated return and as apportioned and allocated according to Section 28 of this Act; provided that the term 'taxable income' as used in this act shall not include income represented by dividends received by any one of such corporations from another when the income of the dividend paying corporation is reported to and subject to taxation under this act by the state of Iowa."

(13) Amend Section 37 by striking all of subsection "c" and inserting in lieu thereof the following:

"(c) 'Retail sale' or 'sale at retail' means the sale to a consumer or to any person for any purpose, other than for processing or for resale, of tangible personal property and the sale of gas, electricity, water, and communication service to retail consumers or users."

(14) Amend Section 38 by striking all of said section and substituting in lieu thereof the following:

"Sec. 38. Tax imposed. 1. There is hereby imposed, beginning the first day of April, 1934, and ending the thirtieth day of June, 1936, a retail sales tax at the rates hereinafter specified and fixed, upon the gross receipts from all sales of tangible personal property, consisting of goods, wares, or merchandise, except as otherwise provided in this division, sold at retail in the state of Iowa to consumers or users, which retail sales tax shall be levied, computed and collected according to the following rates:

"(a) Upon annual gross receipts up to $50,000, or any part thereof, a tax of one per cent (1%).

"(b) Upon annual gross receipts from $50,000 to $100,000, or any part thereof, a tax of one and one half per cent (1½%).

"(c) Upon annual gross receipts from $100,000 to $150,000, or any part thereof, a tax of two per cent (2%).

"(d) Upon annual gross receipts in excess of $150,000, a tax of two and one-half per cent (2½%).

"2. For the purposes of this section, every person, firm, corporation, association, partnership, or agency whatsoever owning, operating, or managing in whole or in part, any agency, store or stores in this state, for the purpose of selling at retail any tangible personal property, con-

Digitized by Google

sisting of goods, wares, or merchandise, to consumers or users, shall be considered as a single unit for the collection of the tax imposed in this section, and the rates provided in this section shall be applied upon the entire volume of all sales made by any such retailer through all retail establishments under the management, operation, or control, in whole or in part, of such retailer. The board shall provide for joint returns from the retailer in all cases where more than one retail agency or store is under the same management, supervision, ownership or control, in whole or in part.

"3. There is also hereby imposed, beginning the first day of April, 1934, and ending the thirtieth day of June, 1936, an annual tax of two and one-half per cent (2½%) upon the gross receipts from the sales, furnishing, or service by public service corporations or others, of gas, electricity, water, and communication service, including the gross receipts from such sales by any municipal corporation furnishing gas, electricity, water, and communication service to the public in its proprietary capacity, except as otherwise provided in this division, when sold at retail in the state of Iowa to consumers or users; and a like rate of tax is hereby imposed during said period upon the gross receipts from all sale of tickets or admissions to places of amusement and athletic events, except as otherwise provided in this division.

"4. The tax herein levied and imposed shall be computed and collected as hereinafter provided."

(15) Amend Section 40 by striking the word "levied" following the word "tax" in line 6 and inserting in lieu thereof the word "imposed".

(16) Amend Section 41-a by striking the word "may" in line one (1) and inserting in lieu thereof the words: "shall, as far as practicable,".

(17) Amend Section 4 by striking from line 4 the word "15th" and inserting in lieu thereof the word "20th".

Further amend Section 44 by striking from line 21 the word "forty-six" and inserting in lieu thereof the word "forty-five".

(18) Amend Section 51 by striking from line 18 the figures "47" and inserting in lieu thereof the figures "46".

(19) Amend Section fifty-three (53) by striking subsection three (3).

(20) Amend Section 59 by striking from line 4 the words "upon his approval" and inserting in lieu thereof the words, "Upon certification from the board".

(21) Amend Section 61 by inserting as subsection 2 following subsection 1, the following:

"2. During the year 1934 only, the board shall set aside and cause to be paid into a fund to be known as the 'state emergency relief fund', which fund is hereby created, the next three million dollars ($3,000,000.00) collected under this act; to be used as provided in Senate File 281, Acts of the Forty-fifth General Assembly in Extraordinary Session."

Further amend by inserting as subsection 3 the following:

"3. On September 1, 1934, and quarterly thereafter, the board shall set aside and cause to be paid into the general fund of the state from the balance of said special tax fund a sum, which together with other state revenues expendable for such purposes, shall be sufficient to pay all items

Digitized by Google

of general expense of the state government for the next ensuing year as authorized and appropriated for by the general assembly, but the sum so set aside shall not exceed six million dollars ($6,000,000.00) per annum. Provided, however, that if the sum so set aside is insufficient to pay all of said items of general expense, a levy and certification shall be made by the board under the provisions of Sections seventy-one hundred eighty-two (7182) and seventy-one hundred eighty-three (7183), 1931 Code of Iowa, sufficient to raise such deficiency. Provided, however, the board in making the levy or certification as contemplated by Sections seventy-one hundred eighty-two (7182) and seventy-one hundred eighty-three (7183), Code, 1931, may take into consideration the anticipated amount of taxes to be collected after September 1st, and also the amount available for the succeeding year, and may reduce accordingly the levy or certification by such amount so anticipated, the provisions of Chapter two hundred forty-seven (247), Acts of the Forty-fifth General Assembly, to the contrary notwithstanding."

Further amend by renumbering subsection 2 as subsection 4.

(22) Amend Section 62 by striking the words and figures, "August 1, 1934", in line 13 and substituting in lieu thereof the words and figures, "September 1, 1935".

(23) Amend Section sixty-two (62) by striking subsection Four (4).

(24) Amend Section 62 by inserting the words "and private banks" after the word "stock" in lines 6, 10, 25, and 28, respectively.

Rice of Keokuk moved that the House refuse to concur in the Senate Amendments to House File No. 1.

Bowers of Union moved as a substitute motion that the Senate Amendments to House File No. 1 be made a special order for 10:00 a. m. Friday, February 9.

On the question "Shall the Bowers motion be substituted for the Rice motion?" a roll call was demanded.

The ayes were, 32.

Aldrich	Fletcher	Humeston	Ryder
Avery	Frizzell	Jenkins	Schlatter
Beath	Goode	McKinnon	Smith
Bouska	Grell	McLean	Stanzel
Bowers	Hanson of Lyon	Mooty	Strachan
Brady	Hanson of Winnebago	Ostby	Thiessen
Doran	Hultman	Peaco	Wolf
Ellsworth		Peet	Yager
Felter			

The nays were, 61.

Alesch	Dole	Fuelling	Hopp
Augustine	Donlon	Fuester	Hough
Beswick	Dreessen	Gallagher	Jensen
Bonnstetter	Durant	Garner	Johnson
Bruce	Elliott	Gittinger	Koch
Burgess	Fabritz	Grau	Laughlin
Dean	Foster	Hartman	Lichty

Digitized by Google

Lookingbill	Mitchell	Schmitz	Thies
McCarthy	Moore of Benton	Sheridan	Treimer
McCreery	Moore of	Snyder	Weed
McFarlane	Harrison	Stansell	Wieben
Malone	Osborn	Stewart	Willis
Maniece	Paisley	Stimpson	Zipse
Mercer	Reed	Swift	Zylstra
Metcalf	Rice	Teter	Mr. Speaker
Millhone	Roe		

Absent or not voting, 15.

Casey	Davis	McDermott	Sours
Craven	Falvey	Porter	Speidel
Crouch	Gissel	Rawlings	Wiese
Cunningham	Hook	Schroeder	

Motion lost.

On the question "Shall the House concur in the Senate amendments to House File No. 1, as amended?" a roll call was demanded.

The ayes were, 11.

Avery	Davis	Gittinger	Strachan
Bowers	Fletcher	Hopp	Yager
Bruce	Foster	Stanzel	

The nays were, 77.

Alesch	Fuester	McCreery	Schroeder
Augustine	Gallagher	McDermott	Sheridan
Beath	Garner	McFarlane	Smith
Beswick	Gissel	Malone	Speidel
Bonnstetter	Goode	Maniece	Stansell
Bouska	Grau	Mercer	Stewart
Burgess	Grell	Metcalf	Stimpson
Casey	Hanson of Lyon	Millhone	Swift
Craven	Hanson of	Mitchell	Teter
Dean	Winnebago	Moore of Benton	Thies
Dole	Hartman	Moore of	Thiessen
Donlon	Hook	Harrison	Treimer
Doran	Hough	Mooty	Weed
Dreessen	Jensen	Osborn	Wieben
Durant	Johnson	Paisley	Willis
Elliott	Koch	Reed	Wolf
Ellsworth	Laughlin	Rice	Zipse
Felter	Lichty	Roe	Zylstra
Frizzell	Lookingbill	Ryder	Mr. Speaker
Fuelling	McCarthy	Schmitz	

Absent or not voting, 20.

Aldrich	Falvey	McLean	Rawlings
Brady	Hultman	Ostby	Schlatter
Crouch	Humeston	Peaco	Snyder
Cunningham	Jenkins	Peet	Sours
Fabritz	McKinnon	Porter	Wiese

The House refused to concur in the Senate amendments to House File No. 1.

Digitized by Google

CONSIDERATION OF BILLS

Senate File No. 168, a bill for an act to amend the law having reference to the preferring of domestic materials, products and supplies as it appears in Section eleven hundred seventy-one-b-one (1171-b1), and eleven hundred seventy-one b-two (1171-b2), Code, 1931, and requiring preference for products and provisions grown in Iowa, was taken up for consideration.

Fabritz of Wapello called up the amendment filed by him and found on page 1050 of the Journal of February 7, and moved its adoption.

Fabritz of Wapello moved to amend the amendment by adding thereto the following:

Further amend Section 2, line 5, by inserting immediately after the word "grown", the words "and coal produced".

Amendment to the amendment adopted.

Amendment as amended adopted.

Dole of Jefferson moved to amend Senate File No. 168 as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

Sec. 1. Section eleven hundred seventy-one b-one (1171-b1) Code 1931 and Section eleven hundred seventy-one b-two (1171-b2) Code 1931 are hereby repealed.

The Speaker called Brady of Pottawattamie to the chair at 2:50 p. m.

On the question "Shall the Dole amendment be adopted?" a roll call was demanded.

The ayes were, 32.

Aldrich	Grau	Johnson	Stanzel
Alesch	Grell	McCreery	Strachan
Avery	Hanson of Lyon	McLean	Treimer
Dole	Hanson of Winnebago	Rice	Weed
Felter	Hopp	Schlatter	Wolf
Fletcher	Hultman	Schmitz	Zipse
Frizzell	Jensen	Smith	Zylstra
Fuester		Stansell	Mr. Speaker
Gissel			

The nays were, 59.

Augustine	Bowers	Craven	Dreessen
Beath	Bruce	Davis	Durant
Bonnstetter	Burgess	Donlon	Elliott
Bouska	Casey	Doran	Ellsworth

Digitized by Google

Fabritz	Jenkins	Moore of Harrison	Sheridan
Falvey	Koch	Mooty	Snyder
Foster	Lichty	Osborn	Speidel
Fuelling	Lookingbill	Ostby	Stewart
Gallagher	McDermott	Paisley	Stimpson
Garner	McFarlane	Peaco	Swift
Gittinger	Malone	Reed	Teter
Goode	Metcalf	Roe	Thies
Hook	Millhone	Ryder	Thiessen
Hough	Mitchell	Schroeder	Wieben
Humeston	Moore of Benton		Yager

Absent or not voting, 17.

Beswick	Hartman	Maniece	Rawlings
Brady	Laughlin	Mercer	Sours
Crouch	McCarthy	Peet	Wiese
Cunningham	McKinnon	Porter	Willis
Dean			

Amendment lost.

Teter of Marion moved to amend Senate File No. 168 by inserting in Sec. 1, line 2, after the figures "(1171-b1)" the words and figures "Code, 1931". Further amend by inserting in Sec. 2, line 2, after the figures "(1171-b2)", the words and figures "Code, 1931".

Amendment adopted.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aldrich	Felter	Lichty	Ryder
Alesch	Frizzell	Lookingbill	Schlatter
Augustine	Fuelling	McCreery	Schroeder
Avery	Gallagher	McDermott	Sheridan
Beath	Garner	McFarlane	Smith
Beswick	Gittinger	McLean	Snyder
Bonnstetter	Goode	Malone	Speidel
Bouska	Grau	Metcalf	Stansell
Bowers	Grell	Millhone	Stanzel
Brady	Hanson of Winnebago	Mitchell	Stewart
Casey	Hartman	Moore of Benton	Stimpson
Craven	Hook	Moore of Harrison	Strachan
Davis	Hopp	Mooty	Swift
Dole	Hough	Osborn	Teter
Donlon	Hultman	Ostby	Thies
Doran	Humeston	Paisley	Thiessen
Dreessen	Jenkins	Peaco	Weed
Durant	Jensen	Rawlings	Wieben
Elliott	Johnson	Reed	Willis
Ellsworth	Koch	Roe	Wolf
Fabritz			Yager
Falvey			

Digitized by Google

The nays were, 8.

Fletcher	Gissel	Schmitz	Zipse
Fuester	Hanson of Lyon	Treimer	Zylstra

Absent or not voting, 17.

Bruce	Foster	Maniece	Rice
Burgess	Laughlin	Mercer	Sours
Crouch	McCarthy	Peet	Wiese
Cunningham	McKinnon	Porter	Mr. Speaker
Dean			

So the bill having received a constitutional majority was declared to have passed the House.

Mitchell of Webster asked and obtained unanimous consent to have the Chief Clerk correct the title as follows:

Amend the title by inserting after the word "grown" in the last line thereof, the words "and coal produced".

The title as amended was agreed to.

MOTION FILED TO TAKE FROM THE TABLE

MR. SPEAKER: I move that House File No. 180 be taken from the table. WM. H. SMITH.

On the motion of Willis of Dallas the House adjourned until 10:00 a. m. Friday, February 9.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 9, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by H. A. Mitchell, Ruling Elder, Presbyterian Church, Des Moines, Iowa.

Journal of February 8 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Bonnstetter of Kossuth for balance of week, on request of Maniece of Emmet; Sours of Floyd for the day, on request of Durant of Hancock.

PETITIONS AND MEMORIALS

Opposing additional gasoline tax. Brady, from the citizens of Pottawattamie county; Treimer, from the citizens of O'Brien county. Referred to the committee on ways and means.

Recommendations by the Progressive Farmers Union of Iowa, McCarthy of Woodbury. Referred to the committee on tax revision.

REPORTS OF COMMITTEES

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 249, a bill for an act to make an appropriation to I. N. Salyers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 256, a bill for an act to make an appropriation to the City of Waterloo, Iowa, beg leave to report they have had the same under considera-

Digitized by Google

tion and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 257, a bill for an act to make an appropriation to the Soldier Valley Mutual Telephone and Telegraph Company, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 259, a bill for an act to make an appropriation to Robert A. Miller, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 260, a bill for an act to make an appropriation to Dan Rhodes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 263, a bill for an act to make an appropriation to Cornell College, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 266, a bill for an act to make an appropriation to certain veterinarians employed by the Department of Agriculture in special cases to cover fees and mileage, beg leave to report they have had the same under

Digitized by Google

consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 278, a bill for an act to make an appropriation to Viva Thackery, Coleman Hospital, Doctors G. H. West and C. H. Miller, Fred J. Sternborg and Fred J. Sternborg, trustees, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 280, a bill for an act to make an appropriation to the Secretary of War, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

ACTION ON HOUSE FILE NO. 281 DEFERRED

Rawlings of Monona asked and obtained unanimous consent that action on House File No. 281 be deferred until next week, and that it retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File No. 242, a bill for an act to amend chapter eighty-six (86), code of Iowa, 1931, by amending section seventeen hundred four (1704), section seventeen hundred forty-five (1745), and section seventeen hundred ninety-four (1794), all relating to the propagation and protection of fish, game, wild birds, and animals, was taken up for consideration.

On motion of Schmitz of Winneshiek the amendments proposed by the committee, found on page 805 of the Journal of January 20, were adopted.

Goode of Davis moved to amend Senate File No. 242 by striking Section one (1) from the bill, and renumbering the remaining sections.

Digitized by Google

On the question "Shall the Goode amendment be adopted?" a roll call was demanded.

The ayes were, 47.

Alesch	Ellsworth	Hough	Schlatter
Beath	Felter	Hultman	Schroeder
Beswick	Fletcher	Humeston	Speidel
Bowers	Foster	Lichty	Stanzel
Bruce	Frizzell	McFarlane	Stimpson
Craven	Fuester	McLean	Teter
Crouch	Garner	Metcalf	Weed
Cunningham	Gissel	Mitchell	Yager
Davis	Goode	Ostby	Zipse
Dole	Grau	Peet	Zylstra
Dreessen	Hook	Rawlings	Mr. Speaker
Elliott	Hopp	Rice	

The nays were, 45.

Aldrich	Grell	Maniece	Schmitz
Augustine	Hanson of Lyon	Mercer	Smith
Avery	Hanson of Winnebago	Millhone	Snyder
Bouska	Hartman	Moore of Benton	Stansell
Casey	Jensen	Moore of Harrison	Strachan
Donlon	Johnson	Mooty	Swift
Doran	Laughlin	Osborn	Thies
Durant	Lookingbill	Paisley	Thiessen
Fabritz	McCarthy	Reed	Treimer
Fuelling	McCreery	Roe	Wieben
Gallagher	Malone	Ryder	Wolf
Gittinger			

Absent or not voting, 16.

Bonnstetter	Falvey	McKinnon	Sours
Brady	Jenkins	Peaco	Stewart
Burgess	Koch	Porter	Wiese
Dean	McDermott	Sheridan	Willis

Amendment adopted.

Yager of Dickinson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Aldrich	Crouch	Fletcher	Hanson of Lyon
Alesch	Cunningham	Foster	Hanson of Winnebago
Augustine	Davis	Frizzell	Hartman
Avery	Dole	Fuelling	Hook
Beath	Donlon	Fuester	Hopp
Beswick	Doran	Gallagher	Hough
Bouska	Dreessen	Garner	Hultman
Bowers	Durant	Gissel	Humeston
Brady	Elliott	Gittinger	Jenkins
Bruce	Ellsworth	Goode	Jensen
Casey	Fabritz	Grau	Johnson
Craven	Felter	Grell	

Digitized by Google

Laughlin	Millhone	Rce	Strachan
Lichty	Mitchell	Ryder	Swift
Lookingbill	Moore of	Schlatter	Teter
McCarthy	Harrison	Schmitz	Thies
McCreery	Osborn	Schroeder	Thiessen
McDermott	Ostby	Smith	Treimer
McFarlane	Paisley	Snyder	Weed
McKinnon	Peaco	Speidel	Wieben
McLean	Peet	Stansell	Yager
Malone	Rawlings	Stanzel	Zipse
Maniece	Reed	Stewart	Zylstra
Metcalf	Rice	Stimpson	Mr. Speaker

The nays were, none.

Absent or not voting, 14.

Bonnstetter	Koch	Porter	Wiese
Burgess	Mercer	Sheridan	Willis
Dean	Moore of Benton	Sours	Wolf
Falvey	Mooty		

So the bill having received a constitutional majority was declared to have passed the House.

Yager of Dickinson asked and obtained unanimous consent to have the Chief Clerk correct the title as follows:

Amend title by striking all after the word "hundred" in line two (2) and inserting in lieu thereof the following: "forty-five (1745), relating to the removal of undesirable fish from the public waters of the state."

Yager of Dickinson moved that the vote by which Senate File 242 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

ACTION ON HOUSE FILES NO. 328 AND 329 DEFERRED

Hanson of Winnebago asked and obtained unanimous consent that action on House File No. 328 be deferred, and that it retain its place on the calendar.

Mitchell of Webster asked and obtained unanimous consent that action on House File No. 329 be deferred, and that it retain its place on the calendar.

CONSIDERATION OF BILLS

House File No. 330, a bill for an act to amend paragraph six (6) of Section eighty-nine hundred twenty-seven (8927) of the Code of Iowa, 1931, relating to the corporate stock and bonds in which insurance companies other than life may invest their capital and funds, was taken up for consideration.

Digitized by Google

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Aldrich	Foster	Lichty	Ryder
Alesch	Frizzell	Lookingbill	Schlatter
Augustine	Fuelling	McCarthy	Schmitz
Avery	Fuester	McCreery	Schroeder
Beath	Gallagher	McDermott	Sheridan
Beswick	Garner	McFarlane	Snyder
Bouska	Gissel	McKinnon	Speidel
Bowers	Gittinger	McLean	Stansell
Brady	Goode	Malone	Stanzel
Bruce	Grell	Mercer	Stewart
Burgess	Hanson of Lyon	Metcalf	Stimpson
Casey	Hanson of	Millhone	Strachan
Craven	Winnebago	Mitchell	Swift
Crouch	Hartman	Moore of	Teter
Cunningham	Hook	Harrison	Thies
Davis	Hopp	Mooty	Thiessen
Donlon	Hough	Osborn	Treimer
Dreessen	Hultman	Paisley	Weed
Durant	Humeston	Peaco	Wieben
Elliott	Jenkins	Peet	Wolf
Fabritz	Jensen	Rawlings	Yager
Falvey	Johnson	Reed	Zipse
Felter	Koch	Rice	Zylstra
Fletcher	Laughlin	Roe	Mr. Speaker

The nays were, none.

Absent or not voting, 14.

Bonnstetter	Ellsworth	Ostby	Sours
Dean	Grau	Porter	Wiese
Dole	Maniece	Smith	Willis
Doran	Moore of Benton		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Swift of Dubuque moved that the vote by which House File No. 330 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 331, a bill for an Emergency Act providing for the waiver by "certificate holders" of the earnings or income of banks or trust companies and waiving the contribution of any part of the future earnings or income of the bank or trust company into the trust fund created for the benefit of "certificate holders" or the application of any part of the earnings or income to the payment of outstanding certificates of trust; and binding non-

Digitized by Google

consenting "certificate holders" upon written waiver of required number and amount; providing for public bodies as "certificate holders" entering into such written consents or waivers; and providing rules of construction in event of conflict or unconstitutionality of a part of the act, was taken up for consideration.

Foster of Cedar moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Felter	Johnson	Peet
Alesch	Fletcher	Koch	Rawlings
Augustine	Foster	Lichty	Reed
Avery	Frizzell	Lookingbill	Rice
Beath	Fuelling	McCarthy	Roe
Beswick	Fuester	McCreery	Ryder
Bouska	Gallagher	McDermott	Schlatter
Bowers	Garner	McFarlane	Schmitz
Bruce	Gissel	McKinnon	Schroeder
Craven	Goode	Malone	Smith
Crouch	Grell	Maniece	Snyder
Cunningham	Hanson of Lyon	Mercer	Speidel
Davis	Hanson of Winnebago	Metcalf	Stansell
Dole	Hartman	Millhone	Stimpson
Donlon	Hook	Mitchell	Thiessen
Doran	Hopp	Moore of Harrison	Treimer
Dreessen	Hough	Mooty	Weed
Durant	Hultman	Osborn	Wieben
Elliott	Humeston	Ostby	Wolf
Ellsworth	Jenkins	Paisley	Zipse
Fabritz	Jensen	Peaco	Zylstra
Falvey			Mr. Speaker

The nays were, 2.

Stanzel	Strachan

Absent or not voting, 20.

Bonnstetter	Gittinger	Porter	Teter
Brady	Grau	Sheridan	Thies
Burgess	Laughlin	Sours	Wiese
Casey	McLean	Stewart	Willis
Dean	Moore of Benton	Swift	Yager

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Foster of Cedar moved that the vote by which House File No. 331 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 113, a bill for an act to amend Subsection one (1) of Section eleven thousand eight hundred thirty-two (11832)

Digitized by Google

of the Code of Iowa, 1931, relating to the probate powers of the Clerk of the District Court, was taken up for consideration.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Aldrich	Fletcher	McCarthy	Schlatter
Alesch	Foster	McCreery	Schmitz
Augustine	Frizzell	McDermott	Schroeder
Avery	Fuelling	McFarlane	Smith
Beath	Fuester	McKinnon	Snyder
Beswick	Gallagher	McLean	Speidel
Bouska	Gissel	Malone	Stansell
Bruce	Gittinger	Maniece	Stanzel
Burgess	Goode	Mercer	Stimpson
Casey	Grau	Metcalf	Strachan
Craven	Grell	Millhone	Swift
Crouch	Hartman	Moore of Benton	Teter
Cunningham	Hopp	Mooty	Thies
Dole	Hough	Osborn	Thiessen
Donlon	Hultman	Ostby	Treimer
Doran	Humeston	Paisley	Weed
Dreessen	Jenkins	Peaco	Wieben
Durant	Jensen	Peet	Wolf
Elliott	Johnson	Rawlings	Yager
Ellsworth	Koch	Reed	Zipse
Fabritz	Laughlin	Rice	Zylstra
Falvey	Lichty	Roe	Mr. Speaker
Felter	Lookingbill	Ryder	

The nays were, 1.

Stewart

Absent or not voting, 16.

Bonnstetter	Garner	Mitchell	Sheridan
Bowers	Hanson of Lyon	Moore of Harrison	Sours
Brady	Hanson of Winnebago	Porter	Wiese
Davis	Hook		Willis
Dean			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that the vote by which Senate File No. 113 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 285, a bill for an act to legalize the expenditure of the Board of Supervisors of Muscatine County, Iowa, during the year 1933, in the sum of $11,969.31, from the County Insane

Digitized by Google

Fund, for the maintenance of the County Home, was taken up for consideration.

Metcalf of Muscatine moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 93.

Aldrich	Falvey	Lookingbill	Ryder
Alesch	Felter	McCarthy	Schlatter
Augustine	Fletcher	McCreery	Schmitz
Avery	Foster	McFarlane	Schroeder
Beath	Frizzell	McKinnon	Smith
Beswick	Fuelling	McLean	Snyder
Bouska	Gallagher	Malone	Speidel
Bowers	Garner	Maniece	Stansell
Brady	Gissel	Mercer	Stanzel
Bruce	Gittinger	Metcalf	Stewart
Burgess	Goode	Millhone	Stimpson
Casey	Grau	Moore of	Strachan
Craven	Grell	Harrison	Swift
Crouch	Hanson of Lyon	Mooty	Teter
Cunningham	Hartman	Osborn	Thies
Davis	Hopp	Ostby	Thiessen
Dole	Hough	Paisley	Treimer
Donlon	Humeston	Peaco	Weed
Doran	Jenkins	Peet	Wieben
Dreessen	Jensen	Rawlings	Wolf
Durant	Johnson	Reed	Yager
Elliott	Koch	Rice	Zylstra
Ellsworth	Laughlin	Roe	Mr. Speaker
Fabritz	Lichty		

The nays were, none.

Absent or not voting, 15.

Bonnstetter	Winnebago	Mitchell	Sours
Dean	Hook	Moore of Benton	Wiese
Fuester	Hultman	Porter	Willis
Hanson of	McDermott	Sheridan	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Metcalf of Muscatine moved that the vote by which Senate File No. 285 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Digitized by Google

Senate File No. 104, a bill for an act relating to the collection of taxes.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 268, a bill for an act to amend chapter six hundred sixteen D-one (616-D1), Code, 1931, relating to the police radio broadcasting system and to provide an appropriation therefor.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 126, 12, 149 and 118.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 126, 12, 149 and 118.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 178, H. F. No. 244, S. F. No. 228, S. F. No. 248, S. F. No. 283. JAS. BURGESS, *Chairman.*

On the motion of McCreery of Linn the House adjourned until 10:00 o'clock a. m. Saturday, February 10.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 10, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. R. Weed, Pastor West Star and Worthington M. E. Churches, Winterset, Iowa.

Journal of February 9 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Mitchell of Webster for the day, on request of Cunningham of Polk; Jenkins of Louisa for the day, on request of Snyder of Hamilton; Treimer of O'Brien for the day, on request of Schmitz of Winneshiek; Sours of Floyd for the day, on request of Durant of Hancock; Humeston of Wayne for the day, on request of Hopp of Mills; Craven of Jasper for the day, on request of Koch of Bremer; Brady of Pottawattamie for the day, on request of Fabritz of Wapello; Zipse of Chickasaw for the day, on request of Rice of Keokuk; Wiese of Scott for the day, on request of Goode of Davis; Hanson of Winnebago for the day, on request of Strachan of Humboldt; Wolf of Franklin for the day, on request of Koch of Bremer.

PETITIONS AND MEMORIALS

Favoring the Emergency Housing Bill. Grell, from the legislative committee of Scott county. Referred to the committee on emergency legislation.

Opposing additional gasoline tax. Grell of Scott, from the Linograph Corporation employees of Davenport, Iowa. Referred to the committee on ways and means.

Favoring a special tax on chain stores. Mercer from the citizens of Johnson County. Referred to the committee on tax revision.

Opposing an increase in hunting and fishing licenses. Hartman from the citizens of Des Moines County. Referred to the committee on fish and game.

Digitized by Google

SENATE MESSAGES CONSIDERED

Senate File No. 104, a bill for an act to amend Section seventy-one hundred eighty-eight (7188), Code, 1931, relating to the collection of taxes.

Read first and second times and referred to steering committee.

HOUSE CONCURRENT RESOLUTION NO. 12

A concurrent resolution to facilitate a correct understanding of measures before the legislature, both by the members thereof and the general public.

Resolved, That the Senate and House of Representatives of the State of Iowa, in Special Session assembled enact legislation in accord with the following:

Whereas, Legislation is the most important business anyone can be interested in, as it affects everyone in everyday life, and

Whereas, It is often difficult to understand the exact meaning of the speakers explaining measures, on account of not being able to hear the members properly, and

Whereas, We live in an age which provides modern facilities to remedy these conditions and also keep the general public informed as to the exact nature of the proceedings of their servants, the legislature, therefore,

Be It Resolved: That a properly arranged loud speaker system be installed in both houses of the legislature, providing a microphone at each desk which will be connected to this system when the member is given the floor, in order to create enough voice volume so everyone present may understand properly, and further

That connections to this system be arranged for with radio broadcasting stations, either state owned or otherwise, so that the procedure of both houses becomes available to the general public at all times, while in session.

C. L. McKINNON
MARION BRUCE
CHARLES J. ZYLSTRA
P. H. DONLON
C. S. HOOK
JOHN H. SCHROEDER
W. A. YAGER
F. G. SNYDER
ALVA HUMESTON
MILTON PEACO
LOUIS H. WIESE
T. F. SCHMITZ
WM. TREIMER
OVE T. ROE
GUSTAV ALESCH
FOREST DAVIS
JOHN McDERMOTT
R. E. ALDRICH
W. H. STRACHAN
J. D. BOUSKA
A. C. HANSON
A. R. WEED
G. J. GITTINGER
M. C. FALVEY
C. E. LOOKINGBILL
GEO. SCHLATTER
PAUL I. D. OSTBY
M. R. STANSELL
WALTER OSBORN
W. J. DREESSEN
C. E. R. FUESTER
H. N. HANSON

Digitized by Google

LLOYD W. ZIPSE	B. L. METCALF
T. G. JENSEN	PAUL H. CUNNINGHAM
W. A. MOOTY	F. D. AUGUSTINE
CHRISTIAN GRELL	JOHN SPEIDEL
C. L. FLETCHER	E. M. LICHTY
ADA GARNER	LA MAR FOSTER
C. E. MALONE	C. L. BESWICK
J. E. CRAVEN	JOHN F. BRADY
S. B. CROUCH	ANDREW STEWART
WM. H. SMITH	EARL M. DEAN
R. G. MOORE	THOMAS STIMPSON
R. ARNO PEET	LEROY S. MERCER
J. W. FRIZZELL	L. C. BOWERS
A. H. BONNSTETTER	DON V. MCLEAN
E. P. LAUGHLIN	BLAKE WILLIS
J. H. THIESSEN	VICTOR FELTER

Laid over under Rule 34.

ACTION ON HOUSE FILES NO. 328 AND 329 DEFERRED

Maniece of Emmet asked and obtained unanimous consent that action on House File No. 328 be deferred, and that it retain its place on the calendar.

Action on House File No. 329 was deferred owing to the absence of the chairman of the committee on judiciary No. 2.

CONSIDERATION OF BILLS

House File No. 178, a bill for an act to amend sections twenty-five hundred eighty-five-b one (2585-b1), twenty-five hundred eighty-five-c eleven (2585-c11), twenty-five hundred eighty-five-c twelve (2585-c12), twenty-five hundred twelve (2512), twenty-five hundred thirteen (2513), twenty-five hundred twenty-two (2522), twenty-two hundred seventeen (2217), and to amend Chapter one hundred twenty-four-B one (124-B1) by adding thereto section twenty-five hundred eighty-five-f one (2585-f1), Code of 1931, relating to the practice of cosmetology, (including manicuring), and providing penalties for the violation of the laws of Iowa and the rules of the department of health relating to cosmetology, was taken up for consideration.

On motion of Millhone of Page the amendments proposed by the committee, found on page 788 of the Journal of January 19, were adopted.

Digitized by Google

Peet of Guthrie asked and obtained unanimous consent to have the Chief Clerk correct the spelling in the bill.

Millhone of Page offered the following amendment and moved its adoption:

Amend section one (1) by striking from line one (1) the following, "paragraph one (1) of".

Amendment adopted.

Millhone of Page moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 58.

Aldrich	Fabritz	McDermott	Ryder
Alesch	Felter	Maniece	Schlatter
Avery	Foster	Mercer	Schmitz
Beswick	Frizzell	Metcalf	Schroeder
Bouska	Fuelling	Millhone	Snyder
Bowers	Garner	Moore of Benton	Speidel
Bruce	Gittinger	Moore of Harrison	Stanzel
Burgess	Goode	Mooty	Stewart
Cunningham	Grell	Osborn	Strachan
Dole	Hanson of Lyon	Paisley	Swift
Donlon	Hough	Peet	Thies
Doran	Hultman	Rawlings	Yager
Durant	Koch	Rice	Zylstra
Elliott	Laughlin	Roe	Mr. Speaker
Ellsworth	McCreery		

The nays were, 20.

Beath	Fuester	Jensen	Sheridan
Casey	Gallagher	McLean	Smith
Crouch	Gissel	Ostby	Stimpson
Davis	Hartman	Peaco	Thiessen
Falvey	Hopp	Reed	Weed

Absent or not voting, 30.

Augustine	Hanson of Winnebago	McCarthy	Teter
Bonnstetter	Hook	McFarlane	Treimer
Brady	Humeston	McKinnon	Wieben
Craven	Jenkins	Malone	Wiese
Dean	Johnson	Mitchell	Willis
Dreessen	Lichty	Porter	Wolf
Fletcher	Lookingbill	Sours	Zipse
Grau		Stansell	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Millhone of Page moved that the vote by which House File

Digitized by Google

No. 178 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 244, a bill for an act to amend Section forty-nine hundred sixty-d thirty-three (4960-d33), Code, 1931, and to repeal sections forty-nine hundred sixty-d forty (4960-d40), and fifty hundred twenty-seven-d one (5027-d1), Code, 1931, relating to the revocation and suspension of operators and chauffeurs licenses for driving and operating motor vehicles upon conviction of illegal transportation or sale of intoxicating liquors, and also providing for periods of time in which new licenses shall not be issued for first, second, and third convictions of driving motor vehicles while under the influence of intoxicating liquor or narcotic drugs or illegal transportation or sale of intoxicating liquor in the State of Iowa, was taken up for consideration.

Rice of Keokuk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 69.

Alesch	Falvey	McCreery	Roe
Avery	Felter	McDermott	Ryder
Beath	Foster	McLean	Schlatter
Beswick	Frizzell	Mercer	Schmitz
Bouska	Fuester	Metcalf	Schroeder
Bowers	Gallagher	Millhone	Sheridan
Burgess	Garner	Moore of Benton	Smith
Crouch	Gissel	Moore of Harrison	Snyder
Cunningham	Gittinger	Mooty	Speidel
Davis	Goode	Osborn	Stanzel
Dole	Hanson of Lyon	Ostby	Stewart
Donlon	Hartman	Paisley	Strachan
Doran	Hopp	Peet	Swift
Dreessen	Hough	Rawlings	Thies
Durant	Hultman	Reed	Weed
Elliott	Humeston	Rice	Yager
Ellsworth	Koch		Zylstra
Fabritz	Lookingbill		

The nays were, 6.

Fuelling	Jensen	Thiessen	Mr. Speaker
Grell	Peaco		

Absent or not voting, 33.

Aldrich	Casey	Hanson of Winnebago	Laughlin
Augustine	Craven	Hook	Lichty
Bonnstetter	Dean	Jenkins	McCarthy
Brady	Fletcher	Johnson	McFarlane
Bruce	Grau		McKinnon

Digitized by Google

Malone	Sours	Treimer	Willis
Maniece	Stansell	Wieben	Wolf
Mitchell	Stimpson	Wiese	Zipse
Porter	Teter		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Rice of Keokuk moved that the vote by which House File No. 244 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 228, a bill for an act to make permanent the transfer, in Winneshiek County, Iowa, of certain funds in the secondary road construction fund, and, of certain funds in the court expense fund, to the poor fund, was taken up for consideration.

Schmitz of Winneshiek moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 69.

Aldrich	Ellsworth	Jensen	Ryder
Alesch	Fabritz	Koch	Schmitz
Avery	Falvey	McCreery	Schroeder
Beath	Felter	McDermott	Sheridan
Beswick	Foster	Maniece	Smith
Bouska	Frizzell	Mercer	Snyder
Bowers	Fuelling	Metcalf	Stanzel
Bruce	Fuester	Millhone	Stewart
Burgess	Gallagher	Moore of	Stimpson
Crouch	Garner	Harrison	Strachan
Cunningham	Gittinger	Mooty	Swift
Davis	Goode	Paisley	Teter
Dole	Grell	Peaco	Thies
Donlon	Hanson of Lyon	Peet	Thiessen
Doran	Hartman	Rawlings	Weed
Dreessen	Hopp	Reed	Yager
Durant	Hough	Roe	Zylstra
Elliott	Humeston		

The nays were, 3.

Gissel	Ostby	Mr. Speaker

Absent or not voting, 36.

Augustine	Fletcher	Jenkins	McFarlane
Bonnstetter	Grau	Johnson	McKinnon
Brady	Hanson of	Laughlin	McLean
Casey	Winnebago	Lichty	Malone
Craven	Hook	Lookingbill	Mitchell
Dean	Hultman	McCarthy	Moore of Benton

Digitized by Google

Osborn	Sours	Treimer	Willis
Porter	Speidel	Wieben	Wolf
Rice	Stansell	Wiese	Zipse
Schlatter			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 248, a bill for an act to legalize the tax levy made by the Board of Supervisors of Muscatine County, Iowa, in the years 1928, 1929, 1930, 1931 and 1933, to provide a fund for the support of indigent children, and to legalize the collection of said taxes by the Treasurer of Muscatine County, Iowa, was taken up for consideration.

Metcalf of Muscatine offered the following amendment and moved its adoption:

Amend Senate File No. 248 by striking from Section two (2) the words "Mid-West Free Press, a newspaper published in the City and County of Muscatine, Iowa." and inserting in lieu thereof the words: "West Liberty Index, a newspaper published in the city of West Liberty, Iowa."

Amendment adopted.

Metcalf of Muscatine moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 75.

Aldrich	Falvey	Lookingbill	Schmitz
Alesch	Felter	McCreery	Schroeder
Avery	Foster	McDermott	Sheridan
Beath	Frizzell	McLean	Smith
Bouska	Fuelling	Maniece	Snyder
Bowers	Fuester	Mercer	Speidel
Bruce	Gallagher	Metcalf	Stanzel
Burgess	Garner	Millhone	Stewart
Crouch	Gissel	Mooty	Stimpson
Cunningham	Gittinger	Osborn	Strachan
Davis	Goode	Ostby	Swift
Dole	Grell	Paisley	Teter
Donlon	Hanson of Lyon	Peaco	Thies
Doran	Hartman	Peet	Thiessen
Dreessen	Hough	Rawlings	Weed
Durant	Humeston	Reed	Zipse
Elliott	Jensen	Roe	Zylstra
Ellsworth	Koch	Ryder	Mr. Speaker
Fabritz	Laughlin	Schlatter	

The nays were, none.

Digitized by Google

Absent or not voting, 33.

Augustine	Hanson of Winnebago	McFarlane	Sours
Beswick	Hook	McKinnon	Stansell
Bonnstetter	Hopp	Malone	Treimer
Brady	Hultman	Mitchell	Wieben
Casey	Jenkins	Moore of Benton	Wiese
Craven	Johnson	Moore of Harrison	Willis
Dean	Lichty	Porter	Wolf
Fletcher	McCarthy	Rice	Yager
Grau			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 283, a bill for an act to authorize certain cities acting under the commission form of government to take title to privately owned armories, to assume the indebtedness existing against said armories and to finance such indebtedness by the issuance of the bonds of the city; also to pledge the yearly net rentals of such armories to the payment of such bonds and the interest thereon, was taken up for consideration.

Burgess of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Aldrich	Elliott	Lookingbill	Ryder
Alesch	Ellsworth	McCreery	Schlatter
Augustine	Falvey	McDermott	Schmitz
Avery	Foster	McLean	Schroeder
Beath	Frizzell	Maniece	Smith
Beswick	Fuelling	Mercer	Snyder
Bouska	Gallagher	Metcalf	Stanzel
Bowers	Garner	Millhone	Stewart
Bruce	Gittinger	Moore of Harrison	Stimpson
Burgess	Goode	Mooty	Strachan
Crouch	Grell	Osborn	Swift
Cunningham	Hartman	Paisley	Teter
Davis	Hough	Peaco	Thies
Dole	Hultman	Peet	Thiessen
Donlon	Humeston	Rawlings	Weed
Doran	Jensen	Reed	Yager
Dreessen	Koch	Roe	Zylstra
Durant	Laughlin		Mr. Speaker

The nays were, none.

Absent or not voting, 37.

Bonnstetter	Dean	Fuester	Hanson of Winnebago
Brady	Fabritz	Gissel	Hook
Casey	Felter	Grau	Hopp
Craven	Fletcher	Hanson of Lyon	

Digitized by Google

Jenkins	Malone	Sheridan	Wieben
Johnson	Mitchell	Sours	Wiese
Lichty	Moore of Benton	Speidel	Willis
McCarthy	Ostby	Stansell	Wolf
McFarlane	Porter	Treimer	Zipse
McKinnon	Rice		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 249, a bill for an act to make an appropriation to I. N. Salyers, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 62.

Aldrich	Elliott	Koch	Schlatter
Alesch	Ellsworth	Laughlin	Schmitz
Augustine	Fabritz	McCreery	Schroeder
Avery	Falvey	McKinnon	Smith
Beath	Felter	Malone	Snyder
Bouska	Frizzell	Maniece	Stanzel
Bowers	Fuelling	Moore of Harrison	Stewart
Bruce	Gallagher	Mooty	Stimpson
Crouch	Gissel	Osborn	Strachan
Cunningham	Gittinger	Paisley	Swift
Davis	Grell	Peaco	Thies
Dole	Hartman	Peet	Thiessen
Donlon	Hook	Rawlings	Weed
Doran	Hopp	Reed	Yager
Dreessen	Hultman	Ryder	Zipse
Durant	Jensen		

The nays were, 9.

Foster	Humeston	Millhone	Roe
Fuester	McDermott	Ostby	Zylstra
Goode			

Absent or not voting, 37.

Beswick	Hanson of Lyon	McLean	Speidel
Bonnstetter	Hanson of Winnebago	Mercer	Stansell
Brady	Hough	Metcalf	Teter
Burgess	Jenkins	Mitchell	Treimer
Casey	Johnson	Moore of Benton	Wieben
Craven	Lichty	Porter	Wiese
Dean	Lookingbill	Rice	Willis
Fletcher	McCarthy	Sheridan	Wolf
Garner	McFarlane	Sours	Mr. Speaker
Grau			

So the bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the House.

Digitized by Google

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 209, a bill for an act to amend Section Thirty-nine hundred and twenty-one (3921), Code, 1931, relating to the powers of the Board of Education in regard to inventions of students, instructors and officials.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 290, a bill for an act to amend Chapter 148, Acts of the Forty-fifth General Assembly, relating to the investment of funds of insurance companies.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 330, a bill for an act relating to stocks and bonds of insurance companies.

Also: That the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 168, a bill for an act to amend the law having preference to the preferring of domestic materials, products and supplies as it appears in Sec. 1171-b1 and 1171-b2, Code, 1931.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 223, a bill for an act to amend sections nine hundred twenty-seven (927), nine hundred twenty-eight (928), nine hundred thirty-one (931), nine hundred thirty-six (936) and nine hundred forty-three (943), chapter forty-four, (44), code, 1931, as same relates to the qualifications of an absentee voter and the manner and time of obtaining and voting absentee ballots.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 224, a bill for an act to amend section 738, chapter 40, Code, 1931, regulating compensation of election boards.

Also: That the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 232, a bill for an act to amend section seventy-five hundred sixty-two (7562), Code, 1931, relating to the classification and re-classification of assessments in levee and drainage districts.

Also: That the Senate has refused to concur in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 273, a bill for an act to require the board of supervisors and the members thereof to close or cause to be closed against

Digitized by Google

vehicular travel, all secondary roads which may be formally vacated or affirmatively abandoned by said board.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 295, a bill for an act to provide for the creation, maintenance and administration of a Police Retirement or Pension System and/or a Fire Retirement or Pension System in all cities of this State.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 209

Amend House File 209 by striking the words "Paragraph No. 9-a" and "Par. No. 9-a." where they appear in lines two (2), three (3) and four (4) of section one (1).

Further amend by adding at the end of section one (1) thereof, the following:

"That the letters patent or copyright on inventions when so secured shall be the property of the State of Iowa, and the royalties and earnings thereon shall be credited to the funds of the institution in which such patent or copyright originated."

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 268.

WM. KOCH, *Chairman House Committtee*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 268.

BILL SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 10th day of February, 1934, sent to the Governor for his approval: House File No. 268. WM. KOCH, *Chairman.*

Report adopted.

Digitized by Google

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

February 6: House File No. 235;

February 9: House Files No. 308, 311, 275, 309, and 307.

MOTION TO RECONSIDER FILED

We move to reconsider the vote by which Senate File No. 249 failed to pass the House.

OVE T. ROE
DEWEY GOODE

On the motion of Burgess of Woodbury the House adjourned until 10:00 o'clock a. m. Monday, February 12.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 12, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. H. E. Harvey, Pastor M. E. Church, Rowan, Iowa.

Journal of February 10, corrected and approved.

PETITIONS AND MEMORIALS

Opposing an increase in fishing and hunting licenses. Johnson, from the citizens of Linn county. Referred to the committee on fish and game.

Asking that packers be compelled to buy all livestock on the competitive market. Mercer, from the citizens of Johnson county. Referred to the committee on agriculture.

Opposing an increase in the gas tax. Ryder, from the voters of Dubuque county. Referred to the committee on ways and means.

SENATE MESSAGES CONSIDERED

Senate File No. 223, a bill for an act to amend sections nine hundred twenty-seven (927), nine hundred twenty-eight (928), nine hundred thirty-one (931), nine hundred thirty-six (936) and nine hundred forty-three (943), chapter forty-four, (44), code, 1931, as same relates to the qualifications of an absentee voter and the manner and time of obtaining and voting absentee ballots.

Read first and second times and referred to steering committee.

Senate File No. 224, a bill for an act to amend section seven hundred thirty-eight (738), chapter forty (40), code, 1931, regulating compensation of election boards.

Read first and second times and referred to steering committee.

Senate File No. 295, a bill for an act to provide for the creation,

Digitized by Google

maintenance and administration of a Police Retirement or Pension System and/or Fire Retirement or Pension Systems in all cities of this State, including special charter cities and cities under the city manager form of government, that now or may hereafter have Police and/or Fire department employees appointed under civil service by requirement of law; providing for payments to such members of said forces who shall be appointed after the date this act takes effect, in said cities, and to certain dependents; defining the terms used in this act; providing names by which such systems shall be known; providing who shall be eligible to benefits and what benefits shall be payable; providing for the creation of Boards of Trustees to manage and administer such Retirement Systems and prescribing their powers, duties and mode of procedure; providing for the method of financing and the creation and disposition of certain funds; providing for contribution from members and appropriations by such cities to finance such Retirement Systems; providing that the payment of all pensions, annuities, retirement allowances, refunds and other benefits granted under the provisions of this Act and all expenses of administration and operation of such Retirement Systems shall be obligations of the said cities; and providing for the exemption of benefits under such Retirement Systems from attachment, execution, garnishment or other legal process; all relating to Retirement Systems applicable only to Civil Service members of Police and/or Fire departments who shall be appointed to such forces after the date this Act takes effect; also, to amend sections six thousand three hundred ten (6310), as amended by the 45th General Assembly, six thousand three hundred eleven (6311), six thousand three hundred fourteen (6314); six thousand three hundred sixteen (6316); six thousand three hundred eighteen (6318); and six thousand three hundred twenty-one (6321); all of the Code, 1931; and to repeal section six thousand three hundred twenty-three (6323), Code, 1931, and to enact a substitute therefor, all relating to pensions for disabled and retired firemen and policemen and civil service members of police and/or fire departments appointed prior to the date this act takes effect.

Read first and second times and referred to steering committee.

Digitized by Google

ACTION ON HOUSE FILE NO. 281 DEFERRED

Rawlings of Monona asked and obtained unanimous consent that action on House File 281 be temporarily deferred and that it retain its place on the calendar.

CONSIDERATION OF BILLS

House File No. 328, a bill for an act to make an emergency appropriation to the Iowa State Board of Education for the purpose of providing a water system, including a water softener, and for fire-proofing the roof and remodeling the attic of the main building at the Iowa School for the Blind, Vinton, Iowa, was taken up for consideration.

Hopp of Mills offered the following amendment and moved its adoption:

Amend House File No. 328 by striking from Section 1, line 3, the words and figures: "fifteen thousand dollars ($15,000.00)" and inserting in lieu thereof the words and figures: "eight thousand dollars ($8000.00)".

Further amend by striking from Section 1, lines 5 and 6, the words: "providing a water system including a water softener, and for".

On the question "Shall the Hopp amendment be adopted?", a roll call was demanded.

The ayes were, 22.

Crouch	Grau	McLean	Sours
Ellsworth	Hartman	Malone	Speidel
Felter	Hook	Ostby	Stanzel
Foster	Hopp	Reed	Yager
Frizzell	Humeston	Smith	Zipse
Garner	McKinnon		

The nays were, 64.

Aldrich	Elliott	Koch	Schlatter
Augustine	Fabritz	Laughlin	Schmitz
Avery	Fletcher	Lookingbill	Sheridan
Beath	Fuelling	McCarthy	Stansell
Bonnstetter	Gallagher	Maniece	Stewart
Bouska	Gissel	Mercer	Strachan
Bowers	Gittinger	Metcalf	Swift
Bruce	Goode	Millhone	Thies
Burgess	Grell	Moore of Benton	Thiessen
Casey	Hanson of Lyon	Moore of Harrison	Treimer
Craven	Hanson of Winnebago	Peaco	Weed
Davis	Hough	Peet	Wieben
Dean	Hultman	Rawlings	Wiese
Donlon	Jenkins	Roe	Willis
Doran	Jensen	Ryder	Wolf
Dreessen	Johnson		Zylstra
Durant			

Digitized by Google

Absent or not voting, 22.

Alesch	Fuester	Mooty	Schroeder
Beswick	Lichty	Osborn	Snyder
Brady	McCreery	Paisley	Stimpson
Cunningham	McDermott	Porter	Teter
Dole	McFarlane	Rice	Mr. Speaker
Falvey	Mitchell		

Amendment lost.

Bonnstetter of Kossuth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Felter	Koch	Schmitz
Augustine	Fletcher	Laughlin	Schroeder
Avery	Foster	Lookingbill	Sheridan
Beath	Frizzell	McCarthy	Smith
Bonnstetter	Fuelling	McCreery	Sours
Bouska	Fuester	McDermott	Speidel
Bowers	Gallagher	McKinnon	Stansell
Brady	Garner	McLean	Stanzel
Bruce	Gissel	Malone	Stewart
Burgess	Gittinger	Maniece	Strachan
Casey	Goode	Mercer	Swift
Craven	Grau	Metcalf	Teter
Crouch	Grell	Millhone	Thies
Cunningham	Hanson of Lyon	Moore of Benton	Thiessen
Davis	Hanson of	Moore of	Treimer
Dean	Winnebago	Harrison	Weed
Dole	Hartman	Paisley	Wieben
Donlon	Hook	Peaco	Wiese
Doran	Hopp	Peet	Willis
Dreessen	Hough	Rawlings	Wolf
Durant	Hultman	Reed	Yager
Elliott	Jenkins	Roe	Zipse
Ellsworth	Jensen	Ryder	Zylstra
Fabritz	Johnson	Schlatter	Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 13.

Alesch	McFarlane	Osborn	Rice
Beswick	Mitchell	Ostby	Snyder
Humeston	Mooty	Porter	Stimpson
Lichty			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Bonnstetter of Kossuth moved that the vote by which House File No. 328 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Digitized by Google

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 12

Zylstra of Sioux called up House Concurrent Resolution No. 12 as found on pages 1079 and 1080 of the Journal of February 10, and moved its adoption.

The Speaker called Rice of Keokuk to the chair at 11:17 o'clock a. m.

The Speaker resumed the chair at 11:27 o'clock a. m.

McCreery of Linn moved the previous question. Motion prevailed.

On the question "Shall House Concurrent Resolution No. 12 be adopted?", a roll call was demanded.

The ayes were, 19.

Aldrich	Garner	McLean	Thiessen
Bruce	Grell	Metcalf	Yager
Falvey	Humeston	Rice	Zipse
Foster	Jensen	Schmitz	Zylstra
Fuester	McKinnon	Stewart	

The nays were, 72.

Augustine	Fuelling	McCreery	Schroeder
Avery	Gissel	McDermott	Sheridan
Beath	Gittinger	McFarlane	Smith
Bonnstetter	Goode	Malone	Snyder
Bouska	Grau	Maniece	Sours
Bowers	Hanson of Lyon	Mercer	Stansell
Burgess	Hanson of Winnebago	Millhone	Stanzel
Casey	Hartman	Moore of Benton	Strachan
Dean	Hook	Moore of Harrison	Swift
Dole	Hopp	Mooty	Teter
Doran	Hough	Paisley	Thies
Dreessen	Hultman	Peaco	Treimer
Durant	Jenkins	Peet	Weed
Elliott	Johnson	Rawlings	Wieben
Ellsworth	Koch	Reed	Wiese
Fabritz	Lichty	Roe	Willis
Felter	Lookingbill	Ryder	Wolf
Fletcher	McCarthy		Mr. Speaker
Frizzell			

Absent or not voting, 17.

Alesch	Cunningham	Laughlin	Porter
Beswick	Davis	Mitchell	Schlatter
Brady	Donlon	Osborn	Speidel
Craven	Gallagher	Ostby	Stimpson
Crouch			

Resolution lost.

Digitized by Google

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 231, a bill for an act to provide public school facilities for persons of school age who reside on that portion of an Iowa school district that is located on the opposite side of a river that is a general boundary line of the state.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 95, a bill for an act to amend section thirty-three (33), chapter eighty-nine (89), Acts of the 45th General Assembly relating to salaries of deputy county officials.

Also: That the Senate has refused to recede in its amendments to the following bill in which the concurrence of the House was asked:

House File No. 1, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales; to provide for the collection of such taxes, the distribution and uses of the revenue; to fix fines and penalties for the violation of the provisions of this act.

Also, the Senate asks for the appointment of a conference committee. The Senate has named as conferees on the part of the Senate, Senators Valentine, McArthur, Stanley and Hush. BYRON G. ALLEN, *Secretary.*

CONFERENCE COMMITTEE ON HOUSE FILE NO. 1

The Speaker announced the appointment of the following as members of the conference committee on House File No. 1 on the part of the House: Rice of Keokuk, Speidel of Washington, Fuester of Ida and Johnson of Linn.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 290 and 330. Senate Files No. 232, 113, 285 and 168.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

Digitized by Google

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 290 and 330; Senate Files No. 232, 113, 285 and 168.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the follwing report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 12th day of February, 1934, sent to the Governor for his apporval: House Files No. 290 and 330. WM. KOCH, *Chairman.*

Report adopted.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 140; S. F. No. 223; S. F. No. 224; S. F. No. 255. JAS. BURGESS, *Chairman*

AMENDMENTS FILED

Hanson of Lyon filed the following amendment:

Amend House File No. 281 by striking all of Sections two (2), three (3), and six (6).

Strike Section four (4) and insert in lieu thereof the following:

"Sec. 4. Section thirty-one hundred thirty-six (3136), Code, 1931, subsection three (3), is amended by striking from lines eight (8), nine (9), and ten (10) the words, 'Canada thistle, quack grass, buckhorn, wild carrot, horse nettle, or dodder (clover, alfalfa, or field),' and inserting in lieu thereof the words 'primary noxious weeds'."

Amend the title by striking lines two (2), three (3), four (4), and five (5), and inserting in lieu thereof the following:

"one hundred thirty-six (3136) and thirty-one hundred thirty-seven (3137), Code, 1931, relating to agricultural seeds."

Renumber the sections of the bill.

Ryder of Dubuque filed the following amendment:

Amend Senate File 17 by inserting as section two (2) the following:

"Sec. 2. Section fifty one hundred twenty-five (5125), code, 1931, as amended by section five (5) of Chapter ninety (90) of the Acts of the Forty-fifth General Assembly, is amended by striking from line six (6) the word 'five' and inserting in lieu thereof the word 'seven'."

Amend the title by inserting after the second "comma" in line three (3) the following:

Digitized by Google

"and section fifty-one hundred twenty-five (5125), Code, 1931, as amended by section five (5), chapter ninety (90)," also

"insert after the word "of" in the last line the words 'members of board of supervisors,'."

Moore of Benton moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Bonnstetter of Kossuth offered as a substitute motion that the House recess until 1:30 o'clock p. m., today.

On the question "Shall the substitute motion by Bonnstetter be adopted?", a roll call was demanded.

The ayes were, 26.

Bonnstetter	Gittinger	Rawlings	Stewart
Brady	Hopp	Rice	Thies
Dreessen	Humeston	Roe	Thiessen
Falvey	McDermott	Schlatter	Yager
Foster	McKinnon	Schmitz	Zipse
Frizzell	Maniece	Schroeder	Zylstra
Garner	Peaco		

The nays were, 59.

Avery	Fuelling	Koch	Ryder
Beath	Gallagher	Lichty	Smith
Bouska	Gissel	Lookingbill	Snyder
Bowers	Goode	McCreery	Sours
Burgess	Grau	McFarlane	Speidel
Casey	Grell	McLean	Stansell
Crouch	Hanson of Lyon	Malone	Stanzel
Dean	Hanson of Winnebago	Mercer	Strachan
Dole	Hartman	Metcalf	Swift
Doran	Hook	Millhone	Treimer
Durant	Hough	Moore of Benton	Weed
Elliott	Hultman	Mooty	Wieben
Ellsworth	Jenkins	Paisley	Willis
Felter	Johnson	Peet	Wolf
Fletcher		Reed	Mr. Speaker

Absent or not voting, 23.

Aldrich	Cunningham	Laughlin	Ostby
Alesch	Davis	McCarthy	Porter
Augustine	Donlon	Mitchell	Sheridan
Beswick	Fabritz	Moore of Harrison	Stimpson
Bruce	Fuester	Osborn	Teter
Craven	Jensen		Wiese

The substitute motion was lost.

The motion by Moore of Benton prevailed, and the House stood adjourned until 10:00 o'clock a. m., Tuesday, February 13.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 13, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. C. E. Lookingbill, M. E. Church, Nevada, Iowa.

Journal of February 12, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Fabritz of Wapello for the day, on request of Mitchell of Webster; Dole of Jefferson for the day, on request of McCreery of Linn; Jensen of Audubon for the day, on request of Aldrich of Wright.

PETITIONS AND MEMORIALS

Opposing any increase in hunting and fishing license. McKinion of Henry, from the citizens of Jefferson township. Referred to the committee on fish and game.

SENATE MESSAGES CONSIDERED

Senate File No. 95, a bill for an act to amend section thirty-three (33), chapter eighty-nine (89), Acts of the 45th General Assembly relating to salaries of deputy county officials.

Read first and second times and referred to steering committee.

Senate File No. 231, a bill for an act to provide public school facilities for persons of school age who reside on that portion of an Iowa school district that is located on the opposite side of a river that is a general boundary line of the state and such portion is not within the corporate limits of a city or town and the persons of school age residing on such portion are without reasonable access to a public school in the school district to which such portion belongs.

Read first and second times and referred to steering committee.

Digitized by Google

Foster of Cedar offered the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 13

Whereas, The major subjects for which the Forty-Fifth General Assembly was called into Extraordinary Session have been acted upon by the House of Representatives, and

Whereas, Several of these measures are now pending in the Senate for action, and

Whereas, The Constitution of the State of Iowa provides in Article 3, Section 14, that "Neither House shall without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting." and

Whereas, It is improbable that any action the House of Representatives may take on various proposals pending before it will receive consideration in the Senate, therefore,

Be It Resolved by the House of Representatives. the Senate concurring, That when said House of Representatives adjourns on Friday, February 16, that said House do stand adjourned until notified by the Governor to return for further action.

That upon adjournment of said House all employees, except those being deemed necessary by the Speaker of the House, be dismissed until the return of the House members.

Be It Further Resolved, That the House members and employees receive no compensation during such period of adjournment except those designated to stay by the Speaker.

Laid over under rule 34.

CONSIDERATION OF BILLS

The hour of the special order having arrived, Senate File No. 17, a bill for an act to amend sub-section ten (10), section fifty-one hundred ninety-one (5191), Code of Iowa, 1931, as amended by section six (6), chapter ninety (90), Acts of the forty-fifth general assembly, relating to mileage of sheriffs and their deputies, was taken up for consideration.

On motion of Mitchell of Webster, the amendments proposed by the committee, found on page 885 of the journal of January 24, were adopted.

Ryder of Dubuque called up the amendment filed by him and found on pages 1096 and 1097 of the Journal of February 12, and moved its adoption.

On the question "Shall the Ryder amendment be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 12.

Cunningham	Laughlin	Osborn	Snyder
Foster	McCreery	Peaco	Swift
Grau	McFarlane	Ryder	Mr. Speaker

The nays were, 86.

Aldrich	Falvey	Johnson	Schlatter
Alesch	Felter	Koch	Schmitz
Augustine	Fletcher	Lichty	Sheridan
Avery	Frizzell	Lookingbill	Smith
Beath	Fuelling	McCarthy	Sours
Beswick	Fuester	McKinnon	Speidel
Bonnstetter	Gallagher	McLean	Stansell
Bouska	Garner	Malone	Stanzel
Bowers	Gissel	Maniece	Stewart
Brady	Gittinger	Mercer	Stimpson
Bruce	Goode	Metcalf	Teter
Burgess	Grell	Millhone	Thies
Casey	Hanson of Lyon	Mitchell	Thiessen
Craven	Hanson of Winnebago	Moore of Harrison	Treimer
Crouch	Hartman	Mooty	Weed
Davis	Hook	Paisley	Wieben
Dean	Hopp	Peet	Wiese
Donlon	Hough	Rawlings	Willis
Doran	Hultman	Reed	Wolf
Dreessen	Humeston	Rice	Yager
Durant	Jenkins	Roe	Zipse
Ellsworth			Zylstra

Absent or not voting, 10.

Dole	Jensen	Ostby	Schroeder
Elliott	McDermott	Porter	Strachan
Fabritz	Moore of Benton		

Amendment lost.

Zylstra of Sioux moved that the bill and all pending amendments be laid on the table.

On the question "Shall Senate File No. 17 and all pending amendments be laid on the table?" a roll call was demanded.

The ayes were, 25.

Alesch	Foster	McKinnon	Stewart
Beswick	Grau	Malone	Stimpson
Bonnstetter	Hook	Mitchell	Thiessen
Bowers	Hough	Osborn	Weed
Davis	Laughlin	Roe	Yager
Durant	McCreery	Smith	Zylstra
Felter			

The nays were, 72.

Aldrich	Bruce	Dean	Fletcher
Augustine	Burgess	Doran	Frizzell
Avery	Casey	Dreessen	Fuelling
Beath	Craven	Elliott	Gallagher
Bouska	Crouch	Ellsworth	Garner
Brady	Cunningham	Falvey	Gittinger

Digitized by Google

Goode	McCarthy	Peaco	Speidel
Grell	McDermott	Peet	Stansell
Hanson of Lyon	McFarlane	Rawlings	Stanzel
Hanson of Winnebago	McLean	Reed	Strachan
Hartman	Maniece	Rice	Swift
Hopp	Mercer	Ryder	Treimer
Hultman	Metcalf	Schlatter	Wieben
Humeston	Millhone	Schmitz	Wiese
Johnson	Moore of Harrison	Schroeder	Willis
Koch	Mooty	Sheridan	Wolf
Lichty	Ostby	Snyder	Zipse
Lookingbill	Paisley	Sours	Mr. Speaker

Absent or not voting, 11.

Dole	Fuester	Jensen	Teter
Donlon	Gissel	Moore of Benton	Thies
Fabritz	Jenkins	Porter	

Motion lost.

Speidel of Washington and Hanson of Lyon offered the following amendment to Senate File No. 17 and moved its adoption:

Amend Section 1 by adding at the third paragraph the following:

Section 6, Chapter 90 is amended by inserting after the word "law" in line 6 the words "he shall receive 5c per mile for that portion of the trip outside of the county."

On the question "Shall the Speidel and Hanson amendment be adopted?" a roll call was demanded.

The ayes were, 67.

Aldrich	Felter	McCreery	Snyder
Alesch	Fletcher	McKinnon	Speidel
Augustine	Foster	McLean	Stansell
Avery	Frizzell	Maniece	Stanzel
Beath	Fuester	Metcalf	Stewart
Beswick	Garner	Millhone	Strachan
Bonnstetter	Gissel	Moore of Harrison	Teter
Bowers	Gittinger	Mooty	Thies
Bruce	Hanson of Lyon	Osborn	Treimer
Casey	Hanson of Winnebago	Peet	Weed
Craven	Hook	Rawlings	Wieben
Davis	Hultman	Reed	Willis
Dean	Jenkins	Rice	Wolf
Donlon	Koch	Roe	Yager
Doran	Laughlin	Schlatter	Zipse
Dreessen	Lookingbill	Schroeder	Zylstra
Ellsworth			Mr. Speaker
Falvey			

The nays were, 28.

Bouska	Grell	McCarthy	Schmitz
Cunningham	Hartman	McFarlane	Smith
Durant	Hopp	Malone	Sours
Elliott	Hough	Ostby	Stimpson
Fuelling	Humeston	Paisley	Swift
Gallagher	Johnson	Peaco	Thiessen
Grau	Lichty	Ryder	Wiese

Digitized by Google

Absent or not voting, 13.

Brady	Fabritz	McDermott	Moore of Benton
Burgess	Goode	Mercer	Porter
Crouch	Jensen	Mitchell	Sheridan
Dole			

Amendment adopted.

Strachan of Humboldt moved the previous question. Motion prevailed.

Willis of Dallas moved that Mercer of Johnson be permitted to ask McCreery of Linn a question.

On the question "Shall Mercer of Johnson be permitted to ask McCreery of Linn a question?" a roll call was demanded.

The ayes were, 74.

Aldrich	Felter	Lookingbill	Schlatter
Augustine	Fletcher	McCreery	Schmitz
Avery	Fuelling	McDermott	Schroeder
Beath	Gallagher	McFarlane	Smith
Beswick	Goode	Malone	Snyder
Bouska	Grau	Maniece	Stansell
Bowers	Grell	Mercer	Stanzel
Brady	Hanson of Lyon	Metcalf	Strachan
Bruce	Hanson of	Mitchell	Swift
Casey	Winnebago	Moore of	Teter
Crouch	Hartman	Harrison	Thies
Cunningham	Hopp	Mooty	Thiessen
Dean	Hough	Osborn	Treimer
Donlon	Hultman	Peaco	Wieben
Doran	Humeston	Peet	Wiese
Dreessen	Jenkins	Rawlings	Willis
Elliott	Johnson	Reed	Wolf
Ellsworth	Koch	Rice	Yager
Falvey	Lichty	Ryder	Zipse

The nays were, 23.

Alesch	Frizzell	McCarthy	Sours
Bonnstetter	Fuester	McLean	Stewart
Burgess	Garner	Ostby	Weed
Craven	Gissel	Paisley	Zylstra
Durant	Hook	Roe	Mr. Speaker
Foster	Laughlin	Sheridan	

Absent or not voting, 11.

Davis	Gittinger	Millhone	Speidel
Dole	Jensen	Moore of Benton	Stimpson
Fabritz	McKinnon	Porter	

Motion prevailed.

Gallagher of Iowa moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 67.

Aldrich	Felter	Lichty	Schroeder
Augustine	Fletcher	Lookingbill	Sheridan
Avery	Fuelling	McCarthy	Smith
Beath	Gallagher	McFarlane	Snyder
Bouska	Garner	McLean	Sours
Bowers	Gittinger	Mercer	Stansell
Brady	Goode	Moore of	Stanzel
Bruce	Grell	Harrison	Strachan
Burgess	Hanson of Lyon	Ostby	Swift
Casey	Hanson of	Paisley	Treimer
Craven	Winnebago	Peaco	Wieben
Crouch	Hartman	Peet	Wiese
Cunningham	Hopp	Reed	Willis
Davis	Hultman	Rice	Wolf
Dean	Humeston	Ryder	Yager
Dreessen	Johnson	Schlatter	Zipse
Elliott	Koch	Schmitz	Mr. Speaker
Falvey			

The nays were, 33.

Alesch	Gissel	McKinnon	Speidel
Beswick	Grau	Malone	Stewart
Bonnstetter	Hook	Maniece	Stimpson
Donlon	Hough	Metcalf	Teter
Doran	Jenkins	Mitchell	Thies
Durant	Laughlin	Osborn	Thiessen
Ellsworth	McCreery	Rawlings	Weed
Foster	McDermott	Roe	Zylstra
Frizzell			

Absent or not voting, 8.

Dole	Fuester	Millhone	Mooty
Fabritz	Jensen	Moore of Benton	Porter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Mercer of Johnson moved that the vote by which Senate File No. 17 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 94, a bill for an act to amend section fifty-one (51) of Chapter one hundred eighty-eight (188) of the Laws of the Forty-fifth General Assembly, relating to the compensation of employees in the motor vehicle fuel tax division of the office of the Treasurer of State.

Digitized by Google

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 316, a bill for an act to amend section 1, Chapter 140, Acts of the 45th General Assembly and to permit the board of supervisors having control of a drainage district to refund surplus funds on hand to persons having paid the assessments creating said surplus.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 331, a bill for an act providing for the waiver by "certificate holders" of the earnings or income of banks or trust companies.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 296, a bill for an act to amend Section two thousand two hundred thirty-two (2232), Code, 1931, relating to the appointment of a sanitation and quarantine officer. BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 228 and 283.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 228 and 283.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bill:

February 10: House File No. 268.

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as a Committee Clerk of the House to Representatives M. R. Stansell and R. Arno Peet to take effect February 14, 1934. KATHRYN ATZ.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it

Digitized by Google

has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. No. 332. To be introduced by steering committee.
H. F. No. 333. To be introduced by steering committee.
H. F. No. 334. To be introduced by steering committee.
H. F. No. 335. To be introduced by steering committee.
S. F. No. 206.
S. F. No. 299.

JAS. BURGESS, *Chairman.*

AMENDMENT FILED

Malone of Cass filed the following amendments to House File No. 281.

1. Strike line 10 of section 1 and insert in lieu thereof the following:
"4. Buck horn—Plantago Lanceolata."
2. Strike line 11 of section 1.
3. Strike line 17 of section 1 and insert in lieu thereof the following:
"2. Perennial pepper grass—Lepidium draba."
4. Further amend section 1 by adding at the end thereof the following:
"11. European morning glory—Convolvulus arvensis.
5. Renumber the series to conform with the changes.

Dreessen of Crawford moved that the House adjourn until 10 o'clock a. m. tomorrow.

McKinnon of Henry moved to amend the motion by Dreessen of Crawford that the House recess until 1:30 o'clock p. m. today. Amendment lost.

The motion by Dreessen of Crawford prevailed, and the House stood adjourned until 10 o'clock a. m. Wednesday, February 14.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 14, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. S. A. Fulton, Pastor First Presbyterian Church, Des Moines, Iowa.

Journal of February 13 corrected and approved.

PETITIONS AND MEMORIALS

Opposing an increase in gasoline tax. Swift, from the voters of Dubuque county. Referred to the committee on ways and means.

Favoring an old age pension. Cunningham, from citizens of Polk county. Referred to the committee on appropriations.

Opposing an increase in hunting and fishing license. Johnson, from the citizens of Linn county. Referred to the committee on fish and game.

Favoring the development of the Iowa Twenty-five Year Conservation Program. Burgess, from the citizens of Woodbury county. Referred to the committee on conservation of resources.

Favoring a special tax on chain stores. Strachan, from the business men of Humboldt county. Referred to the committee on tax revision.

Favoring local option. Willis, from the citizens of Dallas county. Referred to the committee on liquor control.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Jensen of Audubon for the day, on request of Aldrich of Wright; Millhone of Page for the day, on request of Teter of Marion; Cunningham of Polk for the day, on request of Weed of Madison; Schroeder of Carroll for the balance of the week, on request of Rawlings of Monona; Laughlin of Fremont for the day, on request of Moore of Benton.

Digitized by Google

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 13

Foster of Cedar called up House Concurrent Resolution No. 13, as found on page 1099 of the Journal of February 13, and moved to amend as follows:

Amend House Concurrent Resolution No. 13 by substituting the following:

"Be It Resolved by the House of Representatives, the Senate concurring, That the Forty-Fifth General Assembly in Extraordinary Session adjourn, sine die, at 12 o'clock noon, Friday, February 23, 1934.

Amendment lost.

Johnson of Linn moved to lay House Concurrent Resolution No. 13 on the table.

On the question "Shall House Concurrent Resolution No. 13 be laid on the able?" a roll call was demanded.

The ayes were, 70.

Aldrich	Falvey	Lichty	Schmitz
Avery	Felter	Lookingbill	Schroeder
Beath	Frizzell	McCarthy	Sheridan
Beswick	Fuelling	McDermott	Smith
Bouska	Gallagher	McLean	Sours
Bowers	Gissel	Mercer	Speidel
Brady	Gittinger	Metcalf	Stanzel
Bruce	Grau	Mitchell	Stewart
Burgess	Grell	Moore of Benton	Strachan
Casey	Hanson of Lyon	Mooty	Swift
Craven	Hanson of Winnebago	Osborn	Thies
Dean	Hartman	Ostby	Treimer
Dole	Hopp	Paisley	Weed
Donlon	Hultman	Peaco	Wieben
Doran	Humeston	Peet	Wiese
Durant	Jenkins	Rawlings	Wolf
Elliott	Johnson	Reed	Zipse
Ellsworth		Ryder	

The nays were, 29.

Alesch	Fuester	Malone	Stimpson
Augustine	Garner	Maniece	Teter
Bonnstetter	Goode	Moore of Harrison	Thiessen
Crouch	Hook	Rice	Willis
Davis	Hough	Roe	Yager
Dreessen	Koch	Schlatter	Zylstra
Fletcher	McFarlane		Mr. Speaker
Foster	McKinnon		

Absent or not voting, 9.

Cunningham	Laughlin	Millhone	Snyder
Fabritz	McCreery	Porter	Stansell
Jensen			

Motion to lay House Concurrent Resolution No. 13 on the table prevailed.

Digitized by Google

INTRODUCTION OF BILLS

House File No. 332, by steering committee, a bill for an act to revise and amend sections sixty-two hundred forty-five (6245) and sixty-two hundred forty-eight (6248) of the Code of 1931, relating to the election and other proceedings required preliminary to the issuance of bonds for certain purposes by cities and towns.

Read first and second times and placed on calendar.

House File No. 333, by steering committee, a bill for an act to amend Section one (1) of Chapter one hundred seventy-eight (178) of the Acts of the Forty-fifth General Assembly, regular session, to aid in advancement by the Reconstruction Finance Corporation, or any other Federal governmental agency.

Read first and second times and placed on calendar.

House File No. 334, by steering committee, a bill for an act to amend chapter one hundred eleven (111) of the Acts of the Forty-fifth General Assembly of Iowa relating to establishing and financing of sewage and garbage works by cities and towns.

Read first and second times and placed on calendar.

House File No. 335, by steering committee, a bill for an act to enable counties, school districts, cities and towns to secure the benefits of an Act of the Congress of the United States known as the National Industrial Recovery Act, as it now exists or as it may be amended, or any other law creating a Federal Agency to make grants or loans; to confer powers to make contracts, incur debts. borrow money, and issue bonds therefor; regulate the making or contracts, the issuance of such bonds, and the manner of payment thereof.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 296, a bill for an act to amend Section two thousand two hundred thirty-two (2232), Code, 1931, relating to the appointment of a sanitation and quarantine officer.

Read first and second times and referred to steering committee.

CONSIDERATION OF AMENDMENT TO HOUSE RULES

Gallagher of Iowa called up the amendment filed by him and

Digitized by Google

Zylstra of Sioux and found on page 1018 of the Journal of February 2, and moved its adoption.

Reed of Mahaska offered the following amendment to the amendment by Gallagher by adding thereto the following:

"A bill may be taken from the steering committee and placed on the calendar by a majority vote of the House."

Foster of Cedar offered as a substitute for the Reed amendment to the Gallagher amendment the following:

"A bill may be taken from the steering committee and placed on the calendar by a constitutional majority vote of the House."

McKinnon of Henry moved the previous question on the main question and pending amendments. Motion prevailed.

McCreery of Linn moved that the rules be suspended and the members of the steering committee be permitted to speak on the question before the House.

On the question "Shall the rules be suspended and the members of the steering committee be permitted to speak on the question before the House?" a roll call was demanded.

The ayes were, 77.

Aldrich	Felter	Jenkins	Ryder
Augustine	Fletcher	Johnson	Schmitz
Avery	Frizzell	Koch	Smith
Beath	Fuelling	Lichty	Snyder
Beswick	Fuester	Lookingbill	Speidel
Bonnstetter	Gallagher	McCarthy	Stanzel
Bouska	Garner	McCreery	Stewart
Bowers	Gissel	McFarlane	Stimpson
Brady	Gittinger	McLean	Swift
Bruce	Goode	Maniece	Teter
Crouch	Grau	Mercer	Thies
Dean	Grell	Mitchell	Treimer
Dole	Hanson of Lyon	Moore of	Weed
Donlon	Hanson of	Harrison	Wieben
Doran	Winnebago	Mooty	Wiese
Dreessen	Hook	Osborn	Willis
Durant	Hopp	Paisley	Wolf
Elliott	Hough	Rawlings	Yager
Ellsworth	Hultman	Reed	Zipse
Falvey	Humeston	Roe	

The nays were, 10.

Alesch	Ostby	Schlatter	Thiessen
Davis	Peaco	Strachan	Mr. Speaker
Hartman	Rice		

Digitized by Google

Absent or not voting, 21.

Burgess	Jensen	Metcalf	Schroeder
Casey	Laughlin	Millhone	Sheridan
Craven	McDermott	Moore of Benton	Sours
Cunningham	McKinnon	Peet	Stansell
Fabritz	Malone	Porter	Zylstra
Foster			

Motion to suspend the rules prevailed.

On the question "Shall the amendment offered by Foster of Cedar be substituted for the Reed amendment?" a roll call was demanded.

The ayes were, 41.

Aldrich	Ellsworth	McCarthy	Sours
Augustine	Falvey	McFarlane	Stimpson
Avery	Foster	McKinnon	Strachan
Beswick	Fuester	Metcalf	Teter
Bonnstetter	Gallagher	Ostby	Thies
Craven	Gissel	Peaco	Thiessen
Davis	Gittinger	Reed	Weed
Dean	Grell	Schlatter	Yager
Donlon	Hanson of Winnebago	Smith	Zipse
Dreessen	Hough	Snyder	Zylstra
Elliott			

The nays were, 51.

Alesch	Fuelling	McDermott	Ryder
Beath	Garner	McLean	Schmitz
Bouska	Goode	Malone	Sheridan
Bowers	Grau	Maniece	Speidel
Bruce	Hanson of Lyon	Mercer	Stanzel
Burgess	Hartman	Mitchell	Stewart
Casey	Hook	Moore of Benton	Swift
Dole	Hopp	Moore of Harrison	Treimer
Doran	Hultman	Osborn	Wieben
Durant	Johnson	Paisley	Wiese
Felter	Koch	Rice	Willis
Fletcher	Lichty	Roe	Wolf
Frizzell	McCreery		Mr. Speaker

Absent or not voting, 16.

Brady	Humeston	Lookingbill	Porter
Crouch	Jenkins	Millhone	Rawlings
Cunningham	Jensen	Mooty	Schroeder
Fabritz	Laughlin	Peet	Stansell

Motion to substitute was lost.

On the question "Shall the Reed amendment be adopted?" a roll call was demanded.

The ayes were, 31.

Augustine	Donlon	Fuester	Grell
Beswick	Dreessen	Gallagher	Hough
Bruce	Elliott	Gissel	Humeston
Davis	Falvey	Gittinger	McKinnon

Digitized by Google

Metcalf	Peet	Snyder	Thiessen
Mooty	Reed	Sours	Yager
Ostby	Schmitz	Strachan	Zylstra
Peaco	Smith	Thies	

The nays were, 63.

Aldrich	Felter	Lichty	Rice
Alesch	Fletcher	McCarthy	Roe
Avery	Frizzell	McCreery	Ryder
Beath	Fuelling	McDermott	Sheridan
Bonnstetter	Garner	McFarlane	Stanzel
Bouska	Goode	McLean	Stewart
Bowers	Grau	Malone	Stimpson
Brady	Hanson of Lyon	Maniece	Swift
Burgess	Hanson of Winnebago	Mercer	Treimer
Casey	Hartman	Mitchell	Weed
Craven	Hook	Moore of Benton	Wieben
Crouch	Hopp	Moore of Harrison	Wiese
Dean	Hultman	Osborn	Willis
Dole	Johnson	Paisley	Wolf
Doran	Koch	Rawlings	Zipse
Durant			Mr. Speaker
Ellsworth			

Absent or not voting, 14.

Cunningham	Jensen	Porter	Speidel
Fabritz	Laughlin	Schlatter	Stansell
Foster	Lookingbill	Schroeder	Teter
Jenkins	Millhone		

Amendment to amendment lost.

On the question "Shall the Gallagher amendment to House Rule No. 75 be adopted?" a roll call was demanded.

The ayes were, 35.

Aldrich	Falvey	Hough	Snyder
Alesch	Foster	Humeston	Sours
Augustine	Frizzell	McKinnon	Stanzel
Beswick	Fuester	Mooty	Strachan
Davis	Gallagher	Ostby	Teter
Donlon	Gissel	Peaco	Thiessen
Dreessen	Gittinger	Peet	Zipse
Durant	Grell	Schlatter	Zylstra
Elliott	Hanson of Winnebago	Smith	

The nays were, 59.

Avery	Dean	Hartman	McFarlane
Beath	Dole	Hook	Malone
Bonnstetter	Doran	Hopp	Maniece
Bouska	Ellsworth	Hultman	Mercer
Bowers	Felter	Johnson	Metcalf
Brady	Fletcher	Koch	Mitchell
Bruce	Fuelling	Lichty	Moore of Benton
Burgess	Garner	Lookingbill	Paisley
Casey	Goode	McCarthy	Rawlings
Craven	Grau	McCreery	Reed
Crouch	Hanson of Lyon	McDermott	Rice

Digitized by Google

Roe	Stewart	Treimer	Willis
Ryder	Stimpson	Weed	Wolf
Schmitz	Swift	Wieben	Mr. Speaker
Sheridan	Thies		

Absent or not voting, 14.

Cunningham	Laughlin	Moore of Harrison	Schroeder
Fabritz	McLean	Osborn	Speidel
Jenkins	Millhone	Porter	Stansell
Jensen			Yager

Amendment lost.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 112, a bill for an act to amend chapter one hundred ninety-nine (199), Code, 1931, by inserting after section four thousand eighteen (4018) a new section; to amend sections four thousand twenty-five (4025), four thousand twenty-six (4026) and four thousand twenty-eight (4028), Code, 1931; and to repeal sections four thousand ten (4010), four thousand twelve (4012), four thousand sixteen (4016), four thousand seventeen (4017), and four thousand twenty-one (4021), Code, 1931, and to enact substitutes therefor, all relating to the treatment of indigent persons.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 327, a bill for an act to legalize the corporate acts and proceedings of Keokuk Base Ball Grounds Association of Keokuk, Iowa.

Also: That the Senate has concurred in the house amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 80, a bill for an act to repeal section 2013-c5, Code, 1931, and to enact a substitute therefor relating to the requisition of vehicles condemned under Chapter 97 of said Code.

Also: That the Senate has concurred in the house amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 242, a bill for an act to amend chapter eighty-six (86), relating to the propagation and protection of fish, game, wild birds.

Also: That the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 248, a bill for an act to legalize certain tax levies made by the Board of Supervisors of Muscatine County, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 276, a bill for an act to revise and modernize the military laws of Iowa by repealing Chapter twenty-eight (28), Code, 1931, and enacting a substitute therefor, and repealing Chapters seventeen (17) and eighteen (18), Acts of the Forty-fifth General Assembly.

Digitized by Google

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 294, a bill for an act making an appropriation for the payment of the necessary expenses of the Iowa Commission to Study Liquor Control Legislation appointed by the Governor to study and recommend a plan of liquor control for the State of Iowa.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 94, 316 and 331; Senate Files No. 80, 242 and 248.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 94, 316, and 331, Senate Files No. 80, 242 and 248.

BILLS SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 14th day of February, 1934, sent to the Governor for his approval: House Files No. 94, 316 and 331.

WM. KOCH, *Chairman.*

Report adopted.

ST. VALENTINE'S DAY OFFERING

Bruce of Pocahontas offered the following remarks:

A Legislative Trip

A group of people took a trip during the summer of 1933, the main idea being to get close to nature. MANIECE reported the trip to me. They approached a mountain region on a road that led under BOWERS and saw a RYDER on a horse that FELTER oats while going down McFAR-LANE. They did SPEIDEL filled with wild ferns and an occasional WEED. They came, after A-VERY short turn in the road,

Digitized by Google

to a PEET bog where a bird with a peculiar LOOKINGBILL did TETER on a REED. On either side of the road was a MOORE, one named Benton and the other Harrison, and following this a little lake, filled with wild RICE, upon the surface of which an Indian did ROE his boat. Frogs did HOPP from the road and a big bad WOLF slunk away into the timber.

Next they entered a deep wood where a DORAN from a thicket and was pounced upon by a CRAVEN jaguar, that did CROUCH upon a branch and did SCHLATTER her unmercifully. They stopped at a tavern inn up in the mountains for FUELLING their car and to rest and refresh themselves. The GOODE KOCH was serving CUNNINGHAM and insisted it was better than SWIFT'S premium. During their trip GISSEL and GITTINGER got into an argument over THIES and THIESSEN, the former contending that THIESSEN was only THIES with a little "SEN" added. This did not FOSTER good feeling and GITTINGER flew into a HOUGH and landed a left HOOK on GISSEL, who pleaded, "Have a HARTMAN, let MALONE." Another row was narrowly averted when McCREERY accused HANSON of Lyon, but the accused insisted it was the Winnebago HANSON.

Peace restored, the trip down the mountain was resumed with BURGESS at the steering wheel. Wild animals played PEACO boo through the boughs, the only unfortunate incident being when McCARTHY fell over a cliff with "SHERIDAN forty miles away."

As they emerged from the forest, a beautiful panorama spread before them. Back to civilization they sped down the JENSEN Highway past the old mill stream where the MILLER waived a welcome from the door of his mill. The farmers were in the fields to GARNER in the grain and nature was at her best.

Then soon reached HUMESTON, a thriving little city. A carnival company was in town and after the ladies had stopped at the FALVEY Hotel to FRIZZELL their hair, all went out to see the sights. A little German band on the corner led by BOUSKA, a Bohunk, and consisting of BONNSTETTER, FUESTER, SCHROEDER, WIESE, SCHMITZ, TREIMER, YAGER, and ZIPSE was playing "Ach du Liebe AUGUSTINE" as a farewell to ex-president GRAU of Cuba, who was just leaving town. In front of a tent an acrobat named GALLAGHER was turning flip flops while a big Swede was singing:

My name is ELM YOHNSON
I come from Wisconsin

Just then the strains of the bag pipe reached their ears and there appeared in kilties the well known Scots—MOOTY, McKINNON, McLEAN, McDERMOTT, and STRACHAN.

A young orator named STIMPSON, standing on a soap box, was being importuned by a multitude as follows: "DURANT some more." A faker named FABRITZ nearby was selling the best razor sharpener on earth called a MILLHONE, and the best lamp wick in existence, but being full of PORTER, he pronounced it BESWICK.

At a side show Roy MERCER was extolling the wonders of the only

Digitized by Google

one in existence, a METCALF, no bovine on earth like it. Also the Stan twins, STANSELL and STANZEL, a puzzle to any committee clerk.

A baseball game was announced and they left the carnival to the strains of "My Wild Irish Rose" sung by that well known Irish quartette—BRADY, MITCHELL, DONLON, and LAUGHLIN.

At the ball park who else do you suppose was raking in the cash but ELLSWORTH. CASEY was at the bat and OSTBY did the umpiring. A small boy was yelling, "SNYDER, does your mummy know you're out? Well, OSTBY does." HULTMAN was not at short, but BEATH cavorted around third. DAVIS had the sunny field. DREESSEN pulled 'em in behind the bat, OSBORN tossed 'em over and ELLIOTT covered first, FLETCHER was at second.

When the game was over, the tourists took a stroll about town and discovered the village SMITH. On a run down building they say a sign RAW-LINGS, Chinese Laundry. LICHTY had the leading department store, PAISLEY was the hardware man, JENKINS, the Jeweler, GRELL conducted an undertaking establishment, and STEWART was just around the corner. At the public square, they saw the DEAN of the local college paying out the DOLE to the unemployed. Anything SOURS with too lengthy treatment; hence, must bring this to a close with the unanimous conclusion WIEBEN having a good time, ALESCH well that ends well. WILLIS good luck for our next trip.

This story contains the names of all members of the House from Alphabetical LEE ALDRICH to CHARLIE ZYLSTRA excepting

Yours truly,

MARION BRUCE.

Speidel of Washington moved that the remarks be printed in the Journal. Motion prevailed.

On the motion of Hanson of Lyon the House recessed until 1:30 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Fabritz of Wapello for the balance of the day, on request of Sheridan of Lee.

CONSIDERATION OF BILLS

House File No. 281, a bill for an act to amend sections thirty-one hundred twenty-seven (3127), thirty-one hundred thirty (3130) and thirty-one hundred thirty-seven (3137), Code, 1931, and to repeal sections thirty-one hundred twenty-nine (3129) and

Digitized by Google

thirty-one hundred thirty-six (3136), Code, 1931, and to enact a substitute therefor, relating to agricultural seeds, was taken up for consideration.

Hanson of Lyon called up the amendments filed by him and found on page 1096 of the Journal of February 12, and moved its adoption. Amendment adopted.

Hanson of Lyon asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 492 of the Journal of December 19.

Malone of Cass asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 544 of the Journal of December 27.

Malone of Cass called up the amendment filed by him and found on page 1065 of the Journal of February 13, and moved its adoption. Amendment lost.

Dole of Jefferson moved to amend House File No. 281 as follows:

Amend Section 1, paragraph A, by inserting the following:

"9. Buck horn—Plantago Lanceolata".

Further amend Section 1, paragraph "b", by striking the following:

"2. Buck horn—Plantago Lanceolata." and renumbering the remaining items.

Amendment adopted.

Hanson of Lyon moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Dreessen	Hanson of Winnebago	Mercer
Alesch	Durant	Hartman	Metcalf
Avery	Elliott	Hopp	Mitchell
Beath	Ellsworth	Hough	Moore of Benton
Beswick	Falvey	Hultman	Moore of Harrison
Bonnstetter	Felter	Jenkins	Mooty
Bouska	Fletcher	Johnson	Osborn
Bowers	Foster	Koch	Ostby
Brady	Frizzell	Lichty	Paisley
Bruce	Gallagher	Lookingbill	Rawlings
Burgess	Garner	McCarthy	Reed
Casey	Gissel	McDermott	Rice
Dean	Gittinger	McLean	Roe
Dole	Grell	Malone	Ryder
Donlon	Hanson of Lyon		

Digitized by Google

Schlatter	Speidel	Teter	Wiese
Schmitz	Stewart	Thies	Willis
Smith	Stimpson	Treimer	Wolf
Snyder	Strachan	Weed	Yager
Sours	Swift	Wieben	Zylstra

The nays were, 7.

Davis	Hook	Stanzel	Zipse
Goode	McFarlane	Thiessen	

Absent or not voting, 23.

Augustine	Fuelling	McCreery	Porter
Craven	Fuester	McKinnon	Schroeder
Crouch	Grau	Maniece	Sheridan
Cunningham	Humeston	Millhone	Stansell
Doran	Jensen	Peaco	Mr. Speaker
Fabritz	Laughlin	Peet	

So the bill having received a constitutional majority was declared to have passed the House and the title as amended agreed to.

ACTION ON HOUSE FILE NO. 329 DEFERRED

Mitchell of Webster asked and obtained unanimous consent to defer action on House File No. 329 and that it retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File No. 256, a bill for an act to make an appropriation to the City of Waterloo, Iowa, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Dean	Garner	Koch
Alesch	Dole	Gissel	Lichty
Avery	Donlon	Gittinger	Lookingbill
Beath	Dreessen	Goode	McCarthy
Beswick	Durant	Grell	McFarlane
Bonnstetter	Elliott	Hanson of Lyon	McLean
Bouska	Ellsworth	Hanson of Winnebago	Mercer
Bowers	Falvey	Hartman	Metcalf
Brady	Felter	Hook	Mitchell
Burgess	Fletcher	Hough	Moore of Benton
Casey	Foster	Hultman	Mooty
Craven	Frizzell	Jenkins	Osborn
Davis	Fuelling		Paisley

Digitized by Google

Rawlings	Snyder	Swift	Wiese
Reed	Sours	Teter	Willis
Roe	Speidel	Thies	Wolf
Ryder	Stanzel	Thiessen	Yager
Schlatter	Stewart	Treimer	Zylstra
Schmitz	Stimpson	Weed	Mr. Speaker
Smith	Strachan	Wieben	

The nays were, none.

Absent or not voting, 30.

Augustine	Grau	McKinnon	Peet
Bruce	Hopp	Malone	Porter
Crouch	Humeston	Maniece	Rice
Cunningham	Jensen	Millhone	Schroeder
Doran	Johnson	Moore of Harrison	Sheridan
Fabritz	Laughlin	Ostby	Stansell
Fuester	McCreery	Peaco	Zipse
Gallagher	McDermott		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 257, a bill for an act to make an appropriation to the Soldier Valley Mutual Telephone and Telegraph Company, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Felter	Lichty	Snyder
Alesch	Fletcher	Lookingbill	Sours
Avery	Foster	McCarthy	Speidel
Beath	Frizzell	McFarlane	Stanzel
Beswick	Fuelling	McLean	Stewart
Bonnstetter	Garner	Mercer	Stimpson
Bouska	Gissel	Metcalf	Strachan
Bowers	Gittinger	Mitchell	Swift
Brady	Goode	Moore of Benton	Teter
Casey	Grell	Mooty	Thies
Craven	Hanson of Lyon	Osborn	Treimer
Davis	Hanson of Winnebago	Paisley	Weed
Dean	Hartman	Peaco	Wieben
Dole	Hook	Rawlings	Wiese
Donlon	Hough	Reed	Willis
Dreessen	Hultman	Roe	Wolf
Durant	Jenkins	Ryder	Yager
Elliott	Johnson	Schlatter	Zylstra
Ellsworth	Koch	Schmitz	Mr. Speaker
Falvey		Smith	

The nays were, none.

Digitized by Google

Absent or not voting, 30.

Augustine	Gallagher	McKinnón	Porter
Bruce	Grau	Malone	Rice
Burgess	Hopp	Maniece	Schroeder
Crouch	Humeston	Millhone	Sheridan
Cunningham	Jensen	Moore of	Stansell
Doran	Laughlin	Harrison	Thiessen
Fabritz	McCreery	Ostby	Zipse
Fuester	McDermott	Peet	

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 259, a bill for an act to make an appropriation to Robert A. Miller, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Falvey	Koch	Smith
Alesch	Felter	Lichty	Snyder
Avery	Fletcher	Lookingbill	Sours
Beath	Foster	McCarthy	Speidel
Beswick	Frizzell	McFarlane	Stanzel
Bonnstetter	Fuelling	McLean	Stimpson
Bouska	Garner	Mercer	Strachan
Bowers	Gissel	Metcalf	Swift
Brady	Gittinger	Mitchell	Teter
Burgess	Goode	Moore of Benton	Thies
Casey	Grau	Mooty	Treimer
Craven	Grell	Osborn	Weed
Crouch	Hanson of Lyon	Paisley	Wieben
Davis	Hanson of	Peaco	Wiese
Dean	Winnebago	Rawlings	Willis
Dole	Hartman	Reed	Wolf
Donlon	Hook	Roe	Yager
Dreessen	Hough	Ryder	Zipse
Durant	Hultman	Schlatter	Zylstra
Elliott	Jenkins	Schmitz	Mr. Speaker
Ellsworth	Johnson		

The nays were, none.

Absent or not voting, 27.

Augustine	Hopp	Malone	Porter
Bruce	Humeston	Maniece	Rice
Cunningham	Jensen	Millhone	Schroeder
Doran	Laughlin	Moore of	Sheridan
Fabritz	McCreery	Harrison	Stansell
Fuester	McDermott	Ostby	Stewart
Gallagher	McKinnon	Peet	Thiessen

Digitized by Google

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 260, a bill for an act to make an appropriation to Dan Rhodes, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Felter	Koch	Snyder
Alesch	Fletcher	Lichty	Sours
Avery	Foster	Lookingbill	Speidel
Beath	Frizzell	McCarthy	Stanzel
Beswick	Fuelling	McFarlane	Stewart
Bonnstetter	Garner	McLean	Stimpson
Bouska	Gissel	Mercer	Strachan
Brady	Gittinger	Mitchell	Swift
Burgess	Goode	Moore of Benton	Teter
Casey	Grau	Mooty	Thies
Craven	Grell	Osborn	Thiessen
Crouch	Hanson of Lyon	Paisley	Treimer
Davis	Hanson of	Peaco	Weed
Dean	Winnebago	Rawlings	Wieben
Dole	Hartman	Reed	Wiese
Donlon	Hook	Roe	Willis
Dreessen	Hopp	Ryder	Wolf
Durant	Hough	Schlatter	Yager
Elliott	Hultman	Schmitz	Zylstra
Ellsworth	Jenkins	Smith	Mr. Speaker
Falvey	Johnson		

The nays were, none.

Absent or not voting, 27.

Augustine	Gallagher	Malone	Peet
Bowers	Humeston	Maniece	Porter
Bruce	Jensen	Metcalf	Rice
Cunningham	Laughlin	Millhone	Schroeder
Doran	McCreery	Moore of	Sheridan
Fabritz	McDermott	Harrison	Stansell
Fuester	McKinnon	Ostby	Zipse

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 263, a bill for an act to make an appropriation to Cornell College, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Alesch	Fletcher	Lichty	Smith
Avery	Frizzell	Lookingbill	Snyder
Beath	Fuelling	McCarthy	Sours
Beswick	Garner	McFarlane	Speidel
Bonnstetter	Gissell	McLean	Stanzel
Bouska	Gittinger	Mercer	Stewart
Bowers	Goode	Metcalf	Stimpson
Burgess	Grau	Mitchell	Strachan
Casey	Grell	Moore of Benton	Swift
Crouch	Hanson of Lyon	Mooty	Teter
Davis	Hanson of Winnebago	Osborn	Thies
Dean	Hartman	Paisley	Thiessen
Dole	Hook	Peaco	Treimer
Donlon	Hopp	Rawlings	Weed
Dreessen	Hough	Reed	Wieben
Durant	Hultman	Roe	Wiese
Elliott	Jenkins	Ryder	Willis
Ellsworth	Johnson	Schlatter	Wolf
Falvey	Koch	Schmitz	Yager
Felter		Sheridan	Mr. Speaker

The nays were, 1.

Foster

Absent or not voting, 28.

Aldrich	Fuester	McKinnon	Peet
Augustine	Gallagher	Malone	Porter
Brady	Humeston	Maniece	Rice
Bruce	Jensen	Millhone	Schroeder
Craven	Laughlin	Moore of Harrison	Stansell
Cunningham	McCreery	Ostby	Zipse
Doran	McDermott		Zylstra
Fabritz			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 266, a bill for an act to make an appropriation to certain veterinarians employed by the Department of Agriculture in special cases to cover fees and mileage, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 77.

Aldrich	Falvey	Lichty	Schlatter
Avery	Felter	Lookingbill	Sheridan
Beath	Fletcher	McCarthy	Snyder
Beswick	Frizzell	McDermott	Sours
Bonnstetter	Fuelling	McFarlane	Speidel
Bouska	Gissel	Malone	Stewart
Bowers	Gittinger	Maniece	Stimpson
Burgess	Goode	Mercer	Strachan
Casey	Grau	Metcalf	Swift
Craven	Grell	Mitchell	Thies
Crouch	Hanson of Lyon	Moore of Benton	Thiessen
Davis	Hanson of	Mooty	Treimer
Dean	Winnebago	Osborn	Weed
Dole	Hartman	Paisley	Wieben
Donlon	Hopp	Peaco	Wiese
Doran	Hough	Rawlings	Willis
Dreessen	Hultman	Reed	Wolf
Durant	Jenkins	Roe	Yager
Elliott	Johnson	Ryder	Mr. Speaker
Ellsworth	Koch		

The nays were, 11.

Alesch	Hook	Schmitz	Zipse
Foster	McLean	Smith	Zylstra
Garner	Ostby	Stanzel	

Absent or not voting, 20.

Augustine	Gallagher	McKinnon	Porter
Brady	Humeston	Millhone	Rice
Bruce	Jensen	Moore of	Schroeder
Cunningham	Laughlin	Harrison	Stansell
Fabritz	McCreery	Peet	Teter
Fuester			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 280, a bill for an act to make an appropriation to the Secretary of War, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Bruce	Elliott	Garner
Avery	Burgess	Ellsworth	Gittinger
Beath	Casey	Falvey	Goode
Beswick	Craven	Felter	Grau
Bonnstetter	Crouch	Fletcher	Grell
Bouska	Dean	Frizzell	Hanson of Lyon
Bowers	Dole	Fuelling	Hanson of
Brady	Donlon	Gallagher	Winnebago

Digitized by Google

Hartman	McLean	Ryder	Swift
Hopp	Maniece	Schlatter	Thies
Hough	Mercer	Schmitz	Thiessen
Hultman	Metcalf	Snyder	Treimer
Jenkins	Mooty	Sours	Weed
Johnson	Osborn	Speidel	Wieben
Koch	Paisley	Stanzel	Wiese
Lichty	Peaco	Stewart	Willis
McCarthy	Rawlings	Stimpson	Wolf
McCreery	Reed	Strachan	Yager
McFarlane	Roe		

The nays were, 13.

Alesch	Foster	McDermott	Zipse
Davis	Gissel	Ostby	Zylstra
Dreessen	Hook	Smith	Mr. Speaker
Durant			

Absent or not voting, 22.

Augustine	Jensen	Mitchell	Rice
Cunningham	Laughlin	Moore of Benton	Schroeder
Doran	Lookingbill	Moore of Harrison	Sheridan
Fabritz	McKinnon	Peet	Stansell
Fuester	Malone	Porter	Teter
Humeston	Millhone		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 97

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned Conference Committee appointed to consider the difference between the Senate and the House on House File No. 97, being a bill for an act to amend sections forty-four hundred eighty-five (4485), forty-five hundred three (4503), and forty-five hundred five (4505), Code, 1931, and to repeal section forty-four hundred eighty-six (4486), Code, 1931, all relating to the protection of the permanent school fund, begs leave to report that it has had the same under consideration and recommends that section two (2) of the original bill as amended be stricken therefrom and the following be substituted in lieu thereof:

Repeal Section forty-five hundred three (4503) Code, 1931, and enact the following as a substitute therefor:

"All lands now acquired under permanent school fund foreclosure proceedings shall be resold within six years from January 1, 1934 and lands acquired after such date shall be resold within six years from date of foreclosure. Such land shall be appraised, advertised, and sold in the manner provided for the appraisement, advertisement, sale and conveyance of the sixteenth section or lands selected in lieu thereof.

Further amend by striking sections one and four.

Amend the title by striking all after the word "amend" in line one (1), and inserting in lieu thereof the following:

"section forty-five hundred five (4505), Code, 1931, and to repeal sec-

Digitized by Google

tion forty-five hundred three (4503), Code, 1931, and enact a substitute therefor, all relating to permanent school funds."

W. F. MILLER, *Chairman.*
LEO ELTHON.
JOHN N. CALHOUN.
LAFE HILL.
On the part of the Senate.

O. J. GRAU, *Chairman.*
C. S. HOOK.
A. C. HANSON.
JOHN H. SCHROEDER.
On the part of the House.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. No. 233.
S. F. No. 239.
S. F. No. 295.
Bill to be introduced. H. F. No. 336.

JAS. BURGESS, *Chairman.*

INTRODUCTION OF BILLS

House File No. 336, by steering committee, a bill for an act to repeal Chapter thirty-eight (38), Acts of the forty-fifth General Assembly and to amend Chapter thirty-seven (37), Acts of the forty-fifth General Assembly relating to the manufacture, sale and distribution of beer; defining beer; providing for the regulation of the manufacture, sale and distribution of beer; providing revenue for the State of Iowa and certain of its municipal subdivisions, including cities and towns under special charter, by taxation of and from permits to manufacture and/or sell beer and providing for issuance of permits therefore and by providing penalties for the violation of the provisions hereof.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 276, a bill for an act to revise and modernize the military laws of the State of Iowa, to define the military force of this state, to provide for their organization, equipment, training, pay and regulation, to provide for the incorporation of companies and organizations therein, to prohibit the unauthorized wearing of the military uniform, to provide for the appointment and retirement of officers, to provide for the use of the military force of this state, to provide for military courts and define their duties, to provide for the issuance and protection of state and government property and funds, to provide for the appointment of the Adju-

Digitized by Google

tant General and other officers and boards, to provide for the control and improvement of the military reservation and rifle ranges, to make certain appropriations for the support of the military force, to repeal Chapter twenty-eight (28), Code, 1931, and Chapters seventeen (17) and eighteen (18) of the Acts of the Forty-fifth General Assembly, relating to and constituting the military law of this state.

Read first and second times and referred to committee on appropriations.

Senate File No. 294, a bill for an act making an appropriation for the payment of the necessary expenses of the Iowa Commission to Study Liquor Control Legislation appointed by the Governor to study and recommend a plan of liquor control for the State of Iowa.

Read first and second times and referred to committee on appropriations.

On the motion of McLean of Marshall the House adjourned until 10 o'clock a. m. Thursday, February 15.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 15, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Raymond M. Shipman, District Superintendent M. E. Church, Des Moines, Iowa.

Journal of February 14, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Maniece of Emmet for the day, on request of Stimpson of Jones; Cunningham of Polk for the day, on request of Weed of Madison; Jensen of Audubon for the day, on request of Dole of Jefferson; Willis of Dallas for the day, on request of McCarthy of Woodbury.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Johnson, from the business men of Linn county; McCreery, from the business men of Linn county; Peaco, from the business men of Clinton county; Thiessen, from the business men of Clinton county. Referred to the committee on tax revision.

Opposing any change in the hunting and fishing license. Johnson of Linn, from the citizens of Cedar Rapids. Referred to the committee on fish and game.

Opposing an increase in gasoline tax. Wiese, from the citizens of Scott county. Referred to the committee on ways and means.

CONSIDERATION OF SENATE AMENDMENTS

On request of McCreery of Linn, unanimous consent having been given, House File No. 98, a bill for an act to amend section nineteen hundred five-c twenty-six (1905-c26) code, 1931, relating to real estate brokers, with Senate amendments, was taken up and the amendments read and considered.

Digitized by Google

SENATE AMENDMENTS TO HOUSE FILE 98

Amend House File 98 by striking the words "who shall be employed to sell" from line four (4) of section one (1) and inserting in lieu thereof the words "while selling".

Mr. McCreery moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 67.

Aldrich	Foster	McCarthy	Ryder
Avery	Fuester	McCreery	Smith
Beath	Gissel	McDermott	Snyder
Bonnstetter	Gittinger	McFarlane	Speidel
Bouska	Goode	McLean	Stewart
Bowers	Grell	Malone	Strachan
Brady	Hanson of Lyon	Mercer	Swift
Bruce	Hanson of Winnebago	Metcalf	Teter
Dole	Hartman	Millhone	Thies
Donlon	Hultman	Mitchell	Thiessen
Doran	Humeston	Moore of Benton	Treimer
Dreessen	Jenkins	Moore of Harrison	Weed
Durant	Johnson	Ostby	Wieben
Elliott	Koch	Rawlings	Wiese
Ellsworth	Laughlin	Rice	Yager
Falvey	Lichty	Roe	Zylstra
Felter			Mr. Speaker
Fletcher			

The nays were, 31.

Alesch	Fabritz	Lookingbill	Schmitz
Augustine	Frizzell	Mooty	Sours
Beswick	Fuelling	Osborn	Stansell
Burgess	Gallagher	Paisley	Stanzel
Casey	Garner	Peaco	Stimpson
Crouch	Grau	Peet	Wolf
Davis	Hopp	Reed	Zipse
Dean	Hough	Schlatter	

Absent or not voting, 10.

Craven	Jensen	Porter	Sheridan
Cunningham	McKinnon	Schroeder	Willis
Hook	Maniece		

The House concurred in the Senate amendments to House File No. 98.

HOUSE INSISTS ON ITS AMENDMENT TO SENATE FILE NO. 273

Reed of Mahaska moved that the House insist on its amendment to Senate File No. 273, and that a conference committee from the House be appointed.

Digitized by Google

On the question "Shall the House insist on its amendment to Senate File No. 273?" a roll call was demanded.

The ayes were, 83.

Aldrich	Fabritz	Koch	Schmitz
Alesch	Falvey	Laughlin	Smith
Augustine	Felter	Lichty	Snyder
Beath	Fletcher	Lookingbill	Sours
Beswick	Foster	McCreery	Speidel
Bonnstetter	Frizzell	McDermott	Stansell
Bouska	Fuelling	McFarlane	Stanzel
Bowers	Gallagher	McLean	Stewart
Bruce	Garner	Malone	Stimpson
Burgess	Gissel	Mercer	Strachan
Casey	Goode	Metcalf	Swift
Crouch	Grau	Millhone	Teter
Davis	Hanson of Lyon	Mitchell	Thies
Dean	Hanson of Winnebago	Mooty	Thiessen
Dole	Hartman	Osborn	Treimer
Donlon	Hopp	Peaco	Weed
Doran	Hough	Peet	Wieben
Dreessen	Hultman	Reed	Wiese
Durant	Humeston	Roe	Wolf
Elliott	Jenkins	Ryder	Zylstra
Ellsworth		Schlatter	Mr. Speaker

The nays were, 1.

Avery

Absent or not voting, 24.

Brady	Jensen	Moore of Harrison	Rice
Craven	Johnson	Ostby	Schroeder
Cunningham	McCarthy	Paisley	Sheridan
Fuester	McKinnon	Porter	Willis
Gittinger	Maniece	Rawlings	Yager
Grell	Moore of Benton		Zipse
Hook			

The House insisted on the House amendment to Senate File No. 273.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 273

The Speaker appointed as members of the conference committee on Senate File No. 273 on the part of the House the following: Reed of Mahaska, McFarlane of Black Hawk, Osborn of Decatur and Casey of Mitchell.

ADOPTION OF REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 17

Brady of Pottawattamie moved the adoption of the conference committee report on House File No. 17, as found on pages 783 and 784 of the Journal of January 18.

Digitized by Google

On the question "Shall the House adopt the conference report and concur in the amendment proposed therein?" a roll call was demanded.

The ayes were, 90.

Aldrich	Falvey	Lichty	Roe
Alesch	Felter	McCarthy	Ryder
Augustine	Fletcher	McCreery	Schlatter
Beath	Foster	McDermott	Schmitz
Beswick	Frizzell	McFarlane	Snyder
Bonnstetter	Fuelling	McLean	Sours
Bouska	Gallagher	Malone	Speidel
Bowers	Garner	Mercer	Stansell
Brady	Gissel	Metcalf	Stanzel
Bruce	Gittinger	Millhone	Stewart
Burgess	Goode	Mitchell	Stimpson
Casey	Grell	Moore of Benton	Strachan
Crouch	Hanson of Lyon	Moore of	Swift
Davis	Hanson of	Harrison	Teter
Dean	Winnebago	Mooty	Thies
Dole	Hartman	Osborn	Thiessen
Donlon	Hopp	Ostby	Treimer
Doran	Hultman	Paisley	Weed
Dreessen	Humeston	Peaco	Wieben
Durant	Jenkins	Peet	Wiese
Elliott	Johnson	Rawlings	Wolf
Ellsworth	Koch	Reed	Zipse
Fabritz	Laughlin	Rice	Zylstra

The nays were, none.

Absent or not voting, 18.

Avery	Hook	Maniece	Smith
Craven	Hough	Porter	Willis
Cunningham	Jensen	Schroeder	Yager
Fuester	Lookingbill	Sheridan	Mr. Speaker
Grau	McKinnon		

Report adopted and the amendments concurred in.

SPECIAL ORDER MADE

Fabritz of Wapello moved that House File No. 336 be made a special order for 10:30 o'clock a. m. Friday, February 16. Motion prevailed.

ACTION ON HOUSE FILE NO. 329 DEFERRED

Mitchell of Webster asked and obtained unanimous consent to have action on House File No. 329 deferred and that it retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File No. 278, a bill for an act to make an appropriation

Digitized by Google

to Viva Thackrey, Coleman Hospital, Doctors G. H. West and C. H. Miller, Fred J. Sternborg, and Fred J. Sternborg, trustee, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved to amend Senate File No. 278 as follows:

Strike from Section 1, line 8 after the word "Widow", the figures "1040.00" and insert in lieu thereof the figures "100.00".

Also strike the following as it appears in Section 1 after line 8, "this amount to be paid in installments of ten dollars ($10.00) per week for one hundred four (104) consecutive weeks beginning not later than April 1, 1934."

Mercer of Johnson moved the previous question on the main bill and pending amendment. Motion prevailed.

The Reed amendment was lost.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 70.

Aldrich	Foster	Lookingbill	Roe
Alesch	Fuester	McCarthy	Ryder
Augustine	Gallagher	McCreery	Schlatter
Avery	Goode	McFarlane	Schmitz
Bonnstetter	Grau	McKinnon	Speidel
Bouska	Grell	McLean	Stansell
Bruce	Hanson of Lyon	Malone	Stanzel
Craven	Hanson of Winnebago	Mercer	Stimpson
Davis	Hartman	Millhone	Swift
Dean	Hook	Mitchell	Thies
Dole	Hopp	Moore of Benton	Thiessen
Donlon	Hultman	Moore of Harrison	Treimer
Doran	Humeston	Mooty	Weed
Dreessen	Johnson	Osborn	Wiese
Durant	Koch	Peaco	Wolf
Elliott	Laughlin	Peet	Yager
Fabritz	Lichty	Rice	Zipse
Felter			Zylstra

The nays were, 28.

Beath	Fletcher	Jenkins	Sheridan
Beswick	Frizzell	McDermott	Smith
Bowers	Fuelling	Metcalf	Sours
Casey	Garner	Ostby	Stewart
Crouch	Gissel	Paisley	Teter
Ellsworth	Gittinger	Rawlings	Wieben
Falvey	Hough	Reed	Mr. Speaker

Digitized by Google

Absent or not voting, 10.

Brady	Jensen	Schroeder	Strachan
Burgess	Maniece	Snyder	Willis
Cunningham	Porter		

So the bill having failed to receive a constitutional two-thirds majority was declared to have failed to have passed the House.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 112 and 327.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 112 and 327.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 15th day of February, 1934, sent to the Governor for his approval: House Files No. 112 and 327. WM. KOCH, *Chairman.*

Report adopted.

On the motion of Moore of Harrison the House recessed until 2:00 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

House File No. 140, a bill for an act relating to place of payment of public bonds and interest thereon, was taken up for consideration.

Digitized by Google

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Felter	Laughlin	Ryder
Alesch	Fletcher	Lichty	Schlatter
Augustine	Frizzell	Lookingbill	Schmitz
Avery	Fuelling	McCarthy	Smith
Beath	Fuester	McCreery	Snyder
Beswick	Garner	McDermott	Sours
Bonnstetter	Gissel	McFarlane	Stansell
Bouska	Gittinger	Mercer	Stimpson
Bowers	Goode	Millhone	Strachan
Brady	Grell	Mitchell	Swift
Bruce	Hanson of Lyon	Moore of	Teter
Craven	Hanson of	Harrison	Thies
Dean	Winnebago	Mooty	Treimer
Dole	Hartman	Osborn	Weed
Donlon	Hook	Ostby	Wieben
Doran	Hopp	Paisley	Wiese
Durant	Hough	Peaco	Wolf
Elliott	Hultman	Rawlings	Yager
Ellsworth	Humeston	Reed	Zylstra
Fabritz	Jenkins	Roe	Mr. Speaker
Falvey	Johnson		

The nays were, none.

Absent or not voting, 28.

Burgess	Gallagher	Maniece	Sheridan
Casey	Grau	Metcalf	Speidel
Crouch	Jensen	Moore of Benton	Stanzel
Cunningham	Koch	Peet	Stewart
Davis	McKinnon	Porter	Thiessen
Dreessen	McLean	Rice	Willis
Foster	Malone	Schroeder	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 223, a bill for an act to amend sections nine hundred twenty-seven (927), nine hundred twenty-eight (928), nine hundred thirty-one (931), nine hundred thirty-six (936) and nine hundred forty-three (943), chapter forty-four (44), code, 1931, as same relates to the qualifications of an absentee voter and the manner and time of obtaining and voting absentee ballots, was taken up for consideration.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 86.

Aldrich	Fabritz	Lookingbill	Schlatter
Alesch	Falvey	McCarthy	Schmitz
Augustine	Felter	McCreery	Smith
Avery	Fletcher	McDermott	Snyder
Beath	Frizzell	McFarlane	Sours
Beswick	Fuelling	McKinnon	Speidel
Bonnstetter	Fuester	McLean	Stansell
Bouska	Gallagher	Mercer	Stimpson
Bowers	Garner	Millhone	Strachan
Brady	Gittinger	Mitchell	Swift
Bruce	Goode	Moore of Benton	Teter
Casey	Grell	Moore of Harrison	Thies
Craven	Hanson of Lyon	Mooty	Thiessen
Crouch	Hanson of Winnebago	Osborn	Treimer
Davis	Hartman	Ostby	Weed
Dean	Hook	Paisley	Wieben
Dole	Hopp	Peaco	Wiese
Donlon	Hultman	Rawlings	Wolf
Doran	Humeston	Reed	Yager
Durant	Johnson	Roe	Zipse
Elliott	Lichty	Ryder	Zylstra
Ellsworth			Mr. Speaker

The nays were, none.

Absent or not voting, 22.

Burgess	Hough	Maniece	Schroeder
Cunningham	Jenkins	Metcalf	Sheridan
Dreessen	Jensen	Peet	Stanzel
Foster	Koch	Porter	Stewart
Gissel	Laughlin	Rice	Willis
Grau	Malone		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 224, a bill for an act to amend section seven hundred thirty-eight (738), chapter forty (40), code, 1931, regulating compensation of election boards, was taken up for consideration.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Beswick	Bruce	Dean
Alesch	Bonnstetter	Casey	Dole
Augustine	Bouska	Craven	Donlon
Avery	Bowers	Crouch	Doran
Beath	Brady	Davis	Durant

Digitized by Google

Elliott	Hanson of Winnebago	Moore of Benton	Stansell
Ellsworth	Hartman	Moore of Harrison	Stewart
Fabritz	Hook	Mooty	Stimpson
Falvey	Hopp	Osborn	Strachan
Felter	Hultman	Ostby	Swift
Fletcher	Humeston	Paisley	Teter
Foster	Johnson	Peaco	Thies
Frizzell	Lichty	Rawlings	Thiessen
Fuelling	Lookingbill	Reed	Treimer
Fuester	McCreery	Roe	Weed
Gallagher	McDermott	Ryder	Wieben
Garner	McFarlane	Schlatter	Wiese
Gissel	McLean	Schmitz	Wolf
Gittinger	Malone	Smith	Yager
Goode	Mercer	Snyder	Zipse
Grell	Millhone	Sours	Zylstra
Hanson of Lyon	Mitchell	Speidel	Mr. Speaker

The nays were, none.

Absent or not voting, 20.

Burgess	Jenkins	McKinnon	Rice
Cunningham	Jensen	Maniece	Schroeder
Dreessen	Koch	Metcalf	Sheridan
Grau	Laughlin	Peet	Stanzel
Hough	McCarthy	Porter	Willis

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 255, a bill for an act to legalize action of the Board of Supervisors of Story County, Iowa, in making expenditures from the Story County Insane Fund for the purpose of paying the expenses and maintenance of the Story County Home, was taken up for consideration.

Lookingbill of Story moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Dean	Gissel	Johnson
Augustine	Doran	Gittinger	Lichty
Avery	Durant	Goode	Lookingbill
Beath	Elliott	Grau	McCreery
Beswick	Ellsworth	Grell	McDermott
Bouska	Fabritz	Hanson of Lyon	McFarlane
Bowers	Felter	Hanson of Winnebago	McLean
Bruce	Fletcher	Hartman	Malone
Burgess	Frizzell	Hopp	Mercer
Casey	Fuelling	Hultman	Metcalf
Craven	Fuester	Humeston	Millhone
Crouch	Gallagher		Mitchell

Digitized by Google

Mooty	Ryder	Speidel	Weed
Osborn	Schlatter	Stansell	Wieben
Ostby	Schmitz	Strachan	Wiese
Paisley	Sheridan	Swift	Wolf
Peaco	Smith	Teter	Yager
Rawlings	Snyder	Thies	Mr. Speaker
Reed	Sours	Treimer	

The nays were, 12.

Alesch	Falvey	Moore of Harrison	Thiessen
Bonnstetter	Foster	Roe	Zipse
Davis	Hook	Stimpson	Zylstra

Absent or not voting, 22.

Brady	Hough	McKinnon	Rice
Cunningham	Jenkins	Maniece	Schroeder
Dole	Jensen	Moore of Benton	Stanzel
Donlon	Koch	Peet	Stewart
Dreessen	Laughlin	Porter	Willis
Garner	McCarthy		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 206, a bill for an act to authorize conversion of building and loan associations and savings and loan associations into federal savings and loan associations organized under the Act of Congress known as "Home Owners' Loan Act of 1933"; to provide for complete or partial transfer of assets to such federal savings and loan associations and to provide the procedure for such conversion and transfer, was taken up for consideration.

Swift of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 82.

Aldrich	Doran	Hanson of Winnebago	Millhone
Alesch	Durant	Hartman	Mitchell
Augustine	Elliott	Hopp	Moore of Benton
Avery	Ellsworth	Hultman	Moore of Harrison
Beath	Fabritz	Johnson	Mooty
Beswick	Falvey	Lichty	Osborn
Bonnstetter	Fletcher	Lookingbill	Ostby
Bouska	Frizzell	McCarthy	Paisley
Bowers	Fuelling	McCreery	Peaco
Bruce	Gallagher	McDermott	Reed
Casey	Garner	McFarlane	Roe
Crouch	Gissel	McLean	Ryder
Davis	Goode	Malone	Schlatter
Dean	Grau	Mercer	Schmitz
Dole	Grell	Metcalf	Sheridan
Donlon	Hanson of Lyon		

Digitized by Google

Smith	Stewart	Thies	Wiese
Snyder	Stimpson	Thiessen	Wolf
Sours	Strachan	Treimer	Yager
Speidel	Swift	Weed	Zylstra
Stansell	Teter	Wieben	Mr. Speaker

The nays were, 3.

Foster	Humeston	Zipse

Absent or not voting, 23.

Brady	Fuester	Koch	Rawlings
Burgess	Gittinger	Laughlin	Rice
Craven	Hook	McKinnon	Schroeder
Cunningham	Hough	Maniece	Stanzel
Dreessen	Jenkins	Peet	Willis
Felter	Jensen	Porter	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 97 ADOPTED

Grau of Buena Vista called up the conference committee report on House File No. 97 as it appears on page 1123 of the Journal of February 14, and moved its adoption.

On the question "Shall the House adopt the conference report and concur in the amendments proposed therein?" a roll call was demanded.

The ayes were, 90.

Aldrich	Fabritz	McCarthy	Schmitz
Alesch	Falvey	McCreery	Sheridan
Augustine	Felter	McDermott	Smith
Avery	Fletcher	McFarlane	Snyder
Beath	Frizzell	McKinnon	Sours
Beswick	Fuelling	McLean	Speidel
Bonstetter	Gallagher	Malone	Stansell
Bouska	Garner	Mercer	Stewart
Bowers	Gissel	Metcalf	Stimpson
Brady	Gittinger	Millhone	Strachan
Bruce	Goode	Mitchell	Swift
Burgess	Grau	Moore of Harrison	Teter
Casey	Grell	Mooty	Thies
Craven	Hanson of Lyon	Osborn	Thiessen
Crouch	Hanson of Winnebago	Ostby	Treimer
Davis	Hartman	Paisley	Weed
Dean	Hook	Peaco	Wieben
Dole	Hopp	Rawlings	Wiese
Donlon	Hultman	Reed	Wolf
Doran	Humeston	Roe	Yager
Durant	Lichty	Ryder	Zipse
Elliott	Lookingbill	Schlatter	Zylstra
Ellsworth			Mr. Speaker

The nays were, none.

Digitized by Google

Absent or not voting, 18.

Cunningham	Jenkins	Maniece	Rice
Dreessen	Jensen	Moore of Benton	Schroeder
Foster	Johnson	Peet	Stanzel
Fuester	Koch	Porter	Willis
Hough	Laughlin		

Report adopted and the House concurred in the amendments proposed therein.

CONSIDERATION OF BILLS

House File No. 332, a bill for an act to revise and amend sections sixty-two hundred forty-five (6245) and sixty-two hundred forty-eight (6248) of the Code of 1931, relating to the election and other proceedings required preliminary to the issuance of bonds for certain purposes by cities and towns, was taken up for consideration.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 49.

Augustine	Garner	Mitchell	Sours
Bonnstetter	Gissel	Moore of Benton	Speidel
Bouska	Gittinger	Moore of Harrison	Stansell
Brady	Grau	Paisley	Stewart
Bruce	Grell	Peaco	Stimpson
Burgess	Hanson of Lyon	Reed	Swift
Craven	Humeston	Roe	Thies
Dean	McCarthy	Ryder	Treimer
Elliott	McCreery	Schlatter	Wieben
Ellsworth	McDermott	Schmitz	Wiese
Fabritz	Malone	Snyder	Zipse
Foster	Mercer		Mr. Speaker
Gallagher	Metcalf		

The nays were, 43.

Aldrich	Doran	Hook	Osborn
Alesch	Durant	Hopp	Ostby
Avery	Falvey	Hultman	Rawlings
Beath	Felter	Johnson	Smith
Beswick	Fletcher	Koch	Strachan
Bowers	Frizzell	Lookingbill	Teter
Casey	Fuelling	McFarlane	Thiessen
Crouch	Goode	McKinnon	Weed
Davis	Hanson of Winnebago	McLean	Wolf
Dole	Hartman	Millhone	Yager
Donlon		Mooty	Zylstra

Digitized by Google

Absent or not voting, 16.

Cunningham	Jenkins	Maniece	Schroeder
Dreessen	Jensen	Peet	Sheridan
Fuester	Laughlin	Porter	Stanzel
Hough	Lichty	Rice	Willis

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Johnson of Linn moved that the vote by which House File No. 332 failed to pass the House be reconsidered and the motion to reconsider be laid on the table. Motion lost.

House File No. 333, a bill for an act to amend Section one (1) of Chapter one hundred seventy-eight (178) of the Acts of the Forty-fifth General Assembly, regular session, to aid in advancement by the Reconstruction Finance Corporation, or any other Federal governmental agency, was taken up for consideration.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Falvey	Lookingbill	Roe
Avery	Felter	McCarthy	Ryder
Beath	Fletcher	McCreery	Schlatter
Beswick	Frizzell	McDermott	Schmitz
Bonnstetter	Fuelling	McFarlane	Stansell
Bouska	Fuester	McKinnon	Stewart
Bowers	Garner	McLean	Stimpson
Bruce	Gittinger	Malone	Strachan
Burgess	Goode	Mercer	Swift
Casey	Grau	Metcalf	Teter
Craven	Grell	Millhone	Thies
Davis	Hanson of Lyon	Mitchell	Thiessen
Dean	Hanson of Winnebago	Moore of Harrison	Treimer
Dole	Hartman	Mooty	Weed
Donlan	Hopp	Osborn	Wieben
Doran	Hultman	Ostby	Wiese
Durant	Humeston	Peaco	Wolf
Elliott	Johnson	Rawings	Yager
Ellsworth	Koch	Reed	Zylstra
Fabritz			Mr. Speaker

The nays were, 4.

Crouch	Foster	Hook	Zipse

Absent or not voting, 26.

Alesch	Hough	Paisley	Smith
Augustine	Jenkins	Peet	Snyder
Brady	Jensen	Porter	Sours
Cunningham	Laughlin	Rice	Speidel
Dreessen	Lichty	Schroeder	Stanzel
Gallagher	Maniece	Sheridan	Willis
Gissel	Moore of Benton		

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommend that they be placed on the calendar: S. F. No. 169. Bills to be introduced: H. F. No. 337, H. F. No. 338, H. F. No. 339. JAMES BURGESS, *Chairman.*

MOTIONS TO RECONSIDER FILED

I move to reconsider the vote by which Senate File No. 278 failed to pass the House. PAUL I. D. OSTBY.

MR. SPEAKER: I move to reconsider the vote by which House File No. 332 failed to pass the House. J. W. FRIZZELL.

AMENDMENTS FILED

Burgess of Woodbury, chairman of the steering committee, filed the following amendment to Senate File No. 233:

Amend Section eight (8), line 21, by striking the period after the word "assessment" and adding the following: "and provided further that the amount of the reassessment on a particular piece of land shall be in direct proportion to the amount of delinquent payments on said land and provided further that no assessment for the payment of drainage bonds or improvement certificates under this act shall be levied against any tract of land where the owner of said land had previously paid all of his assessment."

Amend section nine (9), line 21, by striking the period following the word "issued" and add the following:

"subject to the provisions of section eight (8)".

Craven of Jasper filed the following amendment:

Amend House File No. 336, Section four (4), by striking the last sentence.

Yager of Dickinson filed the following amendment:

Amend House File No. 336, Section two (2) line thirty-eight (38) by striking the words and figure "four per centum (4%)" and inserting in lieu thereof the following:

"three and two-tenths per centum (3.2%)."

Yager of Dickinson filed the following amendment:

Amend House File No. 336, Section nineteen (19) by adding thereto the following:

"Nor shall any such beer be sold to any person between the hours of twelve o'clock midnight on Saturday and seven o'clock of the following Monday morning."

Yager of Dickinson filed the following amendment:

Amend House File No. 336, Section four (4) by striking from lines

Digitized by Google

3, 4, 5 and 6 the following:

"Power is also granted to the treasurer of the State of Iowa to issue Class B permits within the limits of the State Fair grounds and to revoke same for causes therein stated."

Yager of Dickinson filed the following amendment:

Amend House File No. 336, Section twenty-one (21) by adding after line nineteen (19) the following subsection:

"d. Hotels, inns or taverns who secured a permit in the year 1933 having one hundred (100) guest rooms or less, operated as summer resorts for not more than six (6) months, of any calendar year, shall pay a permit fee of fifty dollars ($50.00). Hotels, inns or taverns who secured a permit in the year 1933 having more than one hundred (100) and less than two hundred fifty (250) guest rooms, operated as summer resorts for not more than six months (6), of any calendar year, shall pay a permit fee of seventy-five dollars ($75.00)."

Teter of Marion filed the following amendment:

Amend House File No. 336 by striking all that part of Sec. 4 following the period (.) in line three (3) down to and including the period (.) in line six (6) of said section of the printed bill.

Teter of Marion filed the following amendment:

Amend House File No. 336 by striking all that part of Section 4 following the period (.) in line nine (9) of said section of the printed bill.

On the motion of Avery of Clay the House adjourned until 10 o'clock a. m. Friday, February 16.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 16, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Dilman Smith, Chaplain Iowa Methodist Hospital, Des Moines, Iowa.

Journal of February 15, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Snyder of Hamilton for the balance of the week, on request of Jenkins of Louisa; Stanzel of Sac for the day, on request of Strachan of Humboldt.

PETITIONS AND MEMORIALS

Opposing an increase in hunting and fishing license. Hartman, from the citizens of Des Moines county. Referred to the committee on fish and game.

Favoring the Public Works Administration and the placing of city-owned power plants in the hands of three trustees. Metcalf of Muscatine, from the Iowa City Municipal Ownership League. Referred to the committee on public utilities.

INTRODUCTION OF BILLS

House File No. 337, by steering committee, a bill for an act to amend sections eighty-four hundred eighty (8480), eighty-four hundred eighty A-six (8480-a6), eighty-five hundred eight (8508) and eighty-five hundred eight a-six (8508-a6), Code, 1931, allowing co-operative associations unlimited time to re-instate and right of compromise in penalty.

Read first and second times and placed on calendar.

House File No. 338, by steering committee, a bill for an act to authorize the Secretary of State to compromise certain statutory penalties imposed upon distressed corporations.

Digitized by Google

Read first and second times and placed on calendar.

House File No. 339, by steering committee, a bill for an act to amend section eighty-four hundred forty (8440), Chapter three hundred eighty-eight (388), Code, 1931, to empower the Secretary of State to verify annual reports of corporations and to determine that corporations are operating in compliance with law.

Read first and second times and placed on calendar.

House File No. 340, by the committee on emergency legislation, a bill for an act to amend Section two (2), chapter one hundred eighty-two (182), Acts of the Forty-fifth General Assembly, which provides for an emergency delay of foreclosures.

Read first and second times and referred to steering committee.

House File No. 341, by committee on emergency legislation, a bill for an act to amend section one (1), chapter one hundred seventy-nine (179), Acts of the Forty-fifth General Assembly, pertaining to the extension of the redemption period in real estate foreclosures of mortgages or deeds of trust.

Read first and second times and referred to steering committee.

House File No. 342, by committee on appropriations, a bill for an act making an appropriation to reimburse the city of Iowa City, Iowa, for expenditures made in paving streets in front of State owned property.

Read first and second times and placed on calendar.

Foster of Cedar, Bonnstetter of Kossuth and Hough of Fayette offered the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 14

Be It Resolved by the House of Representatives, the Senate concurring, That the Forty-fifth General Assembly in Extraordinary Session adjourn, sine die, at 12 o'clock noon, Wednesday, February 28, 1934.

Laid over under Rule 34.

HOUSE FILE NO. 332 RECONSIDERED

Frizzell of Poweshiek called up the motion to reconsider the vote by which House File No. 332 failed to pass, filed by him and found on page 1139 of the Journal of February 15.

Digitized by Google

On the question "Shall the House reconsider the vote by which House File No. 332 failed to pass the House?" a roll call was demanded.

The ayes were, 74.

Augustine	Gallagher	McKinnon	Schmitz
Beswick	Garner	Malone	Sheridan
Bonnstetter	Gissel	Maniece	Smith
Bouska	Gittinger	Mercer	Sours
Brady	Grau	Metcalf	Speidel
Bruce	Grell	Millhone	Stansell
Burgess	Hanson of Lyon	Mitchell	Stewart
Casey	Hanson of Winnebago	Moore of Harrison	Stimpson
Craven	Hough	Mooty	Swift
Cunningham	Hultman	Paisley	Thies
Dean	Humeston	Peaco	Thiessen
Dole	Jenkins	Peet	Treimer
Donlon	Jensen	Rawlings	Weed
Dreessen	Koch	Reed	Wieben
Ellsworth	Laughlin	Rice	Wiese
Falvey	Lookingbill	Roe	Willis
Foster	McCarthy	Ryder	Wolf
Frizzell	McCreery	Schlatter	Zipse
Fuelling			Mr. Speaker

The nays were, 24.

Aldrich	Davis	Goode	McFarlane
Alesch	Doran	Hartman	McLean
Avery	Durant	Hook	Ostby
Beath	Felter	Hopp	Strachan
Bowers	Fletcher	Johnson	Teter
Crouch	Fuester	Lichty	Zylstra

Absent or not voting, 10.

Elliott	Moore of Benton	Schroeder	Stanzel
Fabritz	Osborn	Snyder	Yager
McDermott	Porter		

Motion prevailed and the House reconsidered.

Mitchell of Webster moved to reconsider the vote by which House File No. 332 went to its third reading. Motion prevailed.

ACTION ON HOUSE FILE NO. 332 DEFERRED

On the motion by Mitchell of Webster action on House File No. 332 was temporarily deferred.

CONSIDERATION OF BILLS

House File No. 334, a bill for an act to amend chapter one hundred eleven (111) of the Acts of the Forty-fifth General Assembly of Iowa relating to establishing and financing of sewage and garbage works by cities and towns, was taken up for consideration.

Digitized by Google

Malone of Cass moved to amend House File No. 334 as follows:

Amend Sec. 1, line 5, by striking the comma after the word "piers" and insert the word "and".

Further amend by striking from Sec. 1, line 5 the words "and golf courses".

Amend Sec. 2, line 4, by striking the comma after the "piers" and insert the word "and".

Further amend Sec. 2, lines 4 and 5 "and golf courses".

Sours of Floyd asked and obtained unanimous consent to permit P. F. Hopkins, Public Works Administrator for Iowa, to present matters pertaining to Public Works Administration in Iowa, and answer questions relating thereto.

Malone of Cass asked and obtained unanimous consent to withdraw his amendment.

Teter of Marion moved to amend House File No. 334 by changing the semi-colon in line 12 of Sec. 3 to a period and striking the balance of the section. Amendment adopted.

Wiese of Scott offered the following amendment and moved its adoption:

Amend House File No. 334 by adding to Section one (1) the following:

"Further amend Section one (1) by inserting after the word "towns" in line one (1) the following:

', including special charter cities,'."

Amendment adopted.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 85.

Augustine	Dean	Gittinger	Lookingbill
Avery	Dole	Goode	McCarthy
Beath	Donlon	Grau	McCreery
Beswick	Doran	Grell	McFarlane
Bonnstetter	Dreessen	Hanson of Lyon	McKinnon
Bouska	Elliott	Hartman	McLean
Bowers	Ellsworth	Hough	Maniece
Bruce	Fabritz	Hultman	Mercer
Burgess	Falvey	Humeston	Metcalf
Casey	Felter	Jenkins	Millhone
Craven	Foster	Jensen	Mitchell
Crouch	Frizzell	Koch	Moore of Benton
Cunningham	Fuelling	Laughlin	Moore of Harrison
Davis	Garner	Lichty	

Digitized by Google

Mooty	Roe	Stewart	Wieben
Osborn	Ryder	Stimpson	Wiese
Paisley	Schlatter	Swift	Willis
Peaco	Schmitz	Teter	Wolf
Peet	Sheridan	Thiessen	Yager
Rawlings	Sours	Treimer	Zylstra
Reed	Speidel	Weed	Mr. Speaker
Rice	Stansell		

The nays were, 11.

Aldrich	Gallagher	Hopp	Strachan
Alesch	Gissel	Johnson	Zipse
Fletcher	Hook	Smith	

Absent or not voting, 12.

Brady	Hanson of Winnebago	Ostby	Snyder
Durant	McDermott	Porter	Stanzel
Fuester	Malone	Schroeder	Thies

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

ACTION ON HOUSE FILE NO. 336 DEFERRED

Fabritz of Wapello asked and obtained unanimous consent to defer action on House File No. 336 until 10:30 o'clock a. m., on Tuesday, February 20.

CONSIDERATION OF BILLS

Senate File No. 299, a bill for an act to authorize the issuance of a patent to Lots seven (7) and eight (8) in Section twenty-three (23), Township seventy-eight (78), Range twenty-three (23), Polk County, Iowa, was taken up for consideration.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Aldrich	Casey	Ellsworth	Goode
Alesch	Crouch	Fabritz	Grau
Augustine	Cunningham	Felter	Grell
Avery	Davis	Fletcher	Hanson of Lyon
Beath	Dean	Foster	Hartman
Beswick	Dole	Frizzell	Hook
Bonnstetter	Donlon	Fuelling	Hopp
Bouska	Doran	Fuester	Hultman
Bowers	Dreessen	Garner	Humeston
Bruce	Durant	Gissel	Jenkins
Burgess	Elliott	Gittinger	Jensen

Digitized by Google

Koch	Mitchell	Ryder	Thies
Laughlin	Moore of Benton	Schlatter	Thiessen
Lichty	Mooty	Schmitz	Treimer
Lookingbill	Osborn	Sheridan	Weed
McCarthy	Ostby	Speidel	Wieben
McCreery	Paisley	Stansell	Wiese
McDermott	Peaco	Stewart	Willis
McLean	Peet	Stimpson	Wolf
Maniece	Rawlings	Strachan	Zipse
Mercer	Reed	Swift	Zylstra
Metcalf	Rice	Teter	Mr. Speaker
Millhone	Roe		

The nays were, none.

Absent or not voting, 18.

Brady	Hough	Moore of Harrison	Snyder
Craven	Johnson	Porter	Sours
Falvey	McFarlane	Schroeder	Stanzel
Gallagher	McKinnon	Smith	Yager
Hanson of Winnebago	Malone		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 335, a bill for an act to enable counties, school districts, cities and towns to secure the benefits of an Act of the Congress of the United States known as the National Industrial Recovery Act, as it now exists or as it may be amended, or any other law creating a Federal Agency to make grants or loans; to confer powers to make contracts, incur debts, borrow money, and issue bonds therefor; regulate the making of contracts, the issuance of such bonds, and the manner of payment thereof, was taken up for consideration.

Mercer of Johnson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Aldrich	Cunningham	Fletcher	Humeston
Alesch	Davis	Frizzell	Jenkins
Avery	Dean	Fuelling	Jensen
Beath	Donlon	Garner	Johnson
Bonnstetter	Doran	Gissel	Koch
Bouska	Dreessen	Gittinger	Laughlin
Bowers	Durant	Goode	Lookingbill
Brady	Elliott	Grau	McCarthy
Bruce	Ellsworth	Grell	McCreery
Burgess	Fabritz	Hanson of Lyon	McKinnon
Casey	Falvey	Hopp	McLean
Craven	Felter	Hultman	Malone

Digitized by Google

Maniece	Paisley	Speidel	Weed
Mercer	Peaco	Stewart	Wieben
Metcalf	Rawlings	Stimpson	Wiese
Millhone	Reed	Swift	Willis
Mitchell	Rice	Thies	Yager
Moore of Benton	Roe	Thiessen	Zylstra
Mooty	Ryder	Treimer	Mr. Speaker
Osborn	Schmitz		

The nays were, 7.

Beswick	Hook	Peet	Strachan
Gallagher	McFarlane	Schlatter	

Absent or not voting, 23.

Augustine	Hartman	Ostby	Sours
Crouch	Hough	Porter	Stansell
Dole	Lichty	Schroeder	Stanzel
Foster	McDermott	Sheridan	Teter
Fuester	Moore of Harrison	Smith	Wolf
Hanson of Winnebago		Snyder	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Mercer of Johnson moved that the vote by which House File No. 335 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 233, a bill for an act to provide for the appointment of a conservator for a drainage district, levee district, drainage and levee district, drainage and levee district with pumping stations in default to holders of bonds issued by such districts in default; to provide for the issuance of conservator's bonds by such districts to the bondholders; to provide for adequate proceedings in the district court, and to provide for notices and writs incident to the operation of this act; and defining the meaning of the term 'drainage district' for the purpose of this act, was taken up for consideration.

Burgess of Woodbury called up the amendment filed by him and found on page 1139 of the Journal of February 15, and moved its adoption.

Doran of Boone moved to amend the Burgess amendment as follows:

Insert in line six (6) of the amendment affecting Sec. 8 following the word "assessment", the words "or expenses incidental thereto".

Amendment to amendment adopted.

Burgess amendment as amended was adopted.

Digitized by Google

Dean of Cerro Gordo moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Falvey	Koch	Peet
Alesch	Felter	Laughlin	Rawlings
Augustine	Fletcher	Lichty	Reed
Avery	Frizzell	Lookingbill	Roe
Beath	Fuelling	McCarthy	Ryder
Beswick	Gallagher	McCreery	Schmitz
Bonnstetter	Garner	McDermott	Smith
Bouska	Gissel	McFarlane	Sours
Bowers	Gittinger	McKinnon	Speidel
Burgess	Goode	McLean	Stimpson
Casey	Grau	Malone	Strachan
Craven	Grell	Maniece	Swift
Crouch	Hanson of Lyon	Mercer	Thies
Cunningham	Hanson of	Metcalf	Thiessen
Davis	Winnebago	Millhone	Treimer
Dean	Hartman	Mitchell	Weed
Dole	Hook	Moore of Benton	Wieben
Donlon	Hopp	Moore of	Wiese
Doran	Hultman	Harrison	Willis
Dreessen	Humeston	Mooty	Wolf
Durant	Jenkins	Osborn	Yager
Elliott	Jensen	Paisley	Mr. Speaker
Ellsworth	Johnson		

The nays were, 1.

Bruce

Absent or not voting, 19.

Brady	Ostby	Schroeder	Stewart
Fabritz	Peaco	Sheridan	Teter
Foster	Porter	Snyder	Zipse
Fuester	Rice	Stansell	Zylstra
Hough	Schlatter	Stanzel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Dean of Cerro Gordo moved that the vote by which Senate File No. 233 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has named a conference committee to consider the following bill in which the concurrence of the House was asked:

Senate File No. 273, a bill for an act to require the board of supervisors

Digitized by Google

and the members thereof to close or cause to be closed against vehicular travel all secondary roads which may be formally vacated or affirmatively abandoned by said board, etc.

The Senate has named as members of the conference committee, Senators Booth, Calhoun, Coykendall and Mullaney.

Also: That the Senate has adopted the conference committee report and concurs in the passage of the following bill in its original form, in which the concurrence of the Senate was asked:

House File No. 17, a bill for an act to repeal section 7203, Code, 1931, and to enact a substitute therefor, relating to the lien of poll taxes and of taxes on personal property. BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 98.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 98.

BILL SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 16th day of February, 1934, sent to the Governor for his approval: House File No. 98. WM. KOCH, *Chairman.*

Report adopted.

On the motion of Frizzell of Poweshiek the House recessed until 1:30 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Crouch of Greene for the

Digitized by Google

afternoon, on request of Grell of Scott; Lookingbill of Story for the afternoon, on request of Gittinger of Lucas.

Fabritz of Wapello offered the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 15

Resolved by the House, the Senate concurring, That Edward A. Hayes, National Commander of the American Legion, who comes to Des Moines as a guest of the American Legion of this state to attend the Adjutant-Commanders' conference on February 19th be invited to address the members of the 45th General Assembly in Extra Session, in joint convention in the House Chamber at 11:30 o'clock A. M. February 19th.

That the President of the Senate and the Speaker of the House appoint a committee of five Service Men from the House and five Service Men from the Senate to receive Edward A. Hayes, National Commander of the American Legion, and to welcome him to the joint session of the General Assembly of Iowa.

That a special invitation be extended to Leo J. Duster, State Commander of the American Legion and the other state and district officers of the American Legion be invited to attend the address.

Fabritz of Wapello asked and obtained unanimous consent for its immediate consideration and moved its adoption.

Motion prevailed and the resolution was adopted.

ACTION ON SENATE FILE NO. 239 DEFERRED

Elliott of Polk asked and obtained unanimous consent that action on Senate File No. 239 be deferred and that it retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File No. 295, a bill for an act to provide for the creation, maintenance and administration of a Police Retirement or Pension System and/or Fire Retirement or Pension System in all cities of this State, including special charter cities and cities under the city manager form of government, that now or may hereafter have Police and/or Fire department employees appointed under Civil Service by requirement of law; providing for payments to such members of said forces who shall be appointed after the date this Act takes effect, in said cities, and to certain dependents; defining the terms used in this Act; providing names by which such Systems shall be known; providing who shall be eligible to benefits and what benefits shall be payable; providing

Digitized by Google

for the creation of Boards of Trustees to manage and administer such Retirement Systems and prescribing their powers, duties and mode of procedure; providing for the method of financing and the creation and disposition of certain funds; providing for contribution from members and appropriations by such cities to finance such Retirement Systems; providing that the payment of all pensions, annuities, retirement allowances, refunds and other benefits granted under the provisions of this Act and all expenses of administration and operation of such Retirement Systems shall be obligations of the said cities; and providing for the exemption of benefits under such Retirement Systems from attachment, execution, garnishment or other legal process; all relating to Retirement Systems applicable only to Civil Service members of Police and/or Fire departments who shall be appointed to such forces after the date this Act takes effect; also, to amend sections six thousand three hundred ten (6310), as amended by the 45th General Assembly, six thousand three hundred eleven (6311); six thousand three hundred fourteen (6314); six thousand three hundred sixteen (6316); six thousand three hundred eighteen (6318); and six thousand three hundred twenty-one (6321); all of the Code, 1931, and to repeal section six thousand three hundred twenty-three (6323), Code, 1931, and to enact a substitute therefor, all relating to pensions for disabled and retired firemen and policemen and civil service members of police and/or fire departments appointed prior to the date this Act takes effect, was taken up for consideration.

Johnson of Linn and McFarlane of Black Hawk offered the following amendment and moved its adoption:

Amend Senate File No. 295 by striking therefrom sub-section twenty-three (23) of section one (section 1) and substituting in lieu thereof the following:

"23. "City" and/or "cities" shall mean any city or cities, including special charter cities and cities under the city manager form of government, having a population of one hundred thousand (100,000) people or more in which fire and/or police retirement systems are established by this act, and all other cities and towns, including special charter cities and cities under the city manager form of government, having a population of less than one hundred thousand (100,000) people, which shall adopt, by a majority vote of the council, the pension system provided for herein."

On the question "Shall the Johnson and McFarlane amendment be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 24.

Aldrich	Dole	Humeston	McFarlane
Beswick	Fabritz	Jenkins	McLean
Bouska	Falvey	Jensen	Moore of Benton
Casey	Frizzell	Johnson	Mooty
Crouch	Goode	Lichty	Strachan
Dean	Hook	McCreery	Wolf

The nays were, 54.

Alesch	Elliott	Laughlin	Rice
Augustine	Felter	McCarthy	Roe
Avery	Fletcher	McKinnon	Ryder
Beath	Fuelling	Maniece	Schlatter
Bonnstetter	Gallagher	Mercer	Smith
Bowers	Garner	Millhone	Sours
Bruce	Gissel	Mitchell	Swift
Craven	Gittinger	Moore of	Thies
Cunningham	Grell	Harrison	Thiessen
Davis	Hanson of Lyon	Osborn	Treimer
Donlon	Hanson of	Ostby	Weed
Doran	Winnebago	Paisley	Wieben
Dreessen	Hartman	Peaco	Wiese
Durant	Hultman	Reed	Zylstra

Absent or not voting, 30.

Brady	Koch	Schmitz	Stewart
Burgess	Lookingbill	Schroeder	Stimpson
Ellsworth	McDermott	Sheridan	Teter
Foster	Malone	Snyder	Willis
Fuester	Metcalf	Speidel	Yager
Grau	Peet	Stansell	Zipse
Hopp	Porter	Stanzel	Mr. Speaker
Hough	Rawlings		

Amendment lost.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aldrich	Dole	Gissel	McCreery
Alesch	Donlon	Gittinger	McDermott
Augustine	Doran	Goode	McKinnon
Avery	Dreessen	Grell	McLean
Beath	Durant	Hanson of Lyon	Maniece
Beswick	Elliott	Hanson of	Mercer
Bonnstetter	Ellsworth	Winnebago	Millhone
Bouska	Fabritz	Hartman	Mitchell
Bowers	Falvey	Hook	Moore of Benton
Bruce	Felter	Hultman	Moore of
Casey	Fletcher	Humeston	Harrison
Craven	Frizzell	Jenkins	Osborn
Crouch	Fuelling	Jensen	Ostby
Cunningham	Fuester	Johnson	Paisley
Davis	Gallagher	Laughlin	Peaco
Dean	Garner	McCarthy	Rawlings

Digitized by Google

Reed	Schmitz	Thiessen	Wiese
Rice	Smith	Treimer	Wolf
Roe	Stimpson	Weed	Yager
Ryder	Swift	Wieben	Zylstra
Schlatter	Thies		

The nays were, 2.

Lichty	McFarlane

Absent or not voting, 26.

Brady	Lookingbill	Sheridan	Stewart
Burgess	Malone	Snyder	Strachan
Foster	Metcalf	Sours	Teter
Grau	Mooty	Speidel	Willis
Hopp	Peet	Stansell	Zipse
Hough	Porter	Stanzel	Mr. Speaker
Koch	Schroeder		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Cunningham of Polk moved that the vote by which Senate File No. 295 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 169, a bill for an act to prohibit "marathon dances", "walkathons", "skatathons", or any endurance contest in the State of Iowa, and providing penalties for any person, firm or corporation participating in, aiding or promoting such contests, was taken up for consideration.

Fabritz of Wapello offered the following amendment, and moved its adoption:

Amend Senate File No. 169 by inserting as section 3 the following:

"Sec. 3. Nothing in this act shall effect existing contracts. All contracts shall expire by April 1, 1934."

Renumber present section 3 as section 4.

Jensen of Audubon moved the previous question on the pending amendment and the main bill. Motion prevailed.

On the question "Shall the Fabritz amendment be adopted?" a roll call was demanded.

The ayes were, 21.

Bonnstetter	Garner	Malone	Sheridan
Bruce	Gittinger	Maniece	Stewart
Craven	Hook	Mitchell	Stimpson
Davis	Humeston	Ostby	Willis
Fabritz	McDermott	Schmitz	Mr. Speaker
Falvey			

Digitized by Google

The nays were, 69.

Aldrich	Elliott	Jensen	Roe
Alesch	Ellsworth	Johnson	Ryder
Augustine	Felter	Koch	Schlatter
Avery	Fletcher	Lichty	Smith
Beath	Frizzell	McCarthy	Sours
Beswick	Fuelling	McCreery	Strachan
Bouska	Fuester	McFarlane	Swift
Bowers	Gallagher	McKinnon	Teter
Burgess	Gissel	McLean	Thies
Casey	Grau	Mercer	Thiessen
Crouch	Grell	Metcalf	Treimer
Cunningham	Hanson of Lyon	Moore of	Weed
Dean	Hanson of	Harrison	Wieben
Dole	Winnebago	Mooty	Wiese
Donlon	Hartman	Paisley	Wolf
Doran	Hough	Peaco	Yager
Dreessen	Hultman	Rawlings	Zylstra
Durant	Jenkins	Reed	

Absent or not voting, 18.

Brady	Lookingbill	Porter	Speidel
Foster	Millhone	Rice	Stansell
Goode	Moore of Benton	Schroeder	Stanzel
Hopp	Osborn	Snyder	Zipse
Laughlin	Peet		

Amendment lost.

McFarlane of Black Hawk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Falvey	Lichty	Roe
Alesch	Felter	McCarthy	Ryder
Augustine	Fletcher	McCreery	Schlatter
Avery	Frizzell	McDermott	Schmitz
Beath	Fuelling	McFarlane	Sheridan
Beswick	Fuester	McKinnon	Smith
Bonnstetter	Gallagher	McLean	Sours
Bouska	Gissel	Malone	Stewart
Bowers	Gittinger	Maniece	Stimpson
Bruce	Goode	Mercer	Strachan
Casey	Grau	Metcalf	Swift
Craven	Grell	Mitchell	Teter
Crouch	Hanson of Lyon	Moore of Benton	Thies
Cunningham	Hanson of	Moore of	Thiessen
Davis	Winnebago	Harrison	Treimer
Dean	Hartman	Mooty	Weed
Dole	Hook	Osborn	Wieben
Donlon	Hough	Ostby	Wiese
Doran	Hultman	Paisley	Willis
Dreessen	Humeston	Peaco	Wolf
Durant	Jenkins	Rawlings	Yager
Elliott	Jensen	Reed	Zylstra
Ellsworth	Johnson	Rice	Mr. Speaker
Fabritz	Koch		

The nays were, none.

Digitized by Google

Absent or not voting, 16.

Brady	Hopp	Peet	Speidel
Burgess	Laughlin	Porter	Stansell
Foster	Lookingbill	Schroeder	Stanzel
Garner	Millhone	Snyder	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

McFarlane of Black Hawk moved that the vote by which Senate File No. 169 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

February 14: House File No. 94, 331, and 316.

AMENDMENTS FILED

Gallagher of Iowa filed the following amendment:

Amend House File No. 336, as follows:

Strike from sub-section (i) of Section 2 that part thereof following the word "grains" in line 38 reading as follows, "containing not more than four per centum (4%) of alcohol by weight".

Mitchell of Webster filed the following amendment:

Amend House File No. 386 as follows:

Strike the period (.) following the word "beer" in line 5 of section 3 and insert in lieu thereof the following:

"as defined in this act; provided, however, that nothing herein contained shall prohibit the holder of a class "A" permit from manufacturing beer of a higher alcoholic content for shipment outside this state."

Mitchell of Webster filed the following amendment:

Amend Section 10 of House File 336 by inserting in line four (4) after the word "sales" the following:

"within the state of Iowa".

Mitchell of Webster filed the following amendment:

Amend House File No. 336 as follows:

Section 29 by adding thereto the following:

"It shall be unlawful for any person not holding a class "A" permit to import beer into this state for the purpose of sale or resale."

Mitchell of Webster filed the following amendment:

Amend House File No. 336 as follows:

Strike from lines 4, 5 and 6 of section 33 that part thereof reading as

Digitized by Google

follows, "provided, however, the label on all bottles, kegs, barrels or containers shall be conclusive evidence as to the alcoholic content of beer contained therein;".

Moore of Benton filed the following amendment:

Amend House File No. 336, section twenty-three (23) by striking out all of line ten (10) and inserting in lieu thereof the following:

"beer and the amount purchased, and such permit".

Further amend Section twenty-three (23) by adding at the end thereof the following:

"A penalty of 10% of the amount of the tax shall be added thereto if the report is not filed and the tax paid to the Treasurer by said tenth (10th) day of the calendar month."

Sheridan of Lee filed the following amendment:

Amend House File No. 336 by striking therefrom all of Sections 13 and 14 and inserting in lieu thereof, the following:

"Sec. 13. Subject to the provisions of this Act, any dining car company, sleeping car company, railroad company or railway company may make application to the Treasurer of State of the State of Iowa for a Special Class B Permit, and the Treasurer of State of the State of Iowa may issue a permit to any such company which shall authorize the holder thereof to keep for sale and sell on any dining car, sleeping car, buffet car or observation car operated by such applicant in, through or across the State of Iowa, beer containing no greater content of alcohol by weight than is lawful under this Act for consumption in such cars. The application for such permit shall be in such form and contain such information as may be required by the Treasurer of State of the State of Iowa. Each such permit shall be good throughout the State as a State permit. Only one such permit shall be required for all cars operated in this State by such applicant, but a duplicate of such permit issued, as herein provided, shall be posted in each car in which such beverages are sold; and no further permit shall be required or tax levied for the privilege of selling beverages for consumption in such cars. As a condition precedent to the issuing of any permit hereunder, the applicant shall give bond to the Treasurer of State of the State of Iowa, with good and sufficient sureties thereon to be approved by the Treasurer of State, conditioned upon the faithful performance of this Act in the penal sum of One Thousand Dollars ($1000.00)."

Amend by adding at the end of Section 21 thereof, the following:

"The annual permit fee for Special Class B Permits, issued under Section 13 hereof, shall be $100, and .50c for each duplicate thereof, which fees shall be paid into the State Treasury. The Treasurer of State of the State of Iowa shall issue duplicates of such permits from time to time as applied for by each such company."

Amend Section 29 by adding after the word "paid" in line 6 thereof, the following:

"Provided, however, the provisions of this section shall not apply to the holders of Special Class B Permits issued under Section 13 hereof for sales in cars engaged in interstate commerce."

Digitized by Google

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 162, H. F. No. 324, S. F. No. 252.

JAS. BURGESS, *Chairman.*

Mercer of Johnson moved that the House adjourn until 10 o'clock a. m. Monday.

McKinnon of Henry moved to amend the motion by adjourning until 10 o'clock a. m., Saturday.

On the question "Shall the McKinnon amendment be adopted?" a roll call was demanded.

The ayes were, 60.

Aldrich	Ellsworth	McKinnon	Smith
Alesch	Fabritz	Malone	Stewart
Augustine	Fletcher	Maniece	Stimpson
Avery	Frizzell	Metcalf	Swift
Beswick	Fuester	Moore of	Teter
Bonnstetter	Gallagher	Harrison	Thies
Bowers	Garner	Mooty	Thiessen
Bruce	Gittinger	Osborn	Treimer
Burgess	Grau	Ostby	Weed
Casey	Hanson of	Peaco	Wieben
Davis	Winnebago	Rawlings	Wiese
Dole	Hook	Reed	Wolf
Donlon	Hough	Rice	Yager
Doran	Humeston	Roe	Zylstra
Dreessen	Koch	Schlatter	Mr. Speaker
Durant	McCreery		

The nays were, 34.

Beath	Fuelling	Johnson	Moore of Benton
Bouska	Gissel	Lichty	Paisley
Craven	Goode	McCarthy	Ryder
Crouch	Grell	McDermott	Schmitz
Cunningham	Hanson of Lyon	McFarlane	Sheridan
Dean	Hartman	McLean	Sours
Elliott	Hultman	Mercer	Strachan
Falvey	Jenkins	Mitchell	Willis
Felter	Jensen		

Absent or not voting, 14.

Brady	Lookingbill	Schroeder	Stansell
Foster	Millhone	Snyder	Stanzel
Hopp	Peet	Speidel	Zipse
Laughlin	Porter		

Amendment adopted.

The Mercer motion as amended was adopted and the House stood adjourned until 10 o'clock a. m., Saturday, February 17.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 17, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven, pastor A. M. E. Church, Des Moines, Iowa.

Journal of February 16 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Rawlings of Monona for the day, on request of Dreessen of Crawford; Jenkins of Louisa for the day, on request of Falvey of Monroe; Grau of Buena Vista for the day, on request of McCreery of Linn; Stanzel of Sac for the day, on request of Strachan of Humboldt; Maniece of Emmet for the day, on request of Bonnstetter of Kossuth; Stimpson of Jones for the day, on request of Bonnstetter of Kossuth; Moore of Harrison for the day, on request of Bonnstetter of Kossuth; Lookingbill of Story for the day, on request of Durant of Hancock; Millhone of Page for the day, on request of Hultman of Montgomery; Craven of Jasper for the day, on request of Thies of Pottawattamie; Zipse of Chickasaw for the day, on request of Rice of Keokuk; Speidel of Washington for the day, on request of Hanson of Lyon; Fuelling of Clayton for the day, on request of Ellsworth of Hardin; Johnson of Linn for the day, on request of Ellsworth of Hardin; Hartman of Des Moines for the day, on request of Dean of Cerro Gordo; Beath of Adams for the day, on request of Gissel of Buchanan; Mercer of Johnson for the day, on request of Koch of Bremer; Jensen of Audubon for the day, on request of Aldrich of Wright; Foster of Cedar for the day, on request of Fuester of Ida; Hopp of Mills for the day, on request of Osborn of Decatur.

ROLL CALL TO ASCERTAIN THE PRESENCE OF A QUORUM

A roll call was taken to ascertain the presence of a quorum. The roll call showed eighty members present.

CONSIDERATION OF BILLS

House File No. 337, a bill for an act to amend sections eighty-four hundred eighty (8480), eighty-four hundred eighty a-six

Digitized by Google

(8480-A6), eighty-five hundred eight (8508) and eighty-five hundred eight a-six (8508-A6), Code, 1931, allowing co-operative associations unlimited time to re-instate and right of compromise in penalty, was taken up for consideration.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Elliott	Laughlin	Ryder
Alesch	Ellsworth	McCarthy	Schlatter
Augustine	Fabritz	McCreery	Schmitz
Avery	Falvey	McDermott	Smith
Beswick	Felter	McKinnon	Sours
Bonnstetter	Fletcher	McLean	Stewart
Bouska	Frizzell	Malone	Strachan
Bowers	Gallagher	Metcalf	Swift
Brady	Garner	Mitchell	Teter
Bruce	Gittinger	Moore of Benton	Thies
Burgess	Goode	Mooty	Thiessen
Casey	Grell	Osborn	Treimer
Crouch	Hanson of Lyon	Ostby	Weed
Cunningham	Hanson of	Paisley	Wieben
Dean	Winnebago	Peaco	Wiese
Donlon	Hook	Reed	Wolf
Doran	Hultman	Rice	Yager
Dreessen	Humeston	Roe	Mr. Speaker
Durant	Koch		

The nays were, none.

Absent or not voting, 35.

Beath	Hartman	Maniece	Sheridan
Craven	Hopp	Mercer	Snyder
Davis	Hough	Millhone	Speidel
Dole	Jenkins	Moore of	Stansell
Foster	Jensen	Harrison	Stanzel
Fuelling	Johnson	Peet	Stimpson
Fuester	Lichty	Porter	Willis
Gissel	Lookingbill	Rawlings	Zipse
Grau	McFarlane	Schroeder	Zylstra

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 338, a bill for an act to authorize the secretary of state to compromise certain statutory penalties imposed upon distressed corporations, was taken up for consideration.

McCreery of Linn moved that action be deferred on House File No. 338 and that the bill retain its place on the calendar.

Motion prevailed.

Digitized by Google

House File No. 339, a bill for an act to amend section eighty-four hundred forty (8440), Chapter three hundred eighty-eight (388), Code, 1931, to empower the Secretary of State to verify annual reports of corporations and to determine that corporations are operating in compliance with law, was taken up for consideration.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 59.

Alesch	Fabritz	Koch	Schmitz
Augustine	Falvey	McCarthy	Smith
Avery	Fletcher	McDermott	Sours
Beswick	Frizzell	McKinnon	Stewart
Bonnstetter	Fuester	McLean	Strachan
Bouska	Gallagher	Malone	Swift
Burgess	Garner	Metcalf	Teter
Cunningham	Gittinger	Mitchell	Thies
Davis	Grell	Osborn	Thiessen
Dean	Hanson of Lyon	Ostby	Treimer
Donlon	Hanson of	Peaco	Weed
Doran	Winnebago	Reed	Wieben
Dreessen	Hook	Rice	Wolf
Durant	Hough	Ryder	Zylstra
Elliott	Humeston	Schlatter	Mr. Speaker

The nays were, 12.

Aldrich	Crouch	Gissel	Roe
Bowers	Ellsworth	Goode	Wiese
Bruce	Felter	Mooty	Yager

Absent or not voting, 37.

Beath	Hultman	Mercer	Schroeder
Brady	Jenkins	Millhone	Sheridan
Casey	Jensen	Moore of Benton	Snyder
Craven	Johnson	Moore of	Speidel
Dole	Laughlin	Harrison	Stansell
Foster	Lichty	Paisley	Stanzel
Fuelling	Lookingbill	Peet	Stimpson
Grau	McCreery	Porter	Willis
Hartman	McFarlane	Rawlings	Zipse
Hopp	Maniece		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

ACTION ON SENATE FILE NO. 239 DEFERRED

Cunningham of Polk asked and obtained unanimous consent that action on House File No. 239 be deferred and that it retain its place on the calendar.

Digitized by Google

CONSIDERATION OF BILLS

House File No. 342, a bill for an act making an appropriation to reimburse the City of Iowa City, Iowa, for expenditures made in paving streets in front of State owned property, was taken up for consideration.

Bonnstetter of Kossuth moved that action be deferred on House File No. 342, and that it retain its place on the calendar. Motion prevailed.

ACTION ON HOUSE FILES NO. 162 AND 324 DEFERRED

Rice of Keokuk asked and obtained unanimous consent that action on House File No. 162 be deferred and that it retain its place on the calendar.

Ellsworth of Hardin asked and obtained unanimous consent that action on House File No. 324 be deferred and that it retain its place on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Kock of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption.

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 17.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 17.

BILL SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 16th day of February, 1934, sent to the Governor for his approval: House File No. 17. WM. KOCH, *Chairman.*

Report adopted.

Digitized by Google

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 15, calling for a joint convention of the Senate and House to which is to be invited Commander Edward A. Hayes of the American Legion. BYRON G. ALLEN, *Secretary.*

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

January 23. House Files No. 160 and 264.

February 13: House Files No. 290 and 330.

February 16: House Files No. 112 and 327.

AMENDMENTS FILED

Cunningham of Polk filed the following amendment:

Amend Senate File No. 239 by striking from Section one, the following:

"In no case shall such assessment exceed twenty-five per cent of the actual value of said lots or tracts at the time of levy thereof, except when the water service has been petitioned for, and in such case the assessment may be levied against the lots and tracts of land of the district without such twenty-five per cent limitation, but in no event shall the assessment for any one year exceed ten per cent of the total cost of installing and establishing of such water service" and substitute therefore the following:

"In no case shall such assessment exceed fifteen per cent of the actual value of said lots or tracts of land without improvements or buildings at the time of levy thereof."

Teter of Marion filed the following amendment:

Amend House File No. 336 by changing the period (.) at end of line seven (7) of Section fifteen (15) of the printed bill to a comma (,) and adding the following:

"provided the bona fide membership of such clubs is not less than twenty-five (25) whose annual dues are fully paid at time of application."

On the motion of Peaco of Clinton the House adjourned until 10:00 o'clock a. m., Monday, February 19.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 19, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Father D. A. Gorman, of the St. Patrick's Church, Nevada, Iowa.

Journal of February 17 corrected and approved.

PETITIONS AND MEMORIALS

Opposing any change in the fishing and hunting licenses. Metcalf, from the citizens of Muscatine county; Aldrich of Wright, from the commercial club of Dows, Iowa. Referred to the committee on fish and game.

Asking that insurance companies be compelled to dispose of all land acquired by foreclosures. McKinnon, from the United Farmers of Henry county. Referred to the committee on insurance.

Favoring the Iowa Twenty-five Year Conservation Program. McCarthy of Woodbury, from the citizens of Woodbury county. Referred to the committee on conservation of resources.

CONSIDERATION OF BILLS

House File No. 342, a bill for an act making an appropriation to reimburse the City of Iowa City, Iowa, for expenditures made in paving streets in front of State owned property, was taken up for consideration.

Mercer of Johnson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 89.

Aldrich	Fabritz	Humeston	Peet
Alesch	Falvey	Jenkins	Rawlings
Augustine	Felter	Jensen	Reed
Avery	Fletcher	Johnson	Roe
Beath	Foster	Koch	Ryder
Beswick	Frizzell	Laughlin	Schmitz
Bonnstetter	Fuelling	Lookingbill	Smith
Bouska	Fuester	McCarthy	Stansell
Bowers	Gallagher	McCreery	Stanzel
Brady	Garner	McKinnon	Stewart
Bruce	Gissel	McLean	Stimpson
Burgess	Gittinger	Malone	Strachan
Craven	Goode	Mercer	Swift
Crouch	Grau	Metcalf	Teter
Cunningham	Grell.	Millhone	Thies
Davis	Hanson of Lyon	Moore of Benton	Thiessen
Dean	Hanson of	Moore of	Treimer
Dole	Winnebago	Harrison	Weed
Donlon	Hartman	Mooty	Wiese
Doran	Hook	Osborn	Willis
Durant	Hopp	Ostby	Wolf
Elliott	Hough	Paisey	Yager
Ellsworth	Hultman	Peaco	

The nays were, none.

Absent or not voting, 19.

Casey	Maniece	Schroeder	Wieben
Dreessen	Mitchell	Sheridan	Zipse
Lichty	Porter	Snyder	Zylstra
McDermott	Rice	Sours	Mr. Speaker
McFarlane	Schlatter	Speidel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

CALL OF THE HOUSE

MR. SPEAKER: We, the undersigned, hereby request a call of the House for the consideration of House File No. 162.

C. L. RICE.	R. G. MOORE.
FOREST DAVIS.	F. J. MCCARTHY.
A. H. BONNSTETTER.	E. H. FABRITZ.

The roll call disclosed all members present except: Dreessen of Crawford, Lichty and McFarlane of Black Hawk, Maniece of Emmet, Mitchell of Webster, Porter of Delaware, Schroeder of Carroll, Sheridan of Lee, Snyder of Hamilton, Speidel of Washington, and Wieben of Tama.

Bonnstetter of Kossuth moved that absentees be excused until the roll call on House File No. 162. Motion lost.

Mitchell of Webster moved to defer action on House File No. 162 until 1:30 p. m. this afternoon. Motion prevailed.

Digitized by Google

Sours of Floyd moved that the call of the House be raised. Motion prevailed.

CONSIDERATION OF SENATE AMENDMENTS

On request of Lookingbill of Story, unanimous consent having been given, House File No. 209, a bill for an act to amend Section Thirty-nine hundred and twenty-one (3921), Code 1931, relating to the powers of the Board of Education in regard to inventions of students, instructors and officials, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 209

Amend House File 209 by striking the words "Paragraph No. 9-a" and "Par. No. 9-a." where they appear in lines two (2), three (3) and four (4) of section one (1).

Further amend by adding at the end of section one (1) thereof, the following:

"That the letters patent or copyright on inventions when so secured shall be the property of the State of Iowa, and the royalties and earnings thereon shall be credited to the funds of the institution in which such patent or copyright is originated."

Mr. Lookingbill moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 90.

Aldrich	Falvey	Jensen	Roe
Augustine	Felter	Johnson	Ryder
Avery	Fletcher	Koch	Schlatter
Beath	Foster	Laughlin	Schmitz
Beswick	Frizzell	Lichty	Smith
Bonnstetter	Fuelling	Lookingbill	Snyder
Bouska	Fuester	McCarthy	Sours
Bowers	Gallagher	McCreery	Speidel
Brady	Garner	McDermott	Stansell
Bruce	Gissel	McKinnon	Stanzel
Burgess	Gittinger	Malone	Stewart
Casey	Goode	Mercer	Strachan
Craven	Grau	Metcalf	Swift
Cunningham	Grell	Millhone	Teter
Davis	Hanson of Lyon	Moore of Harrison	Thies
Dean	Hanson of Winnebago	Mooty	Thiessen
Dole	Hartman	Osborn	Treimer
Donlon	Hook	Paisley	Weed
Doran	Hopp	Peaco	Wiese
Durant	Hough	Peet	Willis
Elliott	Humeston	Rawlings	Wolf
Ellsworth	Jenkins	Reed	Yager
Fabritz			Zylstra

Digitized by Google

The nays were, none.

Absent or not voting, 18.

Alesch	McLean	Porter	Stimpson
Crouch	Maniece	Rice	Wieben
Dreessen	Mitchell	Schroeder	Zipse
Hultman	Moore of Benton	Sheridan	Mr. Speaker
McFarlane	Ostby		

The House concurred in the Senate amendments to House File No. 209.

CONSIDERATION OF BILLS

House File No. 324, a bill for an act to amend Section Seven Thousand Three (7003), Code, 1931, relating to the taxation of Bank Stock, was taken up for consideration.

Speidel of Washington moved to amend House File No. 324 by adding after the word "striking" in line 2 the following: "from line nine the words "one-fourth of"; and ".

Amendment adopted.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aldrich	Falvey	Koch	Schlatter
Alesch	Fletcher	Laughlin	Schmitz
Augustine	Foster	Lichty	Smith
Avery	Frizzell	Lookingbill	Snyder
Bonnstetter	Fuelling	McCreery	Sours
Bouska	Gallagher	McFarlane	Speidel
Brady	Garner	McLean	Stansell
Bruce	Gittinger	Malone	Stewart
Burgess	Goode	Metcalf	Stimpson
Casey	Grau	Millhone	Strachan
Craven	Hanson of Lyon	Moore of Benton	Swift
Crouch	Hanson of Winnebago	Moore of Harrison	Thies
Cunningham	Hartman	Mooty	Thiessen
Dean	Hook	Paisley	Treimer
Dole	Hopp	Peaco	Weed
Donlon	Hough	Peet	Wiese
Doran	Hultman	Rawlings	Willis
Durant	Jenkins	Reed	Wolf
Elliott	Jensen	Roe	Yager
Ellsworth	Johnson	Ryder	Mr. Speaker
Fabritz			

The nays were, 16.

Beath	Felter	Humeston	Osborn
Beswick	Fuester	McCarthy	Stanzel
Bowers	Gissel	McDermott	Zipse
Davis	Grell	McKinnon	Zylstra

Digitized by Google

Absent or not voting, 11.

Dreessen	Mitchell	Rice	Teter
Maniece	Ostby	Schroeder	Wieben
Mercer	Porter	Sheridan	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Ellsworth of Hardin moved that the vote by which House File No. 324 passed the House be reconsidered and the motion to reconsidered by laid on the table. Motion prevailed.

House File No. 338, a bill for an act to authorize the secretary of state to compromise certain statutory penalties imposed upon distressed corporations, was taken up for consideration.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 77.

Aldrich	Frizzell	McCreery	Schlatter
Augustine	Fuelling	McKinnon	Schmitz
Beath	Gallagher	McLean	Schroeder
Beswick	Garner	Malone	Snyder
Bonnstetter	Gissel	Mercer	Sours
Bouska	Gittinger	Metcalf	Stansell
Brady	Grau	Millhone	Stewart
Bruce	Hanson of Lyon	Mitchell	Stimpson
Burgess	Hartman	Moore of Benton	Strachan
Casey	Hook	Moore of	Swift
Craven	Hopp	Harrison	Thies
Cunningham	Hough	Mooty	Thiessen
Davis	Humeston	Paisley	Weed
Dole	Jenkins	Peaco	Wiese
Donlon	Johnson	Peet	Willis
Doran	Koch	Rawlings	Wolf
Dreessen	Laughlin	Reed	Yager
Ellsworth	Lichty	Roe	Zylstra
Falvey	Lookingbill	Ryder	Mr. Speaker
Fletcher	McCarthy		

The nays were, 16.

Alesch	Felter	Grell	Smith
Avery	Foster	Hanson of	Stanzel
Bowers	Fuester	Winnebago	Teter
Crouch	Goode	Ostby	Zipse
Durant			

Absent or not voting, 15.

Dean	Jensen	Osborn	Speidel
Elliott	McDermott	Porter	Treimer
Fabritz	McFarlane	Rice	Wieben
Hultman	Maniece	Sheridan	

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Cunningham of Polk moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint session.

Motion prevailed and the Speaker appointed Cunningham of Polk, Garner of Butler and Hook of Taylor.

Cunningham of Polk from the committee appointed to notify the Senate that the House was ready to receive it in joint session, reported that it had performed its duty. The report was accepted and the committee was discharged.

The Sergeant-at-arms announced the arrival of the President of the Senate, the Secretary of the Senate, and the Honorable body of the Senate.

The President of the Senate was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate took seats in the west side of the chamber.

JOINT CONVENTION

In accordance with the concurrent resolution duly adopted, the joint convention was called to order, Lieutenant Governor Kraschel, President of the Senate, presiding.

President Kraschel announced the presence of a quorum and the joint convention duly organized.

The following members of the joint committee appointed under provisions of House Concurrent Resolution No. 15 escorted Edward A. Hayes, National Commander of the American Legion to the Speaker's desk: Senators Stanley, Bennett, Fisch, Irwin and Roelofs on the part of the Senate; and Fabritz of Wapello, Doran of Boone, Johnson of Linn, Mitchell of Webster and Moore of Harrison on the part of the House.

President Kraschel introduced Edward A. Hayes, National Commander of the American Legion, who addressed the members of the joint convention:

Digitized by Google

ADDRESS BY EDWARD A. HAYES, NATIONAL COMMANDER OF THE AMERICAN LEGION

MEMBERS OF THIS JOINT SESSION: At the outset may I express to you the gratitude of the National Organization of the American Legion for this privilege. May I record the impression which is in my mind because of what just happened just as I entered the door of this, your meeting place. Some of you may have noted that I shook hands with the gentleman who wears the blue and who stands at the door. Some of you may know, or may not know, that the home city of the present National Commander of the American Legion is the birthplace of the Grand Army of the Republic. Why do I record that thought? Because down deep in the minds of those of us who like to say that we feel we have reached maturity of mind, those of us who have had the privilege of service, there is coming the realization that upon the shoulders of those of us who served in the world war, the mantle of responsibility which has been on the shoulders of those like that distinguished gentleman who stands guard at your door will have been placed upon our shoulders.

As we go about this nation speaking extemporaneously as we are speaking here—whenever there is a representative of that particular organization present, it calls to my mind the fact that they have been dying at about the rate of fourteen hundred per month and that the fast fading line of blue will soon have passed on and if there is to be any responsibility assumed by any one representing the organization of the American Legion necessarily demand that that responsibility will fall upon them, but if so, why do we go around the country to speak extemporaneously as I am now speaking to emphasize this sort of opinion.

Let me philosophize in one sentence please. "It is not so much the insurrection of the ignorant we may fear in this country, it is the laziness of the intelligent." Men and women must think today. We have been going through the crucible in our beloved country. We have had this and that thought, but in the distorted mind itself the coming generation must forget about such things.

For instance the belief in God, for instance their teachings in some of the institutions that they better forget the sanctity of the marriage vow. Yes, I see within the range of my voice some members of the feminine sex. I say that there is a responsibility on all of us to be thinking these days to depend not upon that but to go down into the marrow of the facts and know what the truth is before we permit ourselves to judge or discuss which will undermine that country which was handed down to us by the Grand Army of the Republic. We believe in the Republic.

We have about 10,879 posts all over the country. True, some of the folks down East that used to have posts, say, "they are trying to take money away from the government, before they get down to the marrow of the facts, and that is all they are interested in."

I will endeavor to tell you what I have just told the Governor of this state what the Legion was willing to do, as he will tell you and as I will tell you at this joint session. Anywhere, any place there is a post of the American Legion, that post is under instructions to uphold the hands

Digitized by Google

of the authorities of the constitution within that county and state and by the same authorities within the nation.

We have told the world what we would do. These people have been disciplined at one time. They know it is the job of a soldier to carry out the instructions received whether he agrees with these instructions or not. Those of us who have had some months and years under discipline learned the first lesson of the service man "follow out your orders first and then raise the question next".

By the way, at one time it was said about the present national commander of the Legion that we wanted to get everybody into lockstep. Oh no, we are not trying to regiment we are trying to make people think these days. If we are to retain our views here on these plains in this splendid state, we know as Iowa, we better be getting some sort of unanimity of thought and action so we will be able to retain those things.

People have been designedly trying to get one set against the other. People have been designedly trying to induce the present generation to forget the responsibility of the principal thought of the coming generation. Just a few thoughts along that line so you will know that the American Legion is not that sort of playboy. Too many things that have been depicted are not what it is too often painted—a set of individuals who have forgotten God.

I ask in fairness as an American citizen that before you reach any sort of definite attitude toward the American Legion that you know what the facts are before you permit any condemnatory actions to be taken by any one. It is our job to try to get it and as much your job as American citizens to know the facts before you reach any conclusion.

It is not so much the insurrection of the ignorant as it is the laziness of of the intelligent.

Senator Wenner moved that the remarks made by National Commander Edward A. Hayes be printed in both Senate and House Journals. Motion prevailed.

Malone of Cass moved that the joint convention be now dissolved. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 17, a bill for an act to amend sub-section ten (10), section fifty-one hundred ninety-one (5191), Code of Iowa, 1931, as amended by section six (6), chapter ninety (90), Acts of the forty-fifth General Assembly, relating to mileage of sheriffs and their deputies.

BYRON G. ALLEN, *Secretary.*

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 259, 257, 260, 263, 256, 266, 280, 223, 224, 206 and 255.

WM. KOCH, *Chairman House Committee.*
GEO. N. HOPKINS, *Member Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 223, 224, 206, 255, 259, 257, 260, 263, 256, 266 and 280.

On the motion of Lookingbill the House recessed until 1:30 o'clock p. m. this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A call of the House on House File No. 162 revealed all members present except: Donlon of Palo Alto, Mercer of Johnson, Porter of Delaware and Sheridan of Lee.

Hough of Fayette moved the absentees be excused until the roll call on the final vote on House File No. 162. Motion prevailed.

CONSIDERATION OF BILLS

House File No. 162, a bill for an act providing for the non-partisan nomination and election of Judges of the Supreme and District Courts of the State of Iowa; also for the form and contents of declaration of candidacy of such candidates and accompanying petitions; for the time and place of filing same and fees to be paid in connection therewith; for the certification of the names of such candidates by the Secretary of State to County Auditors, and prescribing the duties of County Auditors in connection therewith; providing for the form of ballots to be used for determining what candidates have been nominated for such offices; and providing

Digitized by Google

for the certification of such nomination by the Secretary of State to County Auditors and prescribing the duties of County Auditors in connection with the general elections; providing for the form of ballots to be used and also for determining what candidates have been elected for such offices; providing for the use of voting machines and also for the filling of vacancies; also that the general laws applicable to primary elections and to general elections unless inconsistent with the provisions of this act, shall govern in the nomination of candidates at the primary election and in the election of candidates at the general election, and repealing all acts and parts of acts in conflict herewith, was taken up for consideration.

Moore of Benton offered the following amendments to House File No. 162:

Amend House File No. 162, section twelve (12), by striking out the words "justice or a judge" in line five (5) and inserting in lieu thereof the word "person".

Further amend House File No. 162, section twelve (12), by striking out all of said section after the period (.) in line fourteen (14).

Also, amend House File No. 162, by adding thereto the following:

Sec. 15. This Act being deemed of immediate importance shall be in effect after its passage and publication in the Cedar Valley Daily Times, a newspaper published at Vinton, Iowa, and the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa.

Amendments adopted.

Johnson of Linn moved to amend House File No. 162 as follows:

Strike therefrom the enacting clause in to-to.

Stanzel of Sac moved the previous question on the pending amendment. Motion prevailed.

On the question "Shall the Johnson amendment be adopted?" a roll call was demanded.

The ayes were, 37.

Avery	Elliott	Hultman	Mooty
Beath	Ellsworth	Jenkins	Peet
Beswick	Felter	Johnson	Snyder
Bowers	Fletcher	Lichty	Sours
Bruce	Gallagher	Lookingbill	Speidel
Casey	Gissel	McCreery	Stanzel
Cunningham	Goode	McFarlane	Strachan
Dole	Grau	McLean	Weed
Doran	Hanson of Winnebago	Millhone	Willis
Durant			

Digitized by Google

The nays were, 67.

Aldrich	Fuelling	Maniece	Schroeder
Alesch	Fuester	Mercer	Smith
Augustine	Garner	Metcalf	Stansell
Bonnstetter	Gittinger	Mitchell	Stewart
Bouska	Grell	Moore of Benton	Stimpson
Brady	Hanson of Lyon	Moore of	Swift
Burgess	Hartman	Harrison	Teter
Craven	Hook	Osborn	Thies
Crouch	Hopp	Paisley	Thiessen
Davis	Hough	Peaco	Treimer
Dean	Humeston	Rawlings	Wieben
Donlon	Jensen	Reed	Wiese
Dreessen	Koch	Rice	Wolf
Fabritz	Laughlin	Roe	Yager
Falvey	McCarthy	Ryder	Zipse
Foster	McKinnon	Schlatter	Zylstra
Frizzell	Malone	Schmitz	Mr. Speaker

Absent or not voting, 4.

McDermott	Ostby	Porter	Sheridan

Amendment lost.

Rice of Keokuk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 61.

Alesch	Garner	Mitchell	Schroeder
Augustine	Gittinger	Moore of Benton	Smith
Bonnstetter	Grell	Moore of	Stansell
Brady	Hartman	Harrison	Stewart
Burgess	Hook	Osborn	Stimpson
Craven	Hopp	Ostby	Swift
Davis	Hough	Paisley	Thies
Dean	Humeston	Peaco	Thiessen
Donlon	Koch	Rawlings	Treimer
Dreessen	Laughlin	Reed	Wiese
Fabritz	McCarthy	Rice	Wolf
Falvey	McDermott	Roe	Yager
Foster	McKinnon	Ryder	Zipse
Frizzell	Malone	Schlatter	Zylstra
Fuelling	Maniece	Schmitz	Mr. Speaker
Fuester	Metcalf		

The nays were, 45.

Aldrich	Durant	Hultman	Mooty
Avery	Elliott	Jenkins	Peet
Beath	Ellsworth	Jensen	Snyder
Beswick	Felter	Johnson	Sours
Bouska	Fletcher	Lichty	Speidel
Bowers	Gallagher	Lookingbill	Stanzel
Bruce	Gissel	McCreery	Strachan
Casey	Goode	McFarlane	Teter
Crouch	Grau	McLean	Weed
Cunningham	Hanson of Lyon	Mercer	Wieben
Dole	Hanson of	Millhone	Willis
Doran	Winnebago		

Digitized by Google

Absent or not voting, 2.

Porter Sheridan

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 258, a bill for an act to make an appropriation to B. Agard.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 261, a bill for an act to make an appropriation to Lewis G. Rodman, administrator of the Estate of Alfred Franklin Rodman, deceased.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 279, a bill for an act to make an appropriation to D. F. Wolfe.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 274, a bill for an act to make an appropriation to Ralph Almkuist.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 310, a bill for an act to make an appropriation to Honorable Victor Felter as trustee.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 312, a bill for an act to make an appropriation to Mrs. E. A. Brigham and Milton W. Strickler.

BYRON G. ALLEN, *Secretary.*

RESIGNATION OF COMMITTEE CLERK

I herewith tender my resignation as a Committee Clerk of the House to Representatives Sam Swift and Otto Fuelling to take effect February 20th.

HENRY A. KINGSLEY.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bill:

February 17: House File No. 98.

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 169 and 299.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 169 and 299.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 175, S. F. No. 95, S. F. No. 108.

JAS. BURGESS, *Chairman.*

AMENDMENT FILED

Beswick of Van Buren filed the following amendments to Senate File No. 252:

Amend Senate File No. 252 by striking all after the enacting clause and by substituting therefor, the following:

"Section 1. Amend, revise and codify section ninety-seven hundred sixty-two (9762), code, 1931, to read as follows:

'9762. Local sealers. The board shall submit to the secretary of agriculture the name of some person or persons, none of whom shall be members of said board, who shall, subject to the approval of the secretary of agriculture, act as the local sealer or sealers, and every such sealer shall have the same authority with respect to the provisions of this chapter and the rules and regulations promulgated thereunder, and the enforcement thereof, as any officer of the peace.'

Sec. 2. Amend, revise and codify section ninety-seven hundred ninety-five (9795), code, 1931, to read as follows:

'9795. Supervision fund—disbursement. For the purposes of defraying the expenses of supervision, the owner shall pay to the board at the time of sealing, an amount which shall not exceed one cent per bushel of grain inspected and sealed by the sealer. In no case shall the cost to the owner of the grain, housed in a single warehouse, be less than one dollar, nor more than twenty dollars. Out of the fund thus created the compensation of the sealer, as fixed by the board, subject to the approval

Digitized by Google

of the secretary of agriculture, and all other expenses, shall be paid.'

Sec. 3. Amend, revise and codify section ninety-seven hundred ninety-eight (9798), code, 1931, to read as follows:

'9798. Fees of the secretary of agriculture. The secretary of agriculture shall receive the following fees for services rendered under the provisions of this chapter:

1. For issuing licenses in each case, three dollars.

2. For approving the applications for group organizations, one dollar.'

Sec. 4. That chapter four hundred twenty-seven (427), code, 1931, be amended by inserting immediately after section ninety-seven hundred seventy-seven (9777), the following:

'9777-f1. When a certificate has been recorded and for any reason whatsoever is not negotiated or delievered to the assignee named therein, such certificate may be reassigned to the original owner upon the written request of the official sealer who issued said certificate providing said sealer, or his successor in office, shall write across the face of the original certificate the word 'Void' in ink or indelible pencil, and providing said sealer presents said original certificate at the office of the county recorder. The county recorder shall enter upon the index book 'Reassigned to the original owner before delivery' and forward said original certificate to the secretary of agriculture within twenty-four hours.'

Sec. 5. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Newell Mirror, a newspaper published in Newell, Iowa, and in the Van Buren Record, a newspaper published in Bonaparte, Iowa."

Amend the title by striking all after the word "Act" in line one (1) thereof, and substituting therefor the following:

"to amend, revise and codify sections ninety-seven hundred sixty-two (9762), ninety-seven hundred ninety-five (9795), and ninety-seven hundred ninety-eight (9798), code, 1931, and to amend chapter four hundred twenty-seven (427), code, 1931, relating to the charges to be paid by the owners of grain at the time of the sealing of the warehouse, the fees of the sealer and the secretary of agriculture and releasing the warehouse certificates; providing that the sealers appointed by the secretary of agricutlure shall not be members of the local board—all under the unbonded agricultural warehouse act."

On the motion of Stansell of Clarke the House adjourned until 10 o'clock a. m. Tuesday, February 20.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 20, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. C. L. Young, Pastor St. Andrews United Brethren Church, Des Moines, Iowa.

Journal of February 19 corrected and approved.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Schlatter, from the business men of Jackson county; Mercer, from the business men of Johnson county; Stimpson, from the business men of Jones county. Referred to the committee on tax revision.

Favoring an old age pension. Cunningham from the citizens of Polk county; Weed, from the citizens of Madison county. Referred to the committee on appropriations.

Favoring local option. Willis, from the citizens of Dallas county. Referred to the committee on liquor control.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Frizzell of Poweshiek for the day, on request of Reed of Mahaska; Bonnstetter of Kossuth for today and tomorrow, on request of Maniece of Emmet; Laughlin of Fremont for the day, on request of Avery of Clay; Strachan of Humboldt for today and tomorrow, on request of Stanzel of Sac.

SENATE MESSAGES CONSIDERED

Senate File No. 258, a bill for an act to make an appropriation to B. Agard.

Read first and second times and referred to committee on appropriations.

Senate File No. 261, a bill for an act to make an appropriation

Digitized by Google

to Lewis G. Rodman, administrator of the Estate of Alfred Franklin Rodman, deceased.

Read first and second times and referred to committee on appropriations.

Senate File No. 279, a bill for an act to make an appropriation to D. F. Wolfe.

Read first and second times and referred to committee on appropriations.

Willis of Dallas presented the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 16

Memorializing the President of the United States, asking for a Subsistence Homesteads Experimental Project for Dallas County, Iowa, near the town of Granger; to furnish the mining population and their families and the stranded agricultural population and their families with the opportunity of owning a home and a small acreage of land in conformance with Section 208 of Title II of the National Industrial Recovery Act.

Whereas, Application has been made to the Subsistence Homesteads Division, Department of the Interior, Washington, D. C., asking for the approval of a Subsistence Homesteads Experimental Project to be established near the town of Granger, in Dallas County, Iowa, and

Whereas, Said application has met with the commendation of a duly qualified representative of the Subsistence Homesteads Division, Department of the Interior, Washington, D. C., who was commissioned to check the qualifications of the community at Granger, Iowa, as to the potential possibilities of carrying out said project to a successful fruition, and

Whereas, Said Subsistence Homesteads Experimental Project has been investigated and approved by a Committee of five from the Iowa State College of Ames, Iowa, and

Whereas, The land to be used in the creation of said Subsistence Homesteads Experimental Project is farm land that can be purchased at a reasonable figure providing the same is purchased before crop planting time, therefore:

Be It Resolved by the House, the Senate concurring: That the General Assembly of Iowa respectfully requests and urges the President of the United States to exercise the authority and power granted him, to approve the establishment of a Subsistence Homesteads Experimental Project in Dallas County, Iowa, near the town of Granger, as soon as possible, all for the best interests of the above mentioned mining population and their families, and the stranded agricultural population and their families, as provided for in said Section 208 of Title II of the Industrial Recovery Act.

Be It Further Resolved, That the Secretary of State of Iowa, be instructed to send a copy of this resolution to the President of the United

Digitized by Google

States, to the Secretary of the Interior and to each member of Congress from the State of Iowa.

Laid over under Rule 34.

Fabritz of Wapello asked and obtained unanimous consent to grant Ray Murray, State Secretary of Agriculture, permission to address the House at this time.

ADDRESS BY RAY MURRAY, SECRETARY OF AGRICULTURE

MR. SPEAKER, MEMBERS OF THE HOUSE: Naturally I would hesitate to come before you at as busy a time as this unless I thought I had something you would be vitally interested in.

I hope you will pardon my reading a part of this as I wish to save time, knowing some of the business before you.

I trust that you know that the Governor has already appointed a State Farm Debt Adjustment Committee for the purpose of co-ordinating all the means of helping to adjust distressed farm debt cases. That committee consists of twenty-two members and is composed, in addition to myself representing the Department of Agriculture, of D. L. Bates of the Iowa Department of Banking, Charles Housh of the Iowa Reconstruction Finance Corporation, B. F. Kauffman of the State Banking Association, Chas. E. Hearst, President of the Iowa Farm Bureau, Glen B. Miller, President of the Iowa Farmers' Union, Ralph Smith, Master of the Iowa Farm Grange, Edw. M. Fazel, President of the Iowa Fruit and Vegetable Growers' Association, W. H. Thompson, Secretary of the Farmers Grain Dealers' Association of Iowa, R. K. Bliss, Director of the Iowa State Extension Service, W. G. Murray, Agricultural Economist, J. N. Horlacker, President of the Iowa Live Stock Marketing Association, Chas. Sexton, President of the Iowa Sheep and Wool Growers' Association, Fred Larrabee, President of the Iowa State Dairy Association, Knute Espy, Secretary of the Co-Operative Live Stock Shipping Association, Ralph Sherman, President of the Iowa Beef Producers' Association, M. O. Gilbert, of the United Farmers of Iowa, Kirk Fox, of the Successful Farming, William Drips, of the Wallace Farmer, John Chalmers, President of the Farm Holiday Association, J. C. Mabry of the Iowa State Bar Association, Jim Russel, Farm Editor of the Des Moines Register, Ray Anderson, Farm Editor of the Cedar Rapids Gazette, and Henry Nollen, of the Iowa Insurance Companies.

Governor Herring has appointed a State Farm Debt Adjustment Committee for the purpose of coordinating all the means of helping to adjust distressed farm debt cases. This is purely a voluntary effort to get farm debtors and their creditors to accept a friendly sensible adjustment of their difficulties without resorting to the expensive court procedure which so often brings with it unnecessary distress and hardship.

The whole aim of voluntary farm debt adjustment work is to secure distressed farm debt cases as large a measure of social and economic justice as possible for both the farm debtor and his creditors. This does not mean the scaling down of any reasonable indebtedness, neither

Digitized by Google

does it mean protecting the debtor who has used the depression as an excuse for sharp practice.

The plan which is being set up in Iowa is very similar to that which is being used in a large number of the other states. The State Committee which has already been named by Governor Herring, has as its objective the naming of county farm debt adjustment committees who will function in assisting debtors or creditors who come to them, in working out an agreement with respect to their debt difficulties. The State committee will also act in advisory capacity in working out general policies and in dealing with some of the problems where they can be of service to county committees. Close contact will be kept with the county committees in order to give them the benefit of all the experience gained in other counties that is possible. These County Farm Debt Adjustment committees are men who have been selected because of the reputation they already have for their fair dealing and men of good judicial thinking. They are in a position to taking neither a pro debtor or pro creditor point of view. They must recognize on the one hand many debtors are in distress because of no fault of their own, but merely because of the misfortune of the depression period.

The need of voluntary farm debt adjustment committees arises from the fact that no two farm debt situations are alike, both debtor and creditor agree that every farm debt case should be handled on its own merits. The functions which these committees can fill, include the following:

(1) To give friendly, reliable information and counsel to both debtors and creditors. Too frequently a distressing debt is brooded over rather than for the debtor to seek effective relief.

(2) To work out agreements enabling worthy farmers to remain on the farm, instead of losing hope and deeding the farm to the creditors. Creditors generally do not wish to take title to a debtor's property, but some are now using unfair coersion to get debtors to give up title.

(3) To aid in stopping unnecessary foreclosures, but recognizing that some foreclosures cannot be avoided in the best interests of *all parties*.

(4) To assist debtors and creditors to compose the debts in the form of a loan which the debtor has a reasonable chance of carrying.

(5) To suggest an extension agreement which will, in a sense, "freeze" the debts, pending further settlement. Such an agreement may be the fairest solution of many distressed farmers' problems and may insure the most effective operation of the farm until such time as the future level of prices may be more definitely known.

(6) To assist closed banks to make an equitable adjustment of farmers' debts for the best interest of bank depositors and the indebted farmer.

(7) To guide debtors and creditors in taking the best court procedure when legal action appears to be the best solution. Few people are well informed, specially with regard to the provisions of the revised Federal Bankruptcy Act, which permits adjustments without the debtor being adjudged a bankrupt.

We are coming to you this morning asking you for your help in setting up a committee in each of the ninety-nine counties in Iowa. The various members of the committee met in the Governor's office and left Mr. Bates, Professor Murray and myself to set up such a committee in the counties.

Digitized by Google

Various farm organizations have been asked to hand to us some names of four or five men in their particular counties that they think would be efficient and we are asking each member of the House of Representatives to do the same.

Mr. Murray, Mr. Bates and myself would appreciate it very highly if each of you men would give to us a list of four or five men in your county who would be of benefit to the farmers in that particular community. There is no remuneration in connection with these positions. It is just another one of those positions that you catch "Hell if you do and Hell if you don't."

But there is a chance that we have four or five men in each county in Iowa who will render distinct fairness and duty to the people of your county. And we do ask that each of you submit to Mr. Bates or myself four or five names of men in your county.

We are also having names handed in by these organizations and we do not feel obligated in making all of these men that you hand to us members of these committees. I thank you.

CONSIDERATION OF BILLS

The hour for the special order having arrived, House File No. 336, a bill for an act to repeal Chapter thirty-eight (38), Acts of the forty-fifth General Assembly and to amend Chapter thirty-seven (37), Acts of the forty-fifth General Assembly relating to the manufacture, sale and distribution of beer; defining beer; providing for the regulation of the manufacture, sale and distribution of beer; providing revenue for the State of Iowa and certain of its municipal subdivisions, including cities and towns under special charter, by taxation of and from permits to manufacture and/or sell beer and providing for issuance of permits therefor and by providing penalties for the violation of the provisions hereof, was taken up for consideration.

Yager of Dickinson called up the first amendment filed by him and found on page 1139 of the Journal of February 15 and moved its adoption.

Gallagher of Iowa called up the amendment filed by him and found on page 1155 of the Journal of February 16 and moved that it be substituted for the Yager amendment.

Brady of Pottawattamie moved that the House recess until 1:30 o'clock p. m. today.

Zylstra of Sioux moved as a substitute that the House recess until 2:00 o'clock p. m. today.

Digitized by Google

The substitution was made and the substitute motion adopted and the House recessed until 2:00 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Fabritz of Wapello for the balance of the day, on request of Fuelling of Clayton.

The House resumed consideration of House File No. 336.

Gallagher of Iowa asked and obtained unanimous consent to withdraw his amendment offered as a substitute for the Yager amendment.

CALL OF THE HOUSE

We the undersigned request a Call of the House on House File No. 336 and on all amendments thereto.

WM. R. SHERIDAN
SAM SWIFT
JOHN F. BRADY
J. P. GALLAGHER
F. J. MCCARTHY

A roll call showed all members present except: Alesch of Plymouth, Augustine of Ringgold, Bonnstetter of Kossuth, Dreessen of Crawford, Fabritz of Wapello, Fletcher of Osceola, Frizzell of Poweshiek, Foster of Cedar, Fuester of Ida, Hook of Taylor, Jenkins of Louisa, Jensen of Audubon, Laughlin of Fremont, McKinnon of Henry, Malone of Cass, Metcalf of Muscatine, Moore of Harrison, Paisley of Lee, Porter of Delaware, Rice of Keokuk, Speidel of Washington, Strachan of Humboldt and Zylstra of Sioux.

Laughlin of Fremont, Strachan of Humboldt, Porter of Delaware, Bonnstetter of Kossuth, Fabritz of Wapello, and Frizzell of Poweshiek had been previously excused.

Sheridan of Lee moved to defer action on House File No. 336 until 10 o'clock a. m. tomorrow morning.

Gallagher of Iowa moved to substitute the motion by Sheridan of Lee by deferring action until 9:30 a. m. tomorrow.

On the question "Shall the motion by Gallagher be substituted for the Sheridan motion?" a roll call was demanded.

Digitized by Google

The ayes were, 28.

Bouska	Grau	Ostby	Smith
Brady	Hopp	Roe	Stewart
Burgess	Koch	Ryder	Swift
Casey	McCarthy	Schlatter	Thiessen
Falvey	Mercer	Schmitz	Wieben
Fuelling	Mitchell	Schroeder	Zipse
Garner	Osborn	Sheridan	Mr. Speaker

The nays were, 53.

Aldrich	Durant	Hultman	Reed
Avery	Elliott	Humeston	Snyder
Beath	Ellsworth	Jensen	Sours
Beswick	Felter	Johnson	Stansell
Bowers	Gallagher	Lichty	Stanzel
Bruce	Gissel	Lookingbill	Teter
Craven	Gittinger	McCreery	Thies
Crouch	Goode	McFarlane	Treimer
Cunningham	Grell	Maniece	Weed
Davis	Hanson of Lyon	Millhone	Wiese
Dean	Hanson of Winnebago	Mooty	Willis
Dole	Hartman	Peaco	Wolf
Donlon	Hough	Peet	Yager
Doran			

Absent or not voting, 27.

Alesch	Frizzell	McLean	Porter
Augustine	Fuester	Malone	Rawlings
Bonnstetter	Hook	Metcalf	Rice
Dreessen	Jenkins	Moore of Benton	Speidel
Fabritz	Laughlin	Moore of Harrison	Stimpson
Fletcher	McDermott	Paisley	Strachan
Foster	McKinnon		Zylstra

Motion to substitute lost.

On the question "Shall the Sheridan motion to defer action on House File No. 336 prevail?" a roll call was demanded:

The ayes were, 26.

Bouska	Hopp	Ostby	Schroeder
Brady	Koch	Peaco	Sheridan
Burgess	Lichty	Rawlings	Smith
Falvey	McCarthy	Roe	Stansell
Fuelling	Mercer	Ryder	Stewart
Garner	Mitchell	Schmitz	Swift
Grell	Osborn		

The nays were, 54.

Aldrich	Dean	Goode	Johnson
Avery	Dole	Grau	Lookingbill
Beath	Donlon	Hanson of Lyon	McCreery
Beswick	Doran	Hanson of Winnebago	McFarlane
Bowers	Durant	Hartman	Maniece
Bruce	Elliott	Hough	Millhone
Craven	Ellsworth	Hultman	Mooty
Crouch	Felter	Humeston	Peet
Cunningham	Gissel	Jensen	Reed
Davis	Gittinger		Schlatter

Digitized by Google

Snyder	Thies	Wieben	Yager
Sours	Thiessen	Wiese	Zipse
Stanzel	Treimer	Willis	Mr. Speaker
Teter	Weed	Wolf	

Absent or not voting, 28.

Alesch	Frizzell	McKinnon	Paisley
Augustine	Fuester	McLean	Porter
Bonnstetter	Gallagher	Malone	Rice
Casey	Hook	Metcalf	Speidel
Dreessen	Jenkins	Moore of Benton	Stimpson
Fabritz	Laughlin	Moore of	Strachan
Fletcher	McDermott	Harrison	Zylstra
Foster			

Motion to defer action lost.

On the motion by Hanson of Lyon, Speidel of Washington was excused from the call of the House.

Mitchell of Webster asked unanimous consent to be excused from the call of the House. Objections were offered.

McFarlane of Black Hawk moved that Mitchell of Webster be excused from the call of the House. Motion prevailed.

Maniece of Emmet moved that the House recess until the fall of the gavel. Motion prevailed.

The House reconvened at the fall of the gavel.

CALL OF THE HOUSE

A roll call revealed all present except those previously excused and the call was declared complete.

Swift of Dubuque offered the following amendment and moved to substitute the same for the Yager amendment:

Amend House File No. 336 as follows:

Strike from Section 2, sub-section (i) in line 38 the words and figures "four per centum (4%)" and insert in lieu thereof the following, "four and three-tenths per centum (4.3%)".

On the question "Shall the Swift amendment be substituted for the Yager amendment?" a roll call was demanded.

The ayes were, 32.

Brady	Gallagher	Koch	Moore of
Bruce	Grell	Laughlin	Harrison
Burgess	Hartman	McCarthy	Ostby
Crouch	Hopp	McKinnon	Peaco
Dreessen	Humeston	Mercer	Ryder
Fuelling	Jensen		Schmitz

Digitized by Google

Schroeder	Stansell	Thiessen	Zipse
Sheridan	Stimpson	Wiese	Mr. Speaker
Smith	Swift		

The nays were, 68.

Aldrich	Ellsworth	Jenkins	Reed
Alesch	Falvey	Johnson	Rice
Augustine	Felter	Lichty	Roe
Avery	Fletcher	Lookingbill	Schlatter
Beath	Foster	McCreery	Snyder
Beswick	Fuester	McDermott	Sours
Bouska	Garner	McFarlane	Stanzel
Bowers	Gissel	McLean	Stewart
Casey	Gittinger	Malone	Teter
Craven	Goode	Maniece	Thies
Cunningham	Grau	Metcalf	Treimer
Davis	Hanson of Lyon	Millhone	Weed
Dean	Hanson of	Mooty	Wieben
Dole	Winnebago	Osborn	Willis
Donlon	Hook	Paisley	Wolf
Doran	Hough	Peet	Yager
Durant	Hultman	Rawlings	Zylstra
Elliott			

Absent or not voting, 8.

Bonnstetter	Frizzell	Moore of Benton	Speidel
Fabritz	Mitchell	Porter	Strachan

Motion to substitute lost.

On the question "Shall the Yager amendment be adopted?" a roll call was demanded.

The ayes were, 45.

Augustine	Ellsworth	Lichty	Peet
Avery	Felter	Lookingbill	Reed
Beath	Fletcher	McCreery	Roe
Bowers	Foster	McDermott	Schlatter
Brady	Gissel	McKinnon	Snyder
Craven	Gittinger	McLean	Sours
Cunningham	Grau	Malone	Stanzel
Dean	Hanson of Lyon	Metcalf	Teter
Dole	Hanson of	Millhone	Thies
Doran	Winnebago	Mooty	Weed
Durant	Hook	Paisley	Yager
Elliott	Hultman		

The nays were, 56.

Aldrich	Falvey	Jenkins	Moore of
Alesch	Fuelling	Jensen	Harrison
Beswick	Fuester	Johnson	Osborn
Bouska	Gallagher	Koch	Ostby
Bruce	Garner	Laughlin	Peaco
Burgess	Goode	McCarthy	Rawlings
Casey	Grell	McFarlane	Rice
Crouch	Hartman	Maniece	Ryder
Davis	Hopp	Mercer	Schmitz
Donlon	Hough	Moore of Benton	Schroeder
Dreessen	Humeston		Sheridan

Digitized by Google

Smith	Swift	Wiese	Zipse
Stansell	Thiessen	Willis	Zylstra
Stewart	Treimer	Wolf	Mr. Speaker
Stimpson	Wieben		

Absent or not voting, 7.

Bonnstetter	Frizzell	Porter	Strachan
Fabritz	Mitchell	Speidel	

Amendment lost

Alesch of Plymouth moved that the House adjourn until 9:30 o'clock a. m. tomorrow. Motion lost.

McCreery of Lynn moved that House File No. 336 and all amendments be laid on the table.

On the question "Shall House File No. 336 and all amendments be laid on the table?" a roll call was demanded.

The ayes were, 40.

Avery	Felter	Hough	Mooty
Beath	Fletcher	Hultman	Peet
Beswick	Foster	Jenkins	Reed
Bowers	Gissel	Lichty	Schlatter
Casey	Gittinger	Lookingbill	Snyder
Dean	Grau	McCreery	Sours
Dole	Hanson of Lyon	McDermott	Stanzel
Doran	Hanson of Winnebago	McLean	Teter
Durant	Hook	Metcalf	Weed
Elliott		Millhone	Yager
Ellsworth			

The nays were, 61.

Aldrich	Gallagher	Mercer	Smith
Alesch	Garner	Moore of Benton	Stansell
Augustine	Goode	Moore of Harrison	Stewart
Bouska	Grell	Osborn	Stimpson
Brady	Hartman	Ostby	Swift
Bruce	Hopp	Paisley	Thies
Burgess	Humeston	Peaco	Thiessen
Craven	Jensen	Rawlings	Treimer
Crouch	Johnson	Rice	Wieben
Cunningham	Koch	Roe	Wiese
Davis	Laughlin	Ryder	Willis
Donlon	McCarthy	Schmitz	Wolf
Dreessen	McFarlane	Schroeder	Zipse
Falvey	McKinnon	Sheridan	Zystra
Fuelling	Malone		Mr. Speaker
Fuester	Maniece		

Absent or not voting, 7.

Bonnstetter	Frizzell	Porter	Strachan
Fabritz	Mitchell	Speidel	

Motion to lay on the table lost.

The first amendment filed by Mitchell of Webster and found on

Digitized by Google

page 1155 of the Journal of February 16 was read by the Chief Clerk.

Goode of Davis moved that action on the Mitchell amendment be deferred. Motion prevailed.

Yager of Dickinson asked and obtained unanimous consent to withdraw the third amendment filed by him and found on pages 1139 and 1140 of the Journal of February 15.

Teter of Marion asked and obtained unanimous consent to withdraw the second amendment filed by him and found on page 1140 of the Journal of February 15.

Teter of Marion called up the first amendment filed by him and found on page 1140 of the Journal of February 5 and moved its adoption.

On the question "Shall the Teter amendment be adopted?" a roll call was demanded.

The ayes were, 74.

Augustine	Ellsworth	Johnson	Schlatter
Avery	Felter	Koch	Schmitz
Beath	Fletcher	Lichty	Snyder
Beswick	Foster	McCreery	Sours
Bouska	Fuelling	McDermott	Stansell
Bowers	Fuester	McFarlane	Stanzel
Brady	Gallagher	McKinnon	Stimpson
Bruce	Gissel	McLean	Teter
Casey	Gittinger	Malone	Thies
Craven	Grau	Maniece	Treimer
Crouch	Hanson of Lyon	Mercer	Weed
Cunningham	Hanson of Winnebago	Metcalf	Wieben
Davis	Hartman	Millhone	Willis
Dean	Hook	Mooty	Wolf
Dole	Hopp	Osborn	Yager
Donlon	Hough	Paisley	Zipse
Doran	Hultman	Peet	Zylstra
Durant	Jenkins	Reed	Mr. Speaker
Elliott		Roe	

The nays were, 18.

Alesch	Grell	Ryder	Stewart
Burgess	Humeston	Schroeder	Swift
Dreessen	Lookingbill	Sheridan	Thiessen
Falvey	McCarthy	Smith	Wiese
Garner	Peaco		

Absent or not voting, 16.

Aldrich	Jensen	Moore of Harrison	Rawlings
Bonnstetter	Laughlin	Ostby	Rice
Fabritz	Mitchell	Porter	Speidel
Frizzell	Moore of Benton		Strachan
Goode			

Digitized by Google

Amendment adopted.

Craven of Jasper asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 1139 of the Journal of February 15.

Rawlings of Monona offered the following amendment and moved its adoption:

Amend Section four (4) of House File No. 336 by striking all after the period in line nine (9) to the period in line twelve (12) of said section.

Rawlings of Monona asked unanimous consent to withdraw his amendment.

Objections were offered.

Moore of Benton moved to substitute the following amendment for the Rawlings amendment:

Amend House File 336, Section four (4), by striking all said section after the word "towns" in line twelve (12) and insert the following:

"except that no permit shall be granted to road houses, filling stations, amusement parks, skating rinks, dance halls, or in any other location where an established general mercantile business was not in operation prior to January 1, 1934. The board shall have power to revoke for causes herein provided for, any permit at any time,"

Moore of Benton moved that action on his amendment be deferred until tomorrow morning. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 288, a bill for an act to make an appropriation to Ben Terhark.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 287, a bill for an act to make an appropriation to Elmer Williams.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 289, a bill for an act to make an appropriation to the Staley Sales Corporation.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 290, a bill for an act to make an appropriation to O. D. Scholl.

BYRON G. ALLEN, *Secretary.*

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 209, 274, 310 and 312.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 209, 274, 310 and 312.

BILLS SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 20th day of February, 1934, sent to the Governor for his approval: House Files No. 209, 274, 310 and 312.

WM. KOCH, *Chairman.*

Report adopted.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bill:

February 17: House File No. 17.

AMENDMENTS FILED

Craven of Jasper filed the following amendment:

Amend Senate File 95 by adding thereto the following:

Sec. 2. Said section thirty-three (33) is further amended by striking the period (.) at the end thereof and substituting a semicolon (;) therefor and adding thereafter the following:

"Provided however that no such deputy shall receive more than eighteen hundred dollars ($1800.00), nor less than ten hundred eighty dollars ($1080.00), per annum".

Sec. 3. Section Fifty-one of said chapter eighty-nine (89) is amended by striking from line one (1) thereof the words "deputy sheriffs".

Amend the title by striking from line one (1) the following:

Digitized by Google

"section thirty-three (33)" and inserting in lieu thereof: "sections thirty-three (33) and fifty-one (51)".

Elliott of Polk filed the following amendment:

Amend Senate File No. 239 by inserting the following as subsection 3:

"In any city, town, township or benefited district, this act shall become operative when it shall have been submitted to the voters of said city, town, township or benefited district upon a petition of ten per cent of the qualified electors of said city, town, township or benefited district, having been presented to the Board of Supervisors of the County, requesting such election, which shall be called within fifteen days after the filing of said petition with the Board of Supervisors, unless a regular city, town, township or district election shall be held within thirty days of the filing of said petition, in which case the question shall be submitted to the voters at said general election.

If the majority of the votes cast at said election be in favor thereof, said water system shall be established as herein provided."

Reed of Mahaska filed the following amendment:

Amend House File No. 175 by adding thereto as section four (4) the following:

"Sec. 4. This Act, being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Oskaloosa Tribune, a newspaper published in Oskaloosa, Iowa, and the Brooklyn Chronicle, a newspaper published in Brooklyn, Iowa.

Gallagher of Iowa filed the following amendment:

Amend House File 336, Section four (4) line ten (10) by inserting after the word issue "at their discretion."

Avery of Clay filed the following amendment:

Amend House File No. 336 by striking Paragraph Three (3) of Section Seven (7), also Paragraph Three (3) of Section Eight (8), also Paragraph Three (3) of Section Nine (9).

Mercer of Johnson filed the following amendment:

Amend House File No. 336 by adding to section eleven (11) thereof the following: "It shall be unlawful for any licensee hereunder to give away in connection with, or use to promote the sale of beer, any lunch, meals, or articles of food except pretzels or crackers."

Reed of Mahaska filed the following amendment:

Amend House File No. 336 by inserting after the word, "to" in line six (6) of Section fifteen (15) the word "Golf".

And insert after the word "Clubs" in line Six (6) the following:

"Only and provided the bona fide membership of such clubs is not less than Twenty-five (25) whose annual dues are fully paid at time of application, and clubs are."

Digitized by Google

Sheridan of Lee filed the following amendment:

Amend House File No. 336 as follows:

Strike the Second Paragraph following the enacting clause which reads —"Strike all after the enacting clause and insert in lieu thereof the following:" and insert in lieu thereof the following:

"Strike Sections one to forty as amended inclusive, and insert in lieu thereof the following:"

Sheridan of Lee filed the following amendment:

Amend House File No. 336 as follows:

Immediately following Sec. 35 insert as Sec. 36 the following:

Sec. 36. The title of Chapter 37 Acts of the 45th General Assembly is hereby stricken and the following inserted in lieu thereof:

An Act to repeal Chapter Thirty-eight (38), Acts of the Forty-fifth General Assembly and to amend Chapter Thirty-seven (37), Acts of the Forty-fifth General Assembly relating to the manufacture, sale and distribution of Beer; defining beer; providing for the regulation of the manufacture, sale and distribution of beer; providing revenue for the State of Iowa and certain of its municipal subdivisions, including cities and towns under special charter, by taxation of and from permits to manufacture and/or sell beer and providing for issuance of permits therefor and by providing penalties for the violation of the provisions hereof.

Also renumber in consecutive order the remaining Sections of House File No. 336.

Johnson of Linn filed the following amendment:

Amend House File No. 336 section thirty-three (Sec. 33) by inserting in line five (5) thereof, after the word "containers" the following:

"showing said alcoholic content in excess of four per cent (4%).", and by striking from said section thirty-three (Sec. 33) beginning with the word "provided" in line six and ending with the word "section" in line ten (10) thereof.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 1

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned Conference Committee appointed to consider the difference between the Senate and the House on House File No. 1, being a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; to amend Chapter twenty-four (24), Code, 1931; and to repeal all laws or parts of laws in conflict herewith, begs leave to report that it has had the same under consideration and recommends that the bill, as passed by the House, be amended as follows:

Digitized by Google

(1) Amend Section 9 by adding after the word "deductions" in line 59 the following words: "in this sub-section".

(2) Amend Section 10 by substituting the word "for" for the word "on" in the eighth (8th) line thereof.

(3) Amend Section 21 by adding after the word "practicable" in line 2 the words: "and in any event within two (2) years".

(4) Amend Section 22, line twenty-eight (28), by inserting after the word "book" the following: "and shall forthwith record said lien in the manner provided for recording real estate mortgages".

(5) Further amend Section 22 by striking line twenty-nine (29) and inserting in lieu thereof the following: "lien shall be effective from the time of the indexing thereof."

(6) Further amend Section 22 by inserting a new sentence after line twenty-nine (29), as follows: "The Board shall pay a recording fee as provided in Section fifty-one hundred seventy-seven (5177), Code, 1931, for the recording of such lien, or for the satisfaction thereof."

(7) Amend Section 28 by substituting the word "or" for the word "and" in the twenty-sixth (26th) line thereof.

(8) Amend Section 29 by striking from line 6 the word "domestic".

(9) Amend Section 29, line 4, by adding after the comma (,) following the word "national" the word "private,".

(10) Amend Section 29, sub-paragraph (a), by inserting after the comma after the word "associations" where it first appears in line eight of said section, the following: "reciprocal or inter-insurance exchanges,".

(11) Amend Section thirty-two (32), subsection one (1), by adding a period (.) after the word "require" in line ten (10) thereof, striking the remainder of said subsection and adding in lieu of the part so stricken, the following:

"The board shall compute, determine and assess the tax upon the combined net income shown by such consolidated return and as apportioned and allocated according to Section 28 of this Act; provided that the term "taxable income" as used in this act shall not include income represented by dividends received by any one of such corporations from another when the income of the dividend paying corporation is reported to and subject to taxation under this act by the state of Iowa."

(12) Amend Section 37 by striking all of subsection "c" and inserting in lieu thereof the following:

"(c) 'Retail sale' or 'sale at retail' means the sale to a consumer or to any person for any purpose, other than for processing or for resale, of tangible personal property and the sale of gas, electricity, water, and communication service to retail consumers or users."

(13) Amend Section 40 by striking the word "levied" following the word "tax" in line 6 and inserting in lieu thereof the word "imposed".

(14) Amend Section 41-a by striking the word "may" in line one (1) and inserting in lieu thereof the words: "shall, as far as practicable,".

(15) Amend Section 44 by striking from line 4 the word "15th" and inserting in lieu thereof the word "20th".

Further amend Section 44 by striking from line 21 the word "forty-six" and inserting in lieu thereof the word "forty-five".

Digitized by Google

(16) Amend Section 51 by striking from line 18 the figures "47" and inserting in lieu thereof the figures "46".

(17) Amend Section fifty-three (53) by striking sub-section three (3).

(18) Amend Section 59 by striking from line 4 the words "Upon his approval" and inserting in lieu thereof the words, "Upon certification from the board".

(19) Amend Section 61 by striking all of said section and inserting in lieu thereof the following:

"Sec. 61. Generally. All revenues arising under the operation of this act and carried by the treasurer of state in the special tax fund shall be apportioned as follows:

1. Three per cent (3%) of said fund shall be transferred to the general fund of the state as the same is collected.

2. During the year 1934 only, the board shall set aside and cause to be paid into a fund to be known as the "state emergency relief fund", which fund is hereby created, the next three million dollars ($3,000,000.00) collected under this act; to be used as provided in Senate File 281, Acts of the Forty-fifth General Assembly in Extraordinary Session.

3. On January 1st, 1935, and quarterly thereafter, the board shall set aside and cause to be paid into the general fund of the state from the balance of said special tax fund a sum of not to exceed one million five hundred thousand dollars ($1,500,000.00) quarterly, with which, together with other state revenues expendable for such purposes, to pay all items of general expense of the state government for the current calendar year as authorized and appopriated for by the General Assembly. Provided, however, that if the sum to be so set aside and paid as provided above and anticipated as hereinafter provided, together with other state revenues expendable for such purposes, for any year, is insufficient to pay all of said items of general expense for said year, a levy and certification shall be made by the board under the provisions of sections seventy-one hundred eighty-two (7182) and seventy-one hundred eighty-three (7183), Code, 1931, sufficient to raise such deficiency. Provided, further, that commencing with the 1934 state tax levy the board in making such levy and certification as provided by sections seventy-one hundred eighty-two (7182) and seventy-one hundred eighty-three (7183), Code, 1931, shall take into consideration the anticipated amount of quarterly payments to be made as provided herein for the next ensuing calendar year, and shall reduce accordingly the levy and certification by such amount so anticipated. The provisions of Chapter 247, Acts of the Forty-fifth General Assembly, are hereby repealed insofar as they conflict with the provisions of this act.

4. The balance of said fund, after the provisions of paragraphs one (1), two (2) and three (3) hereof have been complied with and any sums payable thereunder anticipated and set aside, shall be distributed from time to time upon order of the board in accordance with the provisions of this act, on warrants drawn by the Comptroller upon direction of the board, and made payable to the county treasurer of the several counties of the state."

(20) Amend Section 62 by striking all of said section and inserting in lieu thereof the following:

Digitized by Google

"Sec. 62. Ratio and manner of distribution. 1. The revenue distributable under paragraph four (4) of section sixty-one of this act shall be allocated each year to the several counties of the state in the same proportion that the assessed valuation of the taxable real and tangible personal property, including bank stock and private banks taxed at the same millage rate as tangible personal property, in that county for the next preceding tax year bears to the assessed valuation of the total taxable real and tangible personal property, including bank stock and private banks taxed at the same millage rate as tangible personal property, in the state for the next preceding tax year.

2. On August 1, 1935, and annually thereafter, the board shall certify to the county treasurer of each county in the state, the total amount of the money which has been apportioned and/or is then apportionable to that county.

3. The county treasurer shall then distribute the amount so certified to the several taxing districts of that county by the following procedure. He shall enter a credit against the second installment of the tax bill of each taxpayer in said county, being the tax bill of the next preceding tax year, due and payable in the current year, the amount of such credit to be in the same proportion to the amount so certified as the assessed valuation of such taxpayer's taxable real and personal property, including bank stock and private banks taxed at the same millage rate as tangible personal property, for the next preceding tax year, bears to the total assessed valuation of taxable real and tangible personal property, including bank stock and private banks taxed at the same millage rate as tangible personal property, in that county for the next preceding tax year. The amount of money so credited shall forthwith be distributed by the county treasurer to the several taxing districts of said county, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district. In the event that a taxpayer has paid both installments of the tax prior to the time of entry of such credit, the county treasurer shall, at the same time that he enters such credit, remit to such taxpayer the amount of such credit. Provided, however, in no instance shall a credit or remittance of less than fifty cents (50c) be made on the tax bill of any taxpayer, but that portion of the amount so certified representing such credits or remittances of less than fifty cents (50c) shall be credited to the poor fund of said county by said county treasurer."

(21) Amend section 38 by adding after the comma (,) following the figures "1934" in line 2 of section 38, the following: "and ending April 1st, 1937,".

(22) Amend by striking all of the title and substituting in lieu thereof the following:

"A bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to pro-

Digitized by Google

vide for certain deductions and exemptions; to make an appropriation for the administration of this act; to fix fines and penalties for the violation of the provisions of this act; to repeal the provisions of Chapter two hundred forty-seven (247), Acts of the Forty-fifth General Assembly, insofar as in conflict with the provisions of this Act; and to repeal all laws or parts of laws in conflict herewith."

Respectfully submitted,

JOHN K. VALENTINE.	C. L. RICE.
WM. MCARTHUR.	JOHN SPEIDEL.
CLAUDE STANLEY.	C. E. R. FUESTER.
HOMER HUSH.	E. A. JOHNSON.
On the part of the Senate.	*On the part of the House.*

On motion of Maniece of Emmet the House adjourned until 10:00 o'clock a. m. Wednesday, February 21.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 21, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Philip L. Shutt, Lay-reader St. James Episcopal Church, Independence, Iowa.

Journal of February 20 corrected and approved.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Mitchell, from the business men of Webster county; Crouch, from the business men of Green county. Referred to the committee on tax revision.

Favoring an old age pension. Cunningham, from the citizens of Polk county. Referred to the committee on appropriations.

Favoring Senate File No. 243 relating to hunting and fishing licenses. McCreery of Linn, from the Waltonians. Referred to the committee on fish and game.

CONSIDERATION OF REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 1

Rice of Keokuk called up the report of the conference committee on House File No. 1, found on pages 1191 to 1195 of the Journal of February 20, and moved its adoption.

Sours of Floyd moved to defer action on the adoption of the conference committee report on House File No. 1 until this afternoon.

On the question "Shall the House defer action on the adoption of the conference committee report on House File No. 1 until this afternoon?" a roll call was demanded.

The ayes were, 43.

Avery	Bowers	Craven	Durant
Beath	Brady	Davis	Elsworth
Beswick	Casey	Doran	Felter

Digitized by Google

Fletcher	Hook	McKinnon	Snyder
Frizzell	Hopp	McLean	Sours
Gissel	Hultman	Ostby	Teter
Gittinger	Humeston	Peaco	Weed
Goode	Jenkins	Peet	Willis
Grell	Laughlin	Ryder	Yager
Hanson of Lyon	Lichty	Schlatter	Zylstra
Hanson of Winnebago	McCreery	Sheridan	

The nays were, 55.

Aldrich	Fuester	Millhone	Speidel
Alesch	Gallagher	Mitchell	Stansell
Augustine	Garner	Moore of Benton	Stanzel
Bouska	Grau	Moore of Harrison	Stewart
Bruce	Hartman	Osborn	Stimpson
Burgess	Hough	Paisley	Swift
Crouch	Jensen	Rawlings	Thies
Dole	Johnson	Reed	Thiessen
Donlon	Koch	Rice	Treimer
Dreessen	Lookingbill	Roe	Wieben
Elliott	McCarthy	Schmitz	Wiese
Falvey	Maniece	Schroeder	Wolf
Foster	Mercer	Smith	Zipse
Fuelling	Metcalf		Mr. Speaker

Absent or not voting, 10.

Bonnstetter	Fabritz	Malone	Porter
Cunningham	McDermott	Mooty	Strachan
Dean	McFarlane		

The House refused to defer action on the adoption of the conference committee report on House File No. 1.

Sours of Floyd moved that Speidel of Washington be requested to appear at the desk and explain the report of the conference committee on House File No. 1 section by section. Motion lost.

On the question "Shall the House adopt the conference report and concur in the amendments proposed therein?" a roll call was demanded.

The ayes were, 76.

Aldrich	Doran	Hartman	Millhone
Alesch	Dreessen	Hough	Mitchell
Augustine	Elliott	Humeston	Moore of Benton
Beath	Ellsworth	Jensen	Moore of Harrison
Beswick	Fabritz	Johnson	Osborn
Bouska	Falvey	Koch	Paisley
Brady	Fletcher	Laughin	Rawlings
Bruce	Fuester	Lookingbill	Reed
Burgess	Gallagher	McCarthy	Rice
Casey	Garner	McCreery	Roe
Crouch	Gissel	McDermott	Schlatter
Davis	Grau	Malone	Schmitz
Dean	Hanson of Lyon	Maniece	Schroeder
Dole	Hanson of Winnebago	Mercer	Sheridan
Donlon		Metcalf	

Digitized by Google

Smith	Stewart	Thiessen	Yager
Snyder	Stimpson	Treimer	Zipse
Speidel	Swift	Wieben	Zylstra
Stansell	Teter	Wiese	Mr.Speaker
Stanzel	Thies		

The nays were, 29.

Avery	Fuelling	Jenkins	Peaco
Bowers	Gittinger	Lichty	Peet
Craven	Goode	McFarlane	Ryder
Cunningham	Grell	McKinnon	Sours
Durant	Hook	McLean	Weed
Felter	Hopp	Mooty	Willis
Foster	Hultman	Ostby	Wolf
Frizzell			

Absent or not voting, 3.

Bonnstetter	Porter	Strachan

Report adopted and the House concurred in the amendments proposed therein.

SENATE MESSAGES CONSIDERED

Senate File No. 289, a bill for an act to make an appropriation to Staley Sales Corporation.

Read first and second times and referred to committee on appropriations.

Senate File No. 290, a bill for an act to make an appropriation to O. D. Scholl.

Read first and second times and referred to committee on appropriations.

Senate File No. 287, a bill for an act to make an appropriation to Elmer Williams.

Read first and second times and referred to committee on appropriations.

Senate File No. 288, a bill for an act to make an appropriation to Ben Terhark.

Read first and second times and referred to committee on appropriations.

CONSIDERATION OF BILLS

Under continuation of special order the House resumed consideration of House File No. 336, a bill for an act to repeal Chapter

Digitized by Google

thirty-eight (38), Acts of the forty-fifth General Assembly and to amend Chapter thirty-seven (37), Acts of the forty-fifth General Assembly relating to the manufacture, sale and distribution of beer; defining beer; providing for the regulation of the manufacture, sale and distribution of beer; providing revenue for the State of Iowa and certain of its municipal subdivisions, including cities and towns under special charter, by taxation of and from permits to manufacture and/or sell beer and providing for issuance of permits therefor and by providing penalties for the violation of the provisions hereof.

Moore of Benton asked and obtained unanimous consent to withdraw the substitute amendment offered by him, and found on page 1188 of the Journal of February 20, and under consideration at the time of adjournment yesterday.

CALL OF THE HOUSE

A roll call disclosed all members present except those previously excused.

Goode of Davis offered as a substitute for the Rawlings amendment the following:

Amend House File No. 336 as follows:
Insert the words "in villages" after the word "counties" in line 11, Section 4.

McCreery of Linn moved to amend the Goode amendment offered as a substitute, by inserting after the word "villages", the following: "platted prior to January 1, 1934."

Peaco of Clinton moved the previous question on the amendments offered by Rawlings of Monona, Goode of Davis and McCreery of Linn. Motion prevailed.

The McCreery amendment to the amendment offered by Goode of Davis as a substitute for the Rawlings amendment was adopted.

Speidel of Washington moved that the House recess until 2:00 o'clock this afternoon.

Foster of Cedar moved to amend the motion by Speidel of Washington by recessing until 1:30 o'clock this afternoon. Motion prevailed.

Digitized by Google

The motion by Speidel of Washington as amended prevailed and the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A roll call to verify the presence of members disclosed all present except McCarthy of Woodbury, Johnson of Linn, Rice of Keokuk and Speidel of Washington and those previously excused.

Brady of Pottawattamie asked and obtained unanimous consent that McCarthy of Woodbury be excused from the call of the House on account of illness.

Fabritz of Wapello asked that Johnson of Linn, Rice of Keokuk and Speidel of Washington be temporarily excused. Objections were offered.

Rice of Keokuk and Johnson of Linn appeared in the House chamber.

Jensen of Audubon moved that Speidel of Washington be temporarily excused. Motion prevailed.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 336.

On the question "Shall the Goode amendment to House File No. 336 be substituted for the Rawlings amendment?" a roll call was demanded.

The ayes were, 52.

Alesch	Fuelling	McKinnon	Schroeder
Augustine	Fuester	Malone	Sheridan
Bouska	Gallagher	Maniece	Smith
Brady	Garner	Mercer	Stansell
Bruce	Goode	Metcalf	Stewart
Burgess	Grell	Mitchell	Stimpson
Casey	Hanson of Lyon	Moore of Benton	Swift
Cunningham	Hopp	Moore of Harrison	Teter
Donlon	Hultman	Mooty	Thiessen
Dreessen	Humeston	Peaco	Treimer
Fabritz	Jensen	Ryder	Wiese
Falvey	Koch	Schmitz	Zipse
Foster	Laughlin		Mr. Speaker
Frizzell			

Digitized by Google

The nays were, 50.

Aldrich	Ellsworth	Lichty	Roe
Avery	Felter	Lookingbill	Schlatter
Beath	Fletcher	McCreery	Snyder
Beswick	Gissel	McDermott	Sours
Bowers	Gittinger	McFarlane	Stanzel
Craven	Grau	McLean	Thies
Crouch	Hanson of	Millhone	Weed
Davis	Winnebago	Osborn	Wieben
Dean	Hartman	Ostby	Willis
Dole	Hook	Peet	Wolf
Doran	Hough	Rawings	Yager
Durant	Jenkins	Reed	Zylstra
Elliott	Johnson	Rice	

Absent or not voting, 6.

Bonnstetter	Paisley	Speidel	Strachan
McCarthy	Porter		

The Goode amendment was substituted for the Rawlings amendment.

On the question "Shall the substituted amendment by Goode of Davis as amended by the McCreery amendment be adopted?" a roll call was demanded.

The ayes were, 57.

Alesch	Frizzell	Laughlin	Sheridan
Augustine	Fuelling	McKinnon	Smith
Avery	Fuester	Malone	Stansell
Bouska	Gallagher	Maniece	Stewart
Brady	Garner	Mercer	Stimpson
Bruce	Gittinger	Millhone	Swift
Burgess	Goode	Moore of Benton	Teter
Casey	Grau	Moore of	Thiessen
Davis	Grell	Harrison	Treimer
Dean	Hanson of Lyon	Paisley	Wiese
Donlon	Hopp	Peaco	Yager
Dreessen	Hultman	Ryder	Zipse
Fabritz	Humeston	Schmitz	Zylstra
Falvey	Jensen	Schroeder	Mr. Speaker
Foster	Koch		

The nays were, 45.

Aldrich	Felter	McCreery	Reed
Beath	Fletcher	McDermott	Rice
Beswick	Gissel	McFarlane	Roe
Bowers	Hanson of	McLean	Schlatter
Craven	Winnebago	Metcalf	Snyder
Crouch	Hartman	Mitchell	Sours
Cunningham	Hook	Mooty	Thies
Dole	Hough	Osborn	Weed
Doran	Jenkins	Ostby	Wieben
Durant	Johnson	Peet	Willis
Elliott	Lichty	Rawlings	Wolf
Ellsworth	Lookingbill		

Absent or not voting, 6.

Bonnstetter	Porter	Stanzel	Strachan
McCarthy	Speidel		

Digitized by Google

Goode substitute amendment as amended was adopted.

McLean of Marshall moved to amend House File No. 336 as follows:

Strike from line 10, section 4, the following letter and word: "'B' and".

Speidel of Washington appeared in the House chamber and the call of the House was declared complete.

On the question "Shall the McLean amendment be adopted?" a roll call was demanded.

The ayes were, 45.

Augustine	Elliott	Jenkins	Peet
Avery	Ellsworth	Lichty	Schlatter
Beath	Felter	Lookingbill	Snyder
Beswick	Fletcher	McCreery	Sours
Bowers	Gissel	McDermott	Speidel
Brady	Grau	McFarlane	Stanzel
Craven	Hanson of Lyon	McLean	Teter
Cunningham	Hanson of Winnebago	Millhone	Thies
Dean	Hook	Osborn	Weed
Dole	Hough	Ostby	Willis
Doran	Hultman	Paisley	Wolf
Durant			

The nays were, 55.

Aldrich	Fuelling	McKinnon	Schroeder
Alesch	Fuester	Maniece	Sheridan
Bouska	Gallagher	Mercer	Smith
Bruce	Garner	Metcalf	Stansell
Burgess	Gittinger	Mitchell	Stewart
Casey	Goode	Moore of Benton	Stimpson
Crouch	Grell	Moore of Harrison	Swift
Davis	Hartman	Peaco	Thiessen
Donlon	Hopp	Rawlings	Treimer
Dreessen	Humeston	Reed	Wieben
Fabritz	Jensen	Rice	Wiese
Falvey	Johnson	Ryder	Yager
Foster	Koch	Schmitz	Zipse
Frizzell	Laughlin		Mr. Speaker

Absent or not voting, 8.

Bonnstetter	Malone	Porter	Strachan
McCarthy	Mooty	Roe	Zylstra

Amendment lost.

Mitchell of Webster called up the amendment to Sec. 3 of House File No. 336, filed by him and found on page 1155 of the Journal of February 16, and moved that action be deferred. Motion prevailed.

Gallagher of Iowa called up the amendment to Sec. 4 of House

Digitized by Google

File No. 336, filed by him and found on page 1190 of the Journal of February 20, and moved its adoption.

On the question "Shall the Gallagher amendment to Sec. 4 of House File No. 336 be adopted?" a roll call was demanded.

The ayes were, 80.

Aldrich	Elliott	Jenkins	Reed
Alesch	Ellsworth	Jensen	Roe
Augustine	Falvey	Johnson	Ryder
Avery	Felter	Koch	Schlatter
Beath	Foster	Laughlin	Schmitz
Beswick	Frizzell	Lichty	Schroeder
Bouska	Fuester	Lookingbill	Smith
Bowers	Gallagher	McCreery	Snyder
Brady	Garner	McFarlane	Sours
Bruce	Gissel	McLean	Speidel
Burgess	Gittinger	Malone	Stansell
Casey	Grau	Maniece	Stimpson
Craven	Grell	Mercer	Swift
Crouch	Hanson of Lyon	Metcalf	Thies
Cunningham	Hanson of Winnebago	Millhone	Thiessen
Dean	Hartman	Moore of Benton	Treimer
Dole	Hopp	Mooty	Weed
Donlon	Hough	Osborn	Wieben
Doran	Hultman	Peet	Wiese
Dreessen		Rawlings	Mr. Speaker
Durant			

The nays were, 17.

Davis	Humeston	Paisley	Wolf
Fletcher	McDermott	Peaco	Yager
Fuelling	McKinnon	Sheridan	Zipse
Goode	Mitchell	Stewart	Zylstra
Hook			

Absent or not voting, 11.

Bonnstetter	Moore of Harrison	Porter	Strachan
Fabritz		Rice	Teter
McCarthy	Ostby	Stanzel	Willis

Amendment adopted.

Avery of Clay called up the amendment to Sec. 7 of House File No. 336 filed by him and found on page 1190 of the Journal of February 20, and moved its adoption.

Grau of Buena Vista moved the previous question on the amendment by Avery of Clay. Motion prevailed.

On the question "Shall the Avery amendment be adopted?" a roll call was demanded.

The ayes were, 21.

Avery	Craven	Ellsworth	Frizzell
Bowers	Crouch	Fletcher	Hartman
Bruce	Elliott	Foster	Laughlin

Digitized by Google

McFarlane	Speidel	Weed	Zipse
McKinnon	Stanzel	Yager	Mr. Speaker
Malone			

The nays were, 75.

Aldrich	Gissel	McCreery	Schlatter
Alesch	Gittinger	McDermott	Schmitz
Augustine	Goode	Maniece	Schroeder
Beath	Grau	Metcalf	Sheridan
Beswick	Grell	Millhone	Smith
Bouska	Hanson of Lyon	Mitchell	Snyder
Brady	Hanson of	Moore of Benton	Sours
Burgess	Winnebago	Moore of	Stansell
Casey	Hook	Harrison	Stewart
Cunningham	Hopp	Mooty	Stimpson
Dole	Hough	Osborn	Swift
Donlan	Hultman	Paisley	Thies
Doran	Humeston	Peaco	Thiessen
Dreessen	Jenkins	Peet	Treimer
Falvey	Jensen	Rawlings	Wieben
Felter	Johnson	Reed	Wiese
Fuelling	Koch	Rice	Willis
Fuester	Lichty	Roe	Wolf
Gallagher	Lookingbill	Ryder	Zylstra
Garner			

Absent or not voting, 12.

Bonnstetter	Durant	McLean	Porter
Davis	Fabritz	Mercer	Strachan
Dean	McCarthy	Ostby	Teter

Amendment lost.

Mitchell of Webster called up the amendment to Sec. 10 of House File No. 336 filed by him and found on page 1155 of the Journal of February 16, and moved its adoption. Amendment adopted.

Mercer of Johnson called up the amendment to Sec. 11 of House File No. 336 filed by him and found on page 1190 of the Journal of February 20 and moved its adoption.

McFarlane of Black Hawk offered as a substitute for the Mercer amendment, the following:

Amend House File No. 336 by adding to section eleven (11) thereof the following: "It shall be unlawful for any licensee hereunder to give away beer, or to promote the sale of beer by the gift of any lunch, meal, or articles of food except pretzels or crackers."

Reed of Mahaska moved to amend the MacFarlane proposed substitute for the Mercer amendment by adding between the words "pretzels or" in the last line the word "cheese".

On the question "Shall the McFarlane proposed substitute

Digitized by Google

amendment be amended by the motion by Reed of Mahaska?" a roll call was demanded.

The ayes were, 46.

Avery	Gittinger	Mooty	Speidel
Beath	Goode	Osborn	Stansell
Bowers	Hanson of Lyon	Ostby	Stanzel
Brady	Hartman	Paisley	Stewart
Crouch	Hough	Peaco	Swift
Davis	Laughlin	Peet	Teter
Ellsworth	Lichty	Reed	Thies
Felter	McDermott	Rice	Weed
Fletcher	McFarlane	Schlatter	Wiese
Foster	Malone	Sheridan	Wolf
Frizzell	Mercer	Snyder	Zylstra
Gissel	Metcalf		

The nays were, 39.

Aldrich	Gallagher	Lookingbill	Ryder
Bouska	Garner	McKinnon	Schmitz
Bruce	Grau	McLean	Smith
Burgess	Hanson of Winnebago	Maniece	Sours
Casey	Hopp	Millhone	Stimpson
Craven	Hultman	Mitchell	Thiessen
Dole	Humeston	Moore of Benton	Treimer
Donlon	Jensen	Moore of Harrison	Wieben
Doran	Koch	Roe	Yager
Fuelling			Zipse
Fuester			

Absent or not voting, 23.

Alesch	Dreessen	Hook	Rawlings
Augustine	Durant	Jenkins	Schroeder
Beswick	Elliott	Johnson	Strachan
Bonnstetter	Fabritz	McCarthy	Willis
Cunningham	Falvey	McCreery	Mr. Speaker
Dean	Grell	Porter	

Amendment adopted.

Goode of Davis moved that the vote by which the Reed amendment to the McFarlane amendment was adopted be reconsidered.

On the question "Shall the vote by which the Reed amendment to the MacFarlane amendment was adopted, be reconsidered?" a roll call was demanded.

The ayes were, 32.

Aldrich	Foster	Jensen	Osborn
Avery	Fuelling	Lookingbill	Ostby
Bruce	Fuester	McDermott	Roe
Cunningham	Gissel	McLean	Sours
Dean	Goode	Maniece	Stanzel
Dole	Hanson of Winnebago	Mercer	Wieben
Doran	Hartman	Millhone	Yager
Elliott		Mitchell	Zylstra
Fletcher			

Digitized by Google

The nays were, 64.

Alesch	Frizzell	Malone	Smith
Augustine	Gallagher	Metcalf	Snyder
Beath	Garner	Moore of Benton	Speidel
Beswick	Gittinger	Moore of	Stansell
Bouska	Hanson of Lyon	Harrison	Stewart
Bowers	Hook	Mooty	Stimpson
Brady	Hopp	Paisley	Swift
Burgess	Hough	Peaco	Teter
Casey	Hultman	Peet	Thies
Craven	Humeston	Rawlings	Thiessen
Crouch	Johnson	Reed	Treimer
Davis	Koch	Ryder	Weed
Donlon	Laughlin	Schlatter	Wiese
Dreessen	Lichty	Schmitz	Willis
Durant	McCreery	Schroeder	Wolf
Ellsworth	McFarlane	Sheridan	Zipse
Felter			

Absent or not voting, 12.

Bonnstetter	Grau	McCarthy	Rice
Fabritz	Grell	McKinnon	Strachan
Falvey	Jenkins	Porter	Mr. Speaker

The House refused to reconsider.

The MacFarlane amendment was substituted for the amendment offered by Mercer of Johnson.

On the question "Shall the substituted amendment by McFarlane be adopted?" a roll call was demanded.

The ayes were, 76.

Aldrich	Fletcher	McDermott	Schroeder
Augustine	Foster	McFarlane	Sheridan
Avery	Frizzell	McKinnon	Snyder
Beath	Gissel	McLean	Sours
Beswick	Gittinger	Malone	Stansell
Bowers	Grau	Mercer	Stanzel
Bruce	Hanson of	Metcalf	Stewart
Casey	Winnebago	Millhone	Stimpson
Craven	Hartman	Moore of Benton	Swift
Crouch	Hook	Mooty	Thies
Cunningham	Hopp	Osborn	Thiessen
Davis	Hough	Ostby	Treimer
Dean	Hultman	Paisley	Weed
Dole	Jenkins	Peet	Wieben
Donlon	Johnson	Rawlings	Wiese
Doran	Koch	Reed	Wolf
Dreessen	Laughlin	Rice	Yager
Elliott	Lichty	Ryder	Zylstra
Ellsworth	Lookingbill	Schlatter	Mr. Speaker
Felter	McCreery		

The nays were, 22.

Alesch	Fuester	Maniece	Schmitz
Bouska	Gallagher	Mitchell	Smith
Brady	Garner	Moore of	Teter
Burgess	Goode	Harrison	Willis
Durant	Humeston	Peaco	Zipse
Fuelling	Jensen	Roe	

Digitized by Google

Absent or not voting, 9.

Bonnstetter	Grell	McCarthy	Speidel
Fabritz	Hanson of Lyon	Porter	Strachan
Falvey			

Substitute amendment adopted.

Sheridan of Lee called up the amendments to Secs. 13, 14, 21 and 29 of House File No. 336, filed by him and found on page 1156 of the Journal of February 16 and moved their adoption.

Zylstra of Sioux moved to amend the Sheridan amendment as follows:

Strike from the Sheridan amendment to Section 21 the figures ".50c" as they appear in line two, and insert in lieu thereof the figures "$5.00".

On the question "Shall the Zylstra amendment to the Sheridan amendment be adopted?" a roll call was demanded.

The ayes were, 43.

Aldrich	Fletcher	Jenkins	Rice
Alesch	Foster	Jensen	Roe
Beath	Frizzell	Lichty	Snyder
Bruce	Fuester	Lookingbill	Sours
Crouch	Gissel	McFarlane	Speidel
Davis	Hanson of Lyon	McKinnon	Stanzel
Dean	Hanson of	McLean	Teter
Dole	Winnebago	Metcalf	Thiessen
Doran	Hook	Mooty	Weed
Durant	Hough	Peet	Yager
Felter	Hultman	Reed	Zylstra

The nays were, 51.

Augustine	Gittinger	Mitchell	Sheridan
Avery	Goode	Moore of Benton	Smith
Beswick	Grell	Moore of	Stansell
Bouska	Hartman	Harrison	Stewart
Burgess	Hopp	Osborn	Stimpson
Casey	Humeston	Ostby	Swift
Cunningham	Johnson	Paisley	Thies
Donlon	Koch	Peaco	Treimer
Elliott	Laughlin	Rawlings	Wieben
Ellsworth	McCreery	Ryder	Wiese
Fuelling	McDermott	Schlatter	Willis
Gallagher	Maniece	Schmitz	Wolf
Garner	Mercer	Schroeder	Mr. Speaker

Absent or not voting, 14.

Bonnstetter	Dreessen	McCarthy	Porter
Bowers	Fabritz	Malone	Strachan
Brady	Falvey	Millhone	Zipse
Craven	Grau		

Amendment lost.

On the question "Shall the Sheridan amendments be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 67.

Augustine	Fuester	Mercer	Schroeder
Avery	Gallagher	Metcalf	Sheridan
Beswick	Gissel	Millhone	Smith
Bouska	Gittinger	Mitchell	Snyder
Brady	Goode	Moore of Benton	Stansell
Bruce	Grell	Moore of Harrison	Stimpson
Burgess	Hartman	Osborn	Swift
Casey	Hook	Ostby	Teter
Craven	Hopp	Paisley	Thies
Cunningham	Humeston	Peaco	Thiessen
Donlon	Johnson	Rawlings	Treimer
Doran	Koch	Reed	Wieben
Dreessen	Laughlin	Roe	Wiese
Elliott	Lookingbill	Ryder	Willis
Falvey	McKinnon	Schlatter	Wolf
Frizzell	Malone	Schmitz	Yager
Fuelling	Maniece		Mr. Speaker

The nays were, 32.

Aldrich	Ellsworth	Hultman	Rice
Alesch	Felter	Jenkins	Sours
Beath	Fletcher	Jensen	Speidel
Bowers	Foster	McCreery	Stanzel
Crouch	Hanson of Lyon	McFarlane	Stewart
Davis	Hanson of Winnebago	McLean	Weed
Dean	Hough	Mooty	Zipse
Dole		Peet	Zylstra
Durant			

Absent or not voting, 9.

Bonnstetter	Grau	McCarthy	Porter
Fabritz	Lichty	McDermott	Strachan
Garner			

Amendments adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the conference committee report and has concurred in the amendments proposed therein to the following bill in which the concurrence of the Senate was asked:

House File No. 97, a bill for an act relating to the protection of the permanent school fund.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 318, a bill for an act to make an appropriation to Mrs. Etta Rock.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 320, a bill for an act to make an appropriation to Dr. F. C. Schadt.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

Digitized by Google

House File No. 321, a bill for an act to make an appropriation to Ft. Madison Coal and Coke Co., Harry Harding, LaVerne Harding, Clyde Fee, The Electrical Store, Jensen-Dunn Co., Standard Seed Co., Reformatory for Men at Anamosa, Yates American Machine Co., H. J. Nazett, W. H. Frazier, Warden, and T. H. Metfessel.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 328, a bill for an act to make an emergency appropriation to the Iowa State Board of Education.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 291, a bill for an act to make an appropriation to Roscoe W. Wilson.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 292, a bill for an act to make an appropriation to Mrs. Olina Waltz of Mason City, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 303, a bill for an act to make an appropriation to Lyon County, Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 304, a bill for an act to make an appropriation to Inter City Bus Line.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 305, a bill for an act to make an appropriation to Nettie Mae Bennett and to E. D. Marshall.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 306, a bill for an act to make an appropriation to I. J. Petri.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 307, a bill for an act to make an appropriation to A. R. Walton.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 309, a bill for an act to make an appropriation to the Dallas County News and to C. W. Havenstein.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 310, a bill for an act to make an appropriation to Leonard Ruback and Richard Ruback.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 314, a bill for an act to make an appropriation to Robert Harrison.

BYRON G. ALLEN, *Secretary*.

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 17.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 17.

AMENDMENTS FILED

Stimpson of Jones filed the following amendment:

Amend House File No. 336 as follows:

Strike lines one (1) and two (2) of sections nine (9) and insert in lieu therefor the following:

"except as otherwise provided in this Act, a Class "B" permit shall be issued by the authority so empowered in this Act to any person who".

Zylstra of Sioux filed the following amendment:

Amend House File No. 336 by striking therefrom Section 16 and inserting in lieu thereof the following:

"Sec. 16. No club shall be granted a Class 'B' permit under this Act.

a. If the premises occupied by such club are not wholly within the territorial limits of the city, town or special charter city to which such application is made; provided, however, that a golf or country club located outside the territorial limits of the city, town or special charter city may be issued a Class 'B' permit by the local Board of Supervisors, and further provided that all of the permit fees authorized under this paragraph shall be collected and retained by the county in which such golf or country club is located and credited to the general fund of said county and provided further that such golf or country club shall comply with the restrictions contained in the succeeding paragraphs of this section.

b. If it is a proprietary club, or operated for pecuniary profit;

c. Unless it is incorporated under the laws of the State of Iowa, and its charter is in full force and effect, and/or excepting regularly chartered branches of nationally incorporated organizations;

d. Unless such club has a permanent local membership of not less than fifty (50) adult members;

e. Unless the application for such permit is approved by a majority of the bona fide members of such club who are present at a regular meeting, or a special meeting called to consider the same;

Digitized by Google

f. Unless it was in operation as a club on the first day of January, A. D. 1934, or being thereafter formed, was in continuous operation as a club for at least two (2) years immediatele prior to the date of its application for a Class 'B' permit.

Sec. 17. Every club desirous of obtaining a Class 'B' permit shall make a written application therefor, executed by its President and attested by its Secretary or other similar officers performing the duties usually performed by a President or Secretary which application shall state under oath:

a. The name of the club and the location of the premises occupied by it.

b. The names of the officers of said club.

c. That the premises occupied by said club are wholly within the corporate limits of the city or town to which such application is made.

d. The purposes for which such club was formed and is maintained, and the number of the bona fide members thereof regularly paying dues.

e. That the application for such permit was approved by a majority of the bona fide members of such club present at a regular meeting or at a special meeting called to consider the same."

And further amend by renumbering all of the following Sections to conform.

Wiese of Scott filed the following amendment:

Amend the amendment by Yager of Dickinson on House File No. 336, section 19, found in the House Journal of February 15th, page 1139, by striking all after the word "of" in line one and inserting in lieu thereof the following: "two o'clock A. M. and two o'clock P. M. on Sunday."

Craven of Jasper filed the following amendment:

Amend House File No. 336 by striking all of Section 28 and renumbering the rest of the sections.

Beswick of Van Buren and Willis of Dallas filed the following amendment:

Amend section thirty-two (32) of House File No. 336, as follows:

1. By inserting in line six (6) after the word "shall", the words: "for the first offense".

2. By inserting after the period (.) in line ten (10), the following: "For the second offense, the punishment shall not be less than six hundred dollars ($600.00), nor more than two thousand dollars ($2000.00), or by imprisonment in the penitentiary for not less than one (1) year nor more than two (2) years, or by both such fine and imprisonment."

Mitchell of Webster filed the following amendment:

Amend House File No. 336 by striking all of section 33 thereof and substituting in lieu thereof the following:

Sec. 33. All bottles, kegs, barrels or other containers in which beer is sold in this state shall bear a label on the outside thereof, showing correctly the alcoholic content by weight of such beer therein contained; provided, a variance of three-tenths (.3) of one per centum (1%) of

Digitized by Google

alcoholic content by weight either above or below the alcoholic content specified on such label shall not be a violation of this section; provided, further such beer including tolerance shall not be more in alcoholic content than four per centum (4%) by weight. The label on any bottle, keg, barrel or other container, in which beer is offered for sale in this state, representing the alcoholic content of such beer as being in excess of four per centum (4%) by weight shall be conclusive evidence as to the alcoholic content of the beer contained therein.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: H. F. No. 286, H. F. No. 341, H. F. No. 340.

Bills to be introduced: H. F. No. 343, H. F. No. 344.

JAMES BURGESS, *Chairman.*

On the motion of McFarlane of Black Hawk the House adjourned until 9:30 o'clock a. m. Thursday, February 22.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 22, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. C. E. Burdine, Pastor Presbyterian Church, West Liberty, Iowa.

Journal of February 21 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Bonnstetter of Kossuth for the day, on request of Maniece of Emmet.

INTRODUCTION OF BILLS

House File No. 343, by steering committee, a bill for an act to amend Section ninety-one hundred eighty-three (9183), Code, 1931, and to permit savings banks to invest in bonds of the Home Owners Loan Corporation, and in Class A Stock of the Federal Deposit Insurance Corporation.

Read first and second times and placed on calendar.

House File No. 344, by steering committee, a bill for an act to amend House File Three Hundred Thirty-one (331), Acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the nature of waivers by certificate holders as provided for therein.

Read first and second times and placed on calendar.

House File No. 345, by emergency legislation committee, a bill for an act to amend Chapter one hundred thirty-three (133) of the Acts of the 45th General Assembly in regular session, as amended by Senate File Number Seventy (70), of the Acts of the 45th General Assembly in extraordinary session, relating to sales of real estate for delinquent taxes.

Read first and second times and referred to steering committee.

Digitized by Google

SENATE MESSAGES CONSIDERED

Senate File No. 291, a bill for an act to make an appropriation to Roscoe W. Wilson.

Read first and second times and referred to committee on appropriations.

Senate File No. 292, a bill for an act to make an appropriation to Mrs. Olina Waltz of Mason City, Iowa.

Read first and second times and referred to committee on appropriations.

Senate File No. 303, a bill for an act to make an appropriation to Lyon County, Iowa.

Read first and second times and referred to committee on appropriations.

Senate File No. 304, a bill for an act to make an appropriation to Inter City Bus Line.

Read first and second times and referred to committee on appropriations.

Senate File No. 305, a bill for an act to make an appropriation to Netty Mae Bennett and to E. D. Marsall.

Read first and second times and referred to committee on appropriations.

Senate File No. 306, a bill for an act to make an appropriation to I. J. Petri.

Read first and second times and referred to committee on appropriations.

Senate File No. 307, a bill for an act to make an appropriation to A. R. Walton.

Read first and second times and referred to committee on appropriations.

Senate File No. 309, a bill for an act to make an appropriation to the Dallas County News and to C. W. Havenstein.

Read first and second times and referred to committee on appropriations.

Digitized by Google

Senate File No. 310, a bill for an act to make an appropriation to Leonard Ruback and Richard Ruback.

Read first and second times and referred to committee on appropriations.

Senate File No. 314, a bill for an act to make an appropriation to Robert Harrison.

Read first and second times and referred to committee on appropriations.

Crouch of Greene offered the following resolution:

HOUSE RESOLUTION NO. 7

Whereas, James W. Holden, who served as a member of the State Highway Commission from its inception in 1913 until 1927, died at his home at Scranton, Wednesday, February 21, 1934. Therefore,

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly of Iowa in Extraordinary Session, That in the death of James W. Holden, Greene County and the entire State of Iowa have sustained a great loss. Everywhere he was known as a man honored and trusted, a man of sterling character.

Be It Further Resolved, That a copy of these resolutions be printed in the Journal of the House and a copy thereof be transmitted to the family.

Crouch of Greene moved that the rules be suspended and the resolution be considered at this time. Motion prevailed.

Crouch of Greene moved the resolution be adopted. Resolution adopted.

SPECIAL ORDER MADE

Strachan of Humboldt asked and obtained unanimous consent to have House File No. 286 made a special order for Monday, February 26th, at 10:30 o'clock a. m.

CALL OF THE HOUSE

A roll call on the Call of the House on House File No. 336 revealed all members present except: Elliott of Polk, Moore of Harrison and Treimer of O'Brien.

On motion of Schmitz of Winneshiek, Treimer of O'Brien was excused from the Call of the House on account of sickness.

On motion of Doran of Boone, Elliott of Polk and Moore of Harrison were temporarily excused from the Call of the House.

Digitized by Google

McFarlane of Black Hawk asked and obtained unanimous consent that Koch of Bremer be excused from the Call of the House on account of sickness in his family, and that he be permitted to leave his vote on the final passage of House File No. 336 at the desk with the Chief Clerk.

Johnson of Linn asked and obtained unanimous consent to have Alesch of Plymouth excused from the Call of the House on account of sickness, and that he be permitted to leave his vote on the final passage of House File No. 336 at the desk with the Chief Clerk.

CONSIDERATION OF BILLS

Under continuation of special order the House resumed consideration of House File No. 336, a bill for an act to repeal Chapter thirty-eight (38), Acts of the forty-fifth General Assembly and to amend Chapter thirty-seven (37), Acts of the forty-fifth General Assembly relating to the manufacture, sale and distribution of beer; defining beer; providing for the regulation of the manufacture, sale and distribution of beer; providing revenue for the State of Iowa and certain of its municipal subdivisions, including cities and towns under special charter, by taxation of and from permits to manufacture and/or sell beer and providing for issuance of permits therefor and by providing penalties for the violation of the provisions hereof.

Mitchell of Webster called up the amendment to Sec. 3 filed by him and found on page 1155, of the Journal of February 16, and moved its adoption.

Foster of Cedar moved the previous question on the amendment. Motion prevailed.

The amendment by Mitchell of Webster was adopted.

Stimpson of Jones called up the amendment to Sec. 9, filed by him and found on page 1210 of the Journal of February 21.

Stimpson of Jones asked and obtained unanimous consent to have the letter "B" in his amendment changed to the letter "C".

Stimpson of Jones moved the adoption of the amendment. Amendment adopted.

Teter of Marion asked and obtained unanimous consent to

Digitized by Google

withdraw the amendment to Sec. 15, filed by him and found on page 1162 of the Journal of February 17.

Reed of Mahaska asked and obtained unanimous consent to withdraw the amendment to Sec. 15, filed by him and found on page 1190 of the Journal of February 20.

Zylstra of Sioux called up the amendment filed by him, and found on pages 1210 and 1211 of the Journal of February 21.

Zylstra of Sioux asked and obtained unanimous consent to temporarily defer action on his amendment.

Elliott of Polk and Moore of Harrison appeared on the floor of the House and the Call of the House was declared complete.

Yager of Dickinson called up the amendment to Sec. 19, filed by him and found on page 1139 of the Journal of February 15, and moved its adoption.

Wiese of Scott called up the amendment to the Yager amendment to Sec. 19, filed by him and found on page 1211 of the Journal of February 21, and moved its adoption.

Fuester of Ida moved to substitute the figures and words: "1:00 o'clock a. m. to 12:00 o'clock noon Sunday" for the figures and words: "2:00 o'clock a. m. to 2:00 o'clock p. m. Sunday", as they appear in the amendment offered by Wiese of Scott.

Motion to substitute lost.

Grau of Buena Vista moved the previous question on the Wiese amendment to the Yager amendment, and also the Yager amendment. Motion prevailed.

On the question "Shall the Wiese amendment to the Yager amendment be adopted?" a roll call was demanded.

The ayes were, 5.

Fuelling	McCarthy	Ostby	Wiese
Grell			

The nays were, 95.

Aldrich	Bruce	Dean	Ellsworth
Augustine	Burgess	Dole	Falvey
Avery	Casey	Donlon	Felter
Beath	Craven	Doran	Fletcher
Beswick	Crouch	Dreessen	Foster
Bouska	Cunningham	Durant	Frizzell
Bowers	Davis	Elliott	Fuester

Digitized by Google

Gallagher	Laughlin	Mooty	Stansell
Garner	Lichty	Osborn	Stanzel
Gissel	Lookingbill	Paisley	Stewart
Gittinger	McCreery	Peet	Stimpson
Goode	McDermott	Rawlings	Strachan
Grau	McFarlane	Reed	Swift
Hanson of Lyon	McKinnon	Rice	Teter
Hanson of Winnebago	McLean	Roe	Thies
Hartman	Malone	Ryder	Thiessen
Hook	Maniece	Schlatter	Weed
Hopp	Mercer	Schmitz	Wieben
Hough	Metcalf	Schroeder	Willis
Hultman	Millhone	Sheridan	Wolf
Humeston	Mitchell	Smith	Yager
Jenkins	Moore of Benton	Snyder	Zipse
Jensen	Moore of Harrison	Sours	Zylstra
Johnson		Speidel	Mr. Speaker

Absent or not voting, 8.

Alesch	Brady	Koch	Porter
Bonnstetter	Fabritz	Peaco	Treimer

Amendment to amendment lost.

On the question "Shall the Yager amendment to Sec. 19 be adopted?" a roll call was demanded.

The ayes were, 95.

Aldrich	Fletcher	Lichty	Ryder
Augustine	Foster	Lookingbill	Schlatter
Avery	Frizzell	McCreery	Schroeder
Beath	Fuelling	McDermott	Sheridan
Beswick	Fuester	McFarlane	Smith
Bouska	Gallagher	McKinnon	Snyder
Bowers	Garner	McLean	Sours
Brady	Gissel	Malone	Speidel
Bruce	Gittinger	Maniece	Stansell
Burgess	Goode	Mercer	Stanzel
Casey	Grau	Metcalf	Stewart
Craven	Hanson of Lyon	Millhone	Stimpson
Crouch	Hanson of Winnebago	Moore of Benton	Strachan
Cunningham	Hartman	Moore of Harrison	Swift
Davis	Hook	Mooty	Teter
Dean	Hopp	Osborn	Thies
Dole	Hough	Paisley	Thiessen
Donlon	Hultman	Peaco	Weed
Doran	Humeston	Peet	Wieben
Dreessen	Jenkins	Rawlings	Willis
Durant	Jensen	Reed	Wolf
Elliott	Johnson	Rice	Yager
Ellsworth	Laughlin	Roe	Zipse
Falvey			Mr. Speaker
Felter			

The nays were, 8.

Fabritz	McCarthy	Ostby	Wiese
Grell	Mitchell	Schmitz	Zylstra

Absent or not voting, 5.

Alesch	Koch	Porter	Treimer
Bonnstetter			

Digitized by Google

Amendment adopted.

Ellsworth of Hardin moved to amend House File No. 336, Sec. 19 as amended by inserting after the word "sold" in the fourth from the last line the words "or delivered".

On the question "Shall the Ellsworth amendment be adopted?" a roll call was demanded.

The ayes were, 83.

Aldrich	Frizzell	Lichty	Roe
Augustine	Fuelling	Lookingbill	Schlatter
Avery	Fuester	McCreery	Smith
Beath	Gallagher	McDermott	Snyder
Beswick	Garner	McFarlane	Sours
Bowers	Gissel	McKinnon	Speidel
Burgess	Gittinger	McLean	Stansell
Casey	Grau	Malone	Stewart
Craven	Hanson of Lyon	Metcalf	Stimpson
Crouch	Hanson of Winnebago	Millhone	Strachan
Cunningham	Hartman	Moore of Benton	Teter
Davis	Hook	Moore of Harrison	Thies
Dean	Hopp	Mooty	Thiessen
Dole	Hough	Osborn	Weed
Donlon	Hultman	Paisley	Wieben
Doran	Humeston	Peaco	Wiese
Dreessen	Jenkins	Peet	Willis
Durant	Jensen	Rawlings	Wolf
Elliott	Johnson	Reed	Yager
Ellsworth	Laughlin	Rice	Zipse
Felter			Mr. Speaker
Fletcher			

The nays were, 14.

Bouska	Goode	Ostby	Sheridan
Brady	Grell	Ryder	Swift
Fabritz	McCarthy	Schmitz	Zylstra
Falvey	Mercer		

Absent or not voting, 11.

Alesch	Foster	Mitchell	Stanzel
Bonnstetter	Koch	Porter	Treimer
Bruce	Maniece	Schroeder	

Amendment adopted.

Zylstra of Sioux moved to amend the Zylstra amendment to Sec. 16 and 17 to H. F. No. 336, as follows:

Strike the word "premises" in line one, sub-section "a" of Section 16 and insert in lieu thereof the word "buildings".

Also amend by inserting in line 4, sub-section "a" of Section 16 after the word "club" the words "whose buildings are".

Further amend by striking the word "premises" in line one, sub-section "c" of Section 17, and inserting in lieu thereof the word "buildings".

Amendments to the amendments adopted.

Digitized by Google

On the question "Shall the Zylstra amendment to Secs. 16 and 17, as amended, be adopted?" a roll call was demanded.

The ayes were, 92.

Aldrich	Foster	Lookingbill	Roe
Augustine	Frizzell	McCarthy	Ryder
Avery	Fuelling	McCreery	Schlatter
Beath	Fuester	McDermott	Schmitz
Beswick	Garner	McFarlane	Schroeder
Bouska	Gissel	McKinnon	Snyder
Bowers	Gittinger	McLean	Sours
Bruce	Goode	Malone	Speidel
Burgess	Grau	Mercer	Stansell
Casey	Grell	Metcalf	Stewart
Craven	Hanson of Lyon	Millhone	Stimpson
Cunningham	Hanson of	Mitchell	Strachan
Davis	Winnebago	Moore of Benton	Swift
Dean	Hartman	Moore of	Teter
Dole	Hook	Harrison	Thies
Donlon	Hopp	Mooty	Treimer
Doran	Hough	Osborn	Weed
Dreessen	Hultman	Paisley	Wieben
Durant	Humeston	Peaco	Wiese
Elliott	Jenkins	Peet	Yager
Ellsworth	Jensen	Rawlings	Zipse
Fabritz	Johnson	Reed	Zylstra
Felter	Laughlin	Rice	Mr. Speaker
Fletcher	Lichty		

The nays were, 2.

Gallagher	Willis

Absent or not voting, 14.

Alesch	Falvey	Porter	Stanzel
Bonnstetter	Koch	Sheridan	Thiessen
Brady	Maniece	Smith	Wolf
Crouch	Ostby		

Amendment as amended adopted.

Yager of Dickinson called up the amendment to Sec. 21 filed by him and found on page 1140 of the Journal of February 15 and moved its adoption.

Avery of Clay moved to amend the Yager amendment by striking therefrom the words: "who secured a permit in the year 1933" in the two places in which they appear in the amendment.

Swift of Dubuque moved the previous question on the Avery amendment to the Yager amendment and the Yager amendment. Motion prevailed.

The Avery amendment to the Yager amendment was lost.

On the question "Shall the Yager amendment to Sec. 21 be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 32.

Avery	Fletcher	Lichty	Stanzel
Beswick	Foster	McFarlane	Stimpson
Bruce	Frizzell	Metcalf	Strachan
Burgess	Fuester	Ostby	Weed
Craven	Gissel	Peet	Yager
Crouch	Gittinger	Schlatter	Zipse
Dean	Grell	Snyder	Zylstra
Ellsworth	Jensen	Stansell	Mr. Speaker

The nays were, 71.

Aldrich	Gallagher	McCreery	Rice
Augustine	Garner	McDermott	Roe
Beath	Goode	McKinnon	Ryder
Bouska	Grau	McLean	Schmitz
Bowers	Hanson of Lyon	Malone	Schroeder
Brady	Hanson of Winnebago	Maniece	Sheridan
Casey	Hartman	Mercer	Smith
Cunningham	Hook	Millhone	Sours
Davis	Hopp	Mitchell	Speidel
Dole	Hough	Moore of Benton	Stewart
Donlon	Hultman	Moore of Harrison	Swift
Doran	Humeston	Mooty	Teter
Dreessen	Jenkins	Osborn	Thies
Durant	Johnson	Paisley	Thiessen
Elliott	Laughlin	Peaco	Wieben
Fabritz	Lookingbill	Rawlings	Wiese
Falvey	McCarthy	Reed	Willis
Felter			Wolf
Fuelling			

Absent or not voting, 5.

Alesch	Koch	Porter	Treimer
Bonnstetter			

Amendment lost.

On the motion of Malone of Cass the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A roll call was taken to verify the presence of the members on the call of the House on House File No. 336. All members were found present except those previously excused, and Mercer of Johnson and Stansell of Clarke.

The Speaker called Cunningham of Polk to the chair at 2:02 o'clock.

Digitized by Google

Reed of Mahaska offered the following amendment and moved its adoption:

Amend House File No. 336, Section 21 as amended by Sheridan of Lee, as follows:

Strike from line 23 the words ".50c for each duplicate thereof" and insert the words "three dollars ($3) for each duplicate thereof."

On the question "Shall the Reed amendment be adopted?" a roll call was demanded.

The ayes were, 66.

Aldrich	Fletcher	Johnson	Snyder
Augustine	Foster	Lichty	Sours
Beath	Frizzell	Lookingbill	Speidel
Beswick	Fuester	McCreery	Stansell
Bouska	Garner	McDermott	Stanzel
Bowers	Gissel	McFarlane	Stewart
Bruce	Gittinger	McKinnon	Stimpson
Craven	Grau	McLean	Strachan
Crouch	Grell	Malone	Teter
Davis	Hanson of Lyon	Metcalf	Thies
Dean	Hanson of Winnebago	Millhone	Thiessen
Dole	Hook	Mooty	Weed
Donlon	Hough	Peet	Wieben
Doran	Hultman	Reed	Yager
Durant	Jenkins	Rice	Zipse
Ellsworth	Jensen	Roe	Zylstra
Felter		Smith	

The nays were, 36.

Avery	Gallagher	Mitchell	Ryder
Brady	Goode	Moore of Benton	Schlatter
Burgess	Hartman	Moore of Harrison	Schmitz
Casey	Hopp	Osborn	Schroeder
Cunningham	Humeston	Ostby	Sheridan
Dreessen	Laughlin	Paisley	Swift
Elliott	McCarthy	Peaco	Wiese
Fabritz	Maniece	Rawlings	Willis
Falvey	Mercer		Wolf
Fuelling			

Absent or not voting, 6.

Alesch	Koch	Treimer	Mr. Speaker
Bonnstetter	Porter		

Amendment adopted.

McCreery of Linn offered the following amendment and moved its adoption:

Amend House File 336, section eight (8) sub-section (f) by changing the period (.) to a comma (,) in line nineteen (19) and adding the following: "and is not within three hundred (300) feet of a building used for school purposes."

On the question "Shall the amendment by McCreery of Linn be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 61.

Augustine	Felter	Johnson	Rice
Avery	Fletcher	Lichty	Roe
Beath	Foster	Lookingbill	Schlatter
Beswick	Frizzell	McCreery	Snyder
Bowers	Fuester	McDermott	Sours
Bruce	Gissel	McFarlane	Speidel
Crouch	Gittinger	McKinnon	Stansell
Cunningham	Grau	McLean	Stanzel
Davis	Hanson of	Malone	Strachan
Dean	Winnebago	Maniece	Teter
Dole	Hartman	Metcalf	Thies
Donlon	Hook	Millhone	Weed
Doran	Hopp	Mooty	Willis
Durant	Hough	Peet	Yager
Elliott	Hultman	Reed	Zylstra
Ellsworth	Jenkins		

The nays were, 41.

Aldrich	Garner	Moore of	Sheridan
Bouska	Goode	Harrison	Smith
Brady	Grell	Osborn	Stewart
Burgess	Hanson of Lyon	Ostby	Stimpson
Casey	Humeston	Paisley	Swift
Craven	Jensen	Peaco	Thiessen
Dreessen	Laughlin	Rawlings	Wieben
Fabritz	McCarthy	Ryder	Wiese
Falvey	Mercer	Schmitz	Wolf
Fuelling	Mitchell	Schroeder	Zipse
Gallagher	Moore of Benton		

Absent or not voting, 6.

Alesch	Koch	Treimer	Mr. Speaker
Bonnstetter	Porter		

Amendment adopted.

Moore of Benton called up the amendments to Sec. 23, filed by him and found on page 1156 of the Journal of February 16, and moved their adoption.

A division was called for.

The first part of the Moore amendments was lost.

On the question "Shall the second part of the Moore amendments be adopted?" a roll call was demanded.

The ayes were, 99.

Aldrich	Burgess	Doran	Fletcher
Augustine	Casey	Dreessen	Foster
Avery	Craven	Durant	Frizzell
Beath	Crouch	Elliott	Fuelling
Beswick	Davis	Ellsworth	Fuester
Bouska	Dean	Fabritz	Gallagher
Bowers	Dole	Falvey	Garner
Bruce	Donlon	Felter	Gissel

Digitized by Google

Gittinger	McCreery	Paisley	Stanzel
Goode	McDermott	Peaco	Stewart
Grau	McFarlane	Peet	Stimpson
Grell	McKinnon	Rawlings	Strachan
Hanson of Lyon	McLean	Reed	Swift
Hanson of Winnebago	Malone	Rice	Teter
Hook	Maniece	Roe	Thies
Hopp	Mercer	Ryder	Thiessen
Hough	Metcalf	Schlatter	Weed
Hultman	Millhone	Schmitz	Wieben
Humeston	Mitchell	Schroeder	Wiese
Jenkins	Moore of Benton	Sheridan	Willis
Jensen	Moore of Harrison	Smith	Wolf
Johnson	Mooty	Snyder	Yager
Laughlin	Osborn	Sours	Zipse
Lichty	Ostby	Speidel	Zylstra
Lookingbill		Stansell	Mr. Speaker

The nays were, 1.

Hartman

Absent or not voting, 8.

Alesch	Brady	Koch	Porter
Bonnstetter	Cunningham	McCarthy	Treimer

The second part of the Moore amendments was adopted.

Craven of Jasper called up the amendment to Sec. 28 filed by him and found on page 1211 of the Journal of February 21, and asked and obtained unanimous consent to withdraw his amendment.

Osborn of Decatur moved that Stansell of Clarke be excused from the call of the House for the balance of the day. Motion prevailed.

Peaco of Clinton offered the following amendment and moved its adoption:

Amend Section 28 of House File 336 as follows:

By striking the period (.) at the end of line six (6) and inserting in lieu thereof a semicolon (;), and add the following:

"Provided that it shall be unlawful for any sign concerning beer to be affixed or attached to the outside of the building wherein a Class "B" or Class "C" permittee is located."

Johnson of Linn offered as a substitute for the Peaco amendment the following:

Amend House File No. 336, Section 20, line 3, by inserting the word "sell," immediately following the word "indirectly".

Johnson of Linn asked and obtained unanimous consent to withdraw his amendment.

Digitized by Google

Reed of Mahaska moved as a substitute for the Peaco amendment, the following:

Amend House File No. 336 by striking Section 28 and substituting therefor the following:

Sec. 28. No outdoor advertising about or concerning any beer shall be permitted in the State of Iowa.

Speaker Miller returned to the chair at 3:16 p. m.

Bruce of Pocahontas moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Reed amendment be substituted for the Peaco amendment?" a roll call was demanded.

The ayes were, 56.

Aldrich	Durant	Jenkins	Roe
Augustine	Elliott	Jensen	Schlatter
Avery	Felter	Johnson	Snyder
Beath	Fletcher	Lookingbill	Sours
Beswick	Foster	McCreery	Speidel
Bowers	Frizzell	McDermott	Stanzel
Bruce	Gissel	McLean	Stimpson
Craven	Gittinger	Metcalf	Strachan
Crouch	Grau	Millhone	Teter
Cunningham	Hanson of Lyon	Mooty	Thies
Davis	Hanson of Winnebago	Osborn	Weed
Dean	Hook	Paisley	Wieben
Dole	Hough	Peet	Yager
Donlon		Reed	Zylstra
Doran			

The nays were, 46.

Bouska	Goode	Maniece	Schroeder
Brady	Grell	Mercer	Sheridan
Burgess	Hartman	Mitchell	Smith
Casey	Hopp	Moore of Benton	Stewart
Dreessen	Hultman	Moore of Harrison	Swift
Ellsworth	Humeston	Ostby	Thiessen
Fabritz	Laughlin	Peaco	Wiese
Falvey	Lichty	Rawlings	Willis
Fuelling	McCarthy	Rice	Wolf
Fuester	McFarlane	Ryder	Zipse
Gallagher	McKinnon	Schmitz	Mr. Speaker
Garner	Malone		

Absent or not voting, 6.

Alesch	Koch	Stansell	Treimer
Bonnstetter	Porter		

The Reed amendment was substituted for the Peaco amendment.

Rice of Keokuk moved the previous question on the Reed Substitute amendment. Motion prevailed.

Digitized by Google

On the question "Shall the Reed substitute amendment be adopted?", a roll call was demanded.

The ayes were, 52.

Aldrich	Durant	Jenkins	Peet
Augustine	Elliott	Johnson	Reed
Avery	Felter	Lichty	Schlatter
Beath	Fletcher	Lookingbill	Snyder
Beswick	Foster	McCreery	Sours
Bowers	Gissel	McDermott	Speidel
Bruce	Gittinger	McLean	Stanzel
Craven	Grau	Metcalf	Strachan
Crouch	Hanson of Lyon	Millhone	Teter
Cunningham	Hanson of Winnebago	Mooty	Thies
Davis	Hook	Osborn	Weed
Dean	Hough	Paisley	Yager
Dole		Peaco	Zylstra
Doran			

The nays were, 50.

Bouska	Garner	Maniece	Sheridan
Brady	Goode	Mercer	Smith
Burgess	Grell	Mitchell	Stewart
Casey	Hartman	Moore of Benton	Stimpson
Donlon	Hopp	Moore of Harrison	Swift
Dreessen	Hultman	Ostby	Thiessen
Ellsworth	Humeston	Rawlings	Wieben
Fabritz	Jensen	Rice	Wiese
Falvey	Laughlin	Roe	Willis
Frizzell	McCarthy	Ryder	Wolf
Fuelling	McFarlane	Schmitz	Zipse
Fuester	McKinnon	Schroeder	Mr. Speaker
Gallagher	Malone		

Absent or not voting, 6.

Alesch	Koch	Stansell	Treimer
Bonnstetter	Porter		

Reed substitute amendment adopted.

Beswick of Van Buren asked and obtained unanimous consent to withdraw the amendment to Sec. 32, filed by him and found on page 1211 of the Journal of February 21.

Mitchell of Webster called up the amendment to Sec. 29, filed by him and found on page 1155 of the Journal of February 16 and moved its adoption. Amendment adopted.

Mitchell of Webster asked and obtained unanimous consent to withdraw his amendment of Sec. 33, filed by him and found on pages 1155 and 1156 of the Journal of February 16.

Johnson of Linn asked and obtained unanimous consent to withdraw his amendment to Sec. 33, filed by him and found on page 1191 of the Journal of February 20.

Digitized by Google

Mitchell of Webster called up the amendment to Sec. 33, filed by him and found on pages 1211 and 1212 and moved its adoption. Amendment adopted.

Brady of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 336 by inserting after Section 35 the following new section and renumber the following sections:

Permits issued prior to the taking effect of this Act under the provisions of Chapter 37, Acts of the Forty-fifth General Assembly, shall be in force and effect until the time of expiration as shown by the permits.

Amendment adopted.

Avery of Clay offered the following amendment and moved its adoption:

Amend House File No. 336 by striking from lines twenty-three (23) and twenty-four (24) of paragraph three (3) of section seven (7) the following words and figures:

"five thousand dollars ($5,000.00)" and inserting in lieu thereof the following words and figures: "two thousand dollars ($2,000.00)".

Amendment lost.

Sheridan of Lee called up the first amendment filed by him and found on page 1191 of the Journal of February 20 and moved its adoption. Amendment adopted.

Sheridan of Lee called up the second amendment filed by him and found on page 1191 of the Journal of February 20 and moved its adoption. Amendment adopted.

Mercer of Johnson offered the following amendment and moved its adoption:

Amend Section 8, sub-section "f" as amended by McCreery of Linn, by striking the words "three hundred (300)" in line five (5) and substituting in lieu thereof the words "two hundred (200)".

Amendment adopted.

Sheridan of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 62.

Aldrich	Bouska	Burgess	Donlon
Alesch	Brady	Crouch	Dreessen
Avery	Bruce	Davis	Fabritz

Digitized by Google

Falvey	Johnson	Osborn	Stewart
Fuelling	Koch	Ostby	Stimpson
Fuester	Laughlin	Paisley	Swift
Gallagher	McCarthy	Peaco	Thies
Garner	McDermott	Rawlings	Thiessen
Gittinger	Malone	Reed	Wieben
Goode	Maniece	Rice	Wiese
Grell	Mercer	Ryder	Willis
Hartman	Metcalf	Schlatter	Wolf
Hopp	Mitchell	Schmitz	Zipse
Humeston	Moore of Benton	Schroeder	Zylstra
Jenkins	Moore of	Sheridan	Mr. Speaker
Jensen	Harrison	Smith	

The nays were, 42.

Augustine	Elliott	Hook	Peet
Beath	Ellsworth	Hough	Roe
Beswick	Felter	Hultman	Snyder
Bowers	Fletcher	Lichty	Sours
Casey	Foster	Lookingbill	Speidel
Craven	Frizzell	McCreery	Stanzel
Cunningham	Gissel	McFarlane	Strachan
Dean	Grau	McKinnon	Teter
Dole	Hanson of Lyon	McLean	Weed
Doran	Hanson of	Millhone	Yager
Durant	Winnebago	Mooty	

Absent or not voting, 4.

Bonnstetter	Porter	Stansell	Treimer

The sealed votes of Alesch of Plymouth and Koch of Bremer at the desk of the Chief Clerk were opened and recorded in the final roll call on the passage of House File No. 336 as provided for in permission granted by the House previously this day.

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Sheridan of Lee moved that the vote by which House File No. 336 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Fabritz of Wapello asked and obtained unanimous consent to have 1200 copies of House File No. 336, as amended, reprinted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 318, 320, 321, 328 and 97. Senate File No. 295.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

Digitized by Google

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 318, 320, 321, 328 and 97; Senate File No. 295.

BILLS SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 22nd day of February, 1934, sent to the Governor for his approval: House Files No. 318, 320, 321, 328 and 97.

WM. KOCH, *Chairman.*

Report adopted.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

February 20: House File No. 209;

February 21: House Files No. 274, 310 and 312.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 273

MR. PRESIDENT AND MR. SPEAKER: Your conference committee appointed to consider the differences between the Senate and the House on Senate File No. 273, begs leave to report it has had the same under consideration and recommends:

That the House recede from its amendments.

That section two (2) be struck out and the following inserted:

"Sec. 2. If any member of said board or the county engineer negligently fails to perform the duty herein imposed upon him, he shall be guilty of a misdemeanor and upon conviction, shall be fined not to exceed the sum of twenty-five dollars ($25.00)."

That the title be amended by striking all after the word "and" in line eight (8) and inserting in lieu thereof the following:

"to fix the penalty for the negligent failure to perform said duty and for the wrongful removal of said erections."

I. M. REED.	CHAS. D. BOOTH.
ARCH W. MCFARLANE.	JOHN N. CALHOUN.
WALTER OSBORN.	FRANK I. COYKENDALL.
JAS. C. CASEY.	T. W. MULLANEY.
On the part of the House.	*On the part of the Senate.*

Digitized by Google

McKinnon of Henry moved that the House adjourn until 10:00 o'clock tomorrow morning.

Foster of Cedar moved to amend the motion by McKinnon of Henry by adjourning until 9:30 o'clock tomorrow morning.

On the question "Shall the Foster amendment be adopted?" a roll call was demanded.

The ayes were, 58.

Aldrich	Foster	Jenkins	Rice
Augustine	Fuelling	Jensen	Roe
Beswick	Fuester	Johnson	Schlatter
Bruce	Gallagher	Lichty	Snyder
Casey	Garner	McCreery	Sours
Crouch	Gissel	Malone	Stimpson
Davis	Gittinger	Maniece	Teter
Dole	Goode	Mercer	Thies
Donlon	Grau	Millhone	Thiessen
Doran	Grell	Osborn	Wieben
Durant	Hanson of Lyon	Ostby	Yager
Ellsworth	Hartman	Paisley	Zipse
Fabritz	Hook	Rawlings	Zylstra
Felter	Hopp	Reed	Mr. Speaker
Fletcher	Hough		

The nays were, 32.

Avery	Hanson of Winnebago	Mitchell	Sheridan
Beath	Hultman	Moore of Benton	Smith
Bouska	Humeston	Moore of Harrison	Stanzel
Brady	Laughlin	Peaco	Stewart
Burgess	McCarthy	Ryder	Swift
Cunningham	McKinnon	Schmitz	Weed
Dreessen	McLean	Schroeder	Willis
Elliott	Metcalf		Wolf
Falvey			

Absent or not voting, 18.

Alesch	Frizzell	Mooty	Stansell
Bonnstetter	Koch	Peet	Strachan
Bowers	Lookingbill	Porter	Treimer
Craven	McDermott	Speidel	Wiese
Dean	McFarlane		

The Foster amendment was adopted.

The McKinnon motion to adjourn as amended, prevailed and the House stood adjourned until 9:30 o'clock a. m. Friday, February 23.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 23, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by C. L. Beswick, Representative from Van Buren county, Stockport, Iowa.

Journal of February 22 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Ostby of Worth for the day, on request of Avery of Clay; Koch of Bremer for the day, on request of Craven of Jasper.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Bonnstetter of Kossuth, from the business men of Fenton, Iowa; Johnson from the business men of Linn county. Referred to the committee on tax revision.

CONSIDERATION OF BILLS

Senate File No. 239, a bill for an act to amend the provisions of chapter two hundred eighty-two (282) of the 1931 Code of Iowa, relating to limitation of the boundaries of a benefited water district, creating a board of trustees to supervise and manage such district, and by changing the method of taxing property for establishing and maintaining said district, was taken up for consideration.

Cunningham of Polk asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 1162 of the Journal of February 17.

Elliott of Polk called up the amendment filed by him and found on page 1190 of the Journal of February 20 and moved its adoption. Amendment adopted.

Digitized by Google

Bruce of Pocahontas moved the previous question. Motion prevailed.

Elliott of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Augustine	Foster	McCarthy	Ryder
Avery	Frizzell	McDermott	Schlatter
Beath	Fuelling	McFarlane	Schmitz
Beswick	Fuester	McKinnon	Smith
Bouska	Gallagher	McLean	Snyder
Brady	Garner	Malone	Speidel
Bruce	Gissel	Metcalf	Stansell
Burgess	Gittinger	Millhone	Stewart
Casey	Grell	Mitchell	Stimpson
Craven	Hanson of Lyon	Moore of	Swift
Crouch	Hanson of	Harrison	Thies
Cunningham	Winnebago	Mooty	Treimer
Dole	Hopp	Osborn	Weed
Donlon	Hultman	Paisley	Wieben
Doran	Humeston	Peaco	Wiese
Dreessen	Jensen	Peet	Willis
Durant	Johnson	Rawlings	Wolf
Elliott	Laughlin	Reed	Yager
Ellsworth	Lichty	Rice	Zipse
Fabritz	Lookingbill	Roe	Zylstra
Falvey			

The nays were, 14.

Bowers	Goode	Hough	Stanzel
Dean	Grau	McCreery	Strachan
Felter	Hartman	Sours	Thiessen
Fletcher	Hook		

Absent or not voting, 15.

Aldrich	Jenkins	Moore of Benton	Sheridan
Alesch	Koch	Ostby	Teter
Bonnstetter	Maniece	Porter	Mr. Speaker
Davis	Mercer	Schroeder	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Cunningham of Polk asked and obtained unanimous consent to have the Chief Clerk correctly place the amendments, and correct the title as follows:

Amend the title by striking the "period" at the end thereof and adding the following:

"and providing for the submission of the question to the voters."

Digitized by Google

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the conference committee report and concurred in the amendments proposed therein on the following bill in which the concurrence of the Senate was asked:

House File No. 1, a bill for an act to equalize taxation and replace in part the tax on property; to provide the public revenue to be used for such replacement by imposing a personal net income tax, a business tax on corporations, and a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom, and the administration of said law; to fix fines and penalties for the violation of the provisions of this act; to amend chapter twenty-four (24), Code, 1931; and to repeal all laws or parts of laws in conflict herewith.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 292, a bill for an act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa, and to provide for the licensing thereof and revenue therefrom; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure, and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly, Chapters ninety-four (94) to one hundred four (104), inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any and all laws or parts of laws inconsistent with this Act; provided, however, that the repeal of any Chapters of the Code or sections thereof shall in no manner repeal or affect Chapter Thirty-seven (37) and Chapter Thirty-eight (38) of the Laws of the Forty-fifth (45th) General Assembly, it being the intent of this Act that the said Chapter Thirty-seven (37) and Chapter Thirty-eight (38) of the Laws of the Forty-fifth (45th) General Assembly shall remain in full force and effect as enacted or as hereafter amended.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 42, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor, making an appropriation therefor, levying a tax, and prescribing penalties for the violation of the provisions of this act.

BYRON G. ALLEN, *Secretary*.

Digitized by Google

CONSIDERATION OF SENATE AMENDMENTS

On request of McCreery of Linn, unanimous consent having been given, House File No. 292, a bill for an act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa, and to provide for the licensing thereof and revenue therefrom; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure, and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly, Chapters ninety-four (94) to one hundred four (104), inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any and all laws or parts of laws inconsistent with this Act; provided, however, that the repeal of any Chapters of the Code or sections thereof shall in no manner repeal or affect Chapter Thirty-seven (37) and Chapter Thirty-eight (38) of the Laws of the Forty-fifth (45th) General Assembly, it being the intent of this Act that the said Chapter Thirty-seven (37) and Chapter Thirty-eight (38) of the Laws of the Forty-fifth (45th) General Assembly shall remain in full force and effect as enacted or as hereafter amended, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 292

Amend House File 292 as follows:

A. Amend the title by changing the final period (.) to a semi-colon (;) and adding the following: "provided, however that the repeal of any chapters of the Code or sections thereof shall in no manner repeal or affect Chapter Thirty-seven (37) and Chapter Thirty-eight (38) of the Laws of the Forty-fifth (45th) General Assembly, it being the intent of this Act that the said Chapter Thirty-seven (37) and Chapter Thirty-eight (38) of the Laws of the Forty-fifth (45th) General Assembly shall remain in full force and effect as enacted or as hereafter amended."

B. Amend by striking all of section two (2) and inserting in lieu thereof the following:

"Sec. 2. Wherever any provisions of the existing laws are in conflict with the provisions of this Act, the provisions of this Act shall control

Digitized by Google

and supersede all such existing laws, provided, however that the repeal of any Chapters of the Code or sections thereof shall in no manner repeal or affect Chapter Thirty-seven (37) and Chapter Thirty-eight (38) of the Laws of the Forty-fifth (45th) General Assembly, it being the intent of this Act that the said Chapter Thirty-seven (37) and Chapter Thirty-eight (38) of the Laws of the Forty-fifth (45th) General Assembly shall remain in full force and effect as enacted or as hereafter amended."

C. Amend section three (3) by striking all after the word "liquor" in line three (3), all of line four (4) and the words "provisions of" in line five (5) and inserting in lieu thereof the following: ", except beer as defined in"; also by striking the parenthesis mark in line six (6).

D. Amend section four (4), subsection two (2), by striking line eight (8) thereof and inserting a period (.) at the end of line seven (7).

E1. Amend section four (4) by striking subsection five (5).

E2. Further amend section four (4) by striking subsection six (6) and inserting in lieu thereof the following:

"6. 'Alcoholic Liquor' includes the three varieties of liquor above defined (alcohol, spirits, and wine), and every liquid or solid, patented or not, containing alcohol, spirits, or wine, and susceptible of being consumed by a human being, for beverage purposes. Any liquid or solid containing more than one of the three varieties above defined is considered as belonging to that variety which has the highest percentage of alcohol, according to the order in which they are above defined."

E3. Further amend section four (4) by striking subsection ten (10) and inserting in lieu thereof the following:

"10. 'License' means a contract between the commission and a licensee entitled thereto under the provisions of this Act."

E4. Further amend section four (4) by striking subsection twelve (12).

E5. Further amend section four (4), subsection fourteen (14), by striking the words "or 'beer' is brewed,".

E6. Further amend section four (4), subsection nineteen (19) by inserting after the word "such" in line seventy-four (74), the following: "cities and".

E7. Further amend section four (4) by inserting after subsection twenty-two (22), the following subsection:

"23. (a) 'Hotel' means every building or other structure, kept, used, maintained, advertised, and held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests in which rooms are used for sleeping accommodations for such transient guests and having one or more dining rooms being connected in the same building or buildings, structure or structures, being provided, in the judgment of the commission, with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein such number and kinds of servants and employees as the commission may by regulation prescribe for preparing, cooking, and serving suitable food for its guests.

"(b) 'Restaurant' means a space in a suitable building, approved by the commission, kept, used, maintained, advertised, or held out to the people to be a place where the principal business is the serving of meals

Digitized by Google

without sleeping accommodations, such space being provided, in the judgment of the commission, with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein such number and kinds of servants and employees as the commission may by regulation prescribe for preparing, cooking, and serving suitable food for its guests.

"(c) 'Club' means an association of persons, whether incorporated or unincorporated, for the promotion of some common object (not including associations organized for any commercial or business purpose the object of which is money profit), owning, hiring, or leasing a building or space in a building, of such an extent and character as in the judgment of the commission may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests and provided with suitable and adequate kitchen and dining room space and equipment, implements, and facilities, and employing a sufficient number of servants or employees for cooking, preparing and serving food and meals for its members and their guests; provided, that such club files with the commission annually within ten (10) days of February first of each year a list of the names and residences of its members, and similarly files within ten (10) days of the election of any additional member, his name and address, and that its aggregate annual membership fees or dues and other income, exclusive of any proceeds of the sale of alcoholic liquor, are sufficient to defray the annual rental of its leased or rented premises, or, if such premises are owned by the club, are sufficient to meet the taxes, insurance, repairs, and the interest on any mortgage thereof; and provided, further that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by the members at their annual meeting, and that no member or any officer, agent, or employee of the club is paid, or directly or indirectly receives in the form of salary or other compensation, any profits from the disposition or sale of alcoholic liquor to the club or the members of the club, or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members or by its directors or other governing body and as reported by the club to the commission, within three months after such annual meeting and as shall in the judgment of the commission be reasonable and proper compensation for the services of such member, officer, agent, or employee."

E8. Further amend section four (4) by adding as subsection twenty-four (24), the following:

"24. 'Wholesaler' means any person who shall sell, barter, exchange, offer for sale or have in possession with intent to sell alcoholic liquor and wines to retailers for re-sale."

E9. Further amend section four (4) by renumbering subsections six (6) as five (5), seven (7) as six (6), eight (8) as seven (7), nine (9) as eight (8), ten (10) as nine (9), eleven (11) as ten (10), thirteen (13) as eleven (11), fourteen (14) as twelve (12), fifteen (15) as thirteen (13), sixteen (16) as fourteen (14), seventeen (17) as fifteen (15), eighteen (18) as sixteen (16), nineteen (19) as seventeen (17), twenty (20) as eighteen (18), twenty-one (21) as nineteen (19), twenty-one-a (21-a) as twenty (20), twenty-two (22) as twenty-one (21), and twenty-

Digitized by Google

three (23) as twenty-two (22), the original section twenty-three (23) retaining its number and the newly added subsection twenty-four (24) retaining its number.

F1. Amend section five (5), subsection one (1), by striking the word "three" in line two (2), and inserting in lieu thereof the word "five"; also by striking the word "two" in line three (3) and inserting in lieu thereof the word "three".

F2. Further amend section five (5), subsection two (2), by striking the words "said commission" in line thirteen (13) and inserting in lieu thereof the words "such employment".

F3. Further amend section five (5), subsection three (3), by striking all of said subsection following the semi-colon (;) in line twenty-nine (29), and inserting in lieu thereof the following: "such removal shall not be in lieu of any other punishment that may be prescribed by the laws of the State of Iowa;".

F4. Further amend section five (5), subsection four (4), by striking the words "three thousand six hundred" in line thirty-six (36) and inserting in lieu thereof the words "five thousand".

F5. Further amend section five (5), subsection four (4), by striking from lines thirty-nine (39) and forty (40) the words ", subject to approval of the executive council".

F6. Further amend section five (5), subsection four (4), by striking from line forty-two (42) the word "each".

F7. Further amend section five (5), subsection four (4), by striking the word "his" in line forty-two (42) and inserting in lieu thereof the word "their"; also by striking the words "the city of Des Moines" in line forty-four (44) and inserting in lieu thereof the words "their place of residence".

F8. Further amend section five (5), subsection four (4), by striking from lines forty-seven (47) and forty-eight (48) the words "and by the executive council, as a condition precedent to payment".

F9. Further amend section five (5), subsection five (5), by striking out the words "executive council" in lines fifty-four (54) and fifty-five (55) and inserting in lieu thereof the following: "Senate by a two-thirds (2/3) vote of the members in executive session".

F10. Further amend section five (5), subsection five (5), by striking the word "one" in line fifty-five (55) and inserting in lieu thereof the word "two"; also by striking the word "one" where it first appears in line fifty-six (56) thereof and inserting in lieu thereof the word "two".

G. Amend section six (6) by striking from line five (5) the words "the State Capitol at".

H1. Amend section seven (7), subsection (a), by striking all of lines five (5), six (6), seven (7) and eight (8).

H2. Further amend section seven (7), subsection (b), by adding after the word "towns" in line eleven (11) the following: "including cities and towns under special charter and cities under commission form of government".

H3. Further amend section seven (7), subsection (b), by striking out the period (.) in line fifteen (15) and adding thereto the following: "or any church used as such."

Digitized by Google

H4. Further amend section seven (7), subsection (f), by adding after the word "cause" in line twenty-five (25) the following: "deemed by the commission in its discretion as sufficient".

H5. Further amend section seven (7), subsection (h), by striking out the period (.) after the word "package" in line thirty-two (32) and inserting a comma (,) and adding the following: "unless otherwise herein provided for."

H6. Further amend section seven (7) by inserting after subsection (k) the following:

"(l) To designate what hotels, restaurants, and clubs shall be allowed to sell wines of natural fermentation."

J1. Amend section nine (9) by striking the words "or special charter city" in line two (2) and inserting in lieu thereof the following: "including cities under special charter and cities under commission form of government,".

J2. Further amend section nine (9) by placing a period (.) after the word "sold" in line nine (9) thereof and striking the remainder of the section.

K1. Amend section ten (10), subsection one (1) by inserting after the word "In" in line one (1) thereof the following: "cities and".

K2. Further amend section ten (10), subsection one (1), by inserting, after the word "distributor" in line four (4), the following: ", who shall have been in business in and a resident of such city or town not less than two (2) years immediately prior to such appointment,".

K3. Further amend section ten (10), subsection three (3), by striking the words "after one year" in line seventeen (17).

K4. Further amend section ten (10), subsection three (3), by striking the word "shall" in line nineteen (19) and inserting in lieu thereof the word "may".

K5. Further amend section ten (10), subsection four (4), by striking the words "for one year or more" in line twenty-two (22).

L. Amend by striking section eleven-a (11-a) and inserting in lieu thereof the following:

"Sec. 11-a. The Liquor Control Commission shall prescribe from time to time by rule or regulation the qualifications to be possessed by persons desiring employment in State liquor stores or establishments."

M. Amend section fourteen (14) by adding after the period (.) in line twelve (12) thereof the following:

"No alcoholic liquor shall be labeled 'Whisky' unless it is a distillate of fermented mash of grain or mixture of grains. Spirits, the alcoholic content of which is distilled of any other substance, must be labeled 'Imitation'. No spirits shall contain any substance, compound or ingredient which is injurious to health or deleterious for human consumption."

N1. Amend section fifteen (15) by striking the words "handling monies" in line eight (8) and inserting in lieu thereof the words "holding positions of trust".

N2. Further amend section fifteen (15) by striking the words "such monies" in line ten (10) and inserting in lieu thereof the words: "all monies, merchandise and other properties".

Digitized by Google

O. Amend section seventeen (17) by inserting after the word "Store" in line three (3) thereof the following: ", special distributor".

P1. Amend section eighteen (18) by striking the words "one to another" from line two (2) and inserting in lieu thereof the words "the place of purchase by the Commission to any".

P2. Further amend section eighteen (18) by adding after the word "Act" in line four (4) the following: "or from one such place to another".

P3. Further amend section eighteen (18) by adding after the word "vendor" in line seven (7) the following words: "or a special distributor".

P4. Further amend section eighteen (18) by striking the word "effect" in line fifteen (15) and inserting in lieu thereof the word "affect".

Q1. Amend section nineteen (19) by adding after the word "purchase" in line eleven (11) thereof the following: ", possession and/or transportation".

Q2. Further amend section nineteen (19), line twenty-eight (28), by striking the word "druggist" and inserting in lieu thereof the word "pharmacist".

Q3. Further amend section nineteen (19), by inserting after the word "medicinally" in line thirty-two (32) thereof, the word "or".

Q4. Further amend section nineteen (19) by changing the period (.) after the word "surgeon" in line thirty-three (33) to a comma (,) and adding the following: "and to purchase liquor from the State Liquor Stores or special distributors for use in manufacturing or compounding lotions, compounds, and other like commodities not susceptible for beverage purpose, and to sell the same for public use."

Q5. Further amend section nineteen (19), line thirty-four (34), by inserting after the word "hospital", the following: ", college".

Q6. Further amend section nineteen (19) by adding after the word "medicinal" in line thirty-seven (37), the following: ", laboratory and scientific".

Q7. Further amend section nineteen (19) by striking lines thirty-eight (38), thirty-nine (39), forty (40), forty-one (41), forty-two (42) and forty-three (43).

Q8. Further amend section nineteen (19), subsection (d), by adding after the word "State" in line seventy-eight (78) the following: "or from the commission,".

Q9. Further amend section nineteen (19) by striking therefrom subsection (e), lines ninety-one (91) to one hundred one (101) inclusive, and inserting in lieu thereof the following:

"Nothing in this Act shall prohibit the legitimate sale of patent and proprietary medicines, tinctures, food products, extracts, toilet articles and perfumes, and other like commodities, none of which are generally classified or used as a beverage but which require as one of their ingredients alcoholic or vinous liquors, through the ordinary retail or wholesale channels."

Q10. Further amend section nineteen (19) by relettering paragraph (d) of subsection two (2) as paragraph (c).

Q11. Further amend section nineteen (19) by changing the lettering of the subparagraphs under paragraph (b) as follows: (1) as [1] and (2) as [2].

Digitized by Google

Q12. Further amend section nineteen (19) by changing the lettering of the subparagraphs under paragraph (c) as follows: (1) as [1], (2) as [2] and (3) as [3].

R. Amend section twenty (20) by striking lines one (1) to seven (7), inclusive, and inserting in lieu thereof the following:

"Sec. 20. For an 'individual permit' under clause (a) of subsection two (2) issued after this act takes effect or upon the taking effect of this act the fee shall be one dollar ($1.00) and such permit shall expire upon the 30th day of June, 1934. On all such permits issued on or after July 1, 1934, the fee shall be one dollar ($1.00), and such permits shall expire on June 30th following date of issuance."

S. Insert after section twenty-five (25) the following:

"Sec. 26. Nothing in this act shall affect the purchase or use of sacramental wines to be used exclusively for sacramental purposes."

T. Amend by inserting immediately before section twenty-eight (28), the following:

"Sec. —. (1) Upon application in the prescribed form and accompanied by the prescribed fee, the commission may in accordance with this Act, and in accordance with the regulations, made thereunder, grant special licenses to the following classes:

(a) Hotels.

(b) Restaurants.

(c) Clubs.

"(2) 'Hotel Licenses' shall allow the retail sale and consumption of wines of natural fermentation by the patrons of such hotel and the fee for such 'hotel license' shall be in the sum of seventy-five dollars ($75.00).

"(3) A 'restaurant license' shall in all respects be identical as to provisions, obligations and penalties with the 'hotel license' except that the business that is carried on shall be that of a restaurant and not of a hotel and the fee for such license shall be in the sum of seventy-five dollars ($75.00).

"(4) A 'club license' to sell wines of natural fermentation may be issued by the commission subject to the following conditions, limitations, and restrictions:

"(a) No license shall be issued to a proprietary club or one operated for a pecuniary gain:

"[1] Unless the premises occupied by such club be constructed, equipped, managed and operated to the satisfaction of the commission and in accordance with the provisions of this Act and the regulations made thereunder.

"[2] Unless such club through its duly elected officers shall, at least thirty days prior to the date of application for license, file with the commission notice of its intention to apply for such a license, accompanied with a description of the premises occupied or proposed to be occupied and a list of the paid up membership of such club and those in good standing.

"(b) A 'club license' shall be issued in the name of the club applying for the same and shall not be transferable nor assignable nor shall the holder of a club license allow any other group or person to use the same.

Digitized by Google

"For the purpose of considering and determining whether or not a club license should be issued the commission may cause an inspection to be made of the premises occupied by such club and inquire into any and all matters concerning the establishment, constitution, or management of such club and the commission may in its discretion grant or refuse such license. The commission may, from time to time in the exercise of like discretion and, with or without hearing, suspend or cancel any club license and any or all rights of such club. Such licenses shall be either suspended or cancelled in the discretion of the commission.

"Whenever a club license has been suspended or cancelled as herein provided the holder of such license shall forthwith deliver the same to the commission. Upon failure of the club license holder to deliver said license to the commission, the commission shall forthwith cancel the same. In the case of the suspension of said license, the commission shall return the license to the holder at the expiration of such period of suspension. Where the club license has been either suspended or cancelled, the commission shall notify all vendors in the municipality where the club has its premises and such other persons as may be provided for in the regulations under this Act made, of the fact of such suspension or cancellation of licenses. In the event of the cancellation of a club license, no license shall thereafter be issued to said club within the period of one (1) year from the date of such cancellation of license.

"Every club license issued under this section shall be subject to all of the conditions and restrictions imposed by the Act and by the regulations made thereunder.

"Every licensed club shall post and keep posted its club license in a prominent position or place on the club premises.

"The fee for a club license as herein defined shall be in the sum of fifty dollars ($50.00).

"Subject to the provisions of this section, and regulations promulgated under this Act, the commission shall have authority to issue a liquor license as provided for in this Act for any premises kept or operated by a club as defined in this Act, entitling such club to purchase wines of natural fermentation from a state liquor store, and to keep on the premises such wines of natural fermentation, and, subject to the provisions of this Act and the regulations made thereunder, to sell the same, to members for consumption on the club premises."

"(c) Every hotel, restaurant or club licensee may sell wines of natural fermentation, in that part of the hotel, restaurant or club habitually used for serving of meals to guests and patrons, and in the case of hotels, to registered guests in their rooms; and in the case of clubs, to members in private rooms in the club. No hotel, restaurant or club licensee shall maintain any counter or bar at or over which liquor is served to guests or patrons. No licensee hereunder shall give away any food of any kind in connection with the sale of such wines."

"(5) All licenses shall expire one year after date of issuance."

U. Amend by striking section twenty-seven (27).

V. Amend by inserting as section twenty-eight-a (28-a), the following:

"Sec. 28-a. Upon application in the prescribed form and accompanied

Digitized by Google

by a fee of one hundred dollars ($100) and subject to the provisions of this Act and the rules and regulations of the commission, the commission shall grant a license good for a period of one year after date of issuance, to a wholesaler, which shall allow the wholesaler to purchase alcoholic liquor from distillers either within or without the State for the purpose of supplying the commission and customers of such wholesaler engaged in the sale of alcoholic liquor and wines at retail outside of the State."

W1. Amend section twenty-nine (29) by inserting after the word "manufacturer" in line two (2) the words "or wholesaler".

W2. Further amend section twenty-nine (29) by inserting after the word "manufacturer" in line four (4) the words "or wholesaler".

W3. Further amend section twenty-nine (29), line nine (9), by inserting after the figures "($5,000)", the following: "for a manufacturer and one thousand dollars ($1,000) for a wholesaler".

X. Amend section thirty (30) by inserting after the word "manufacturer" in line one (1) the words "or wholesaler".

Y1. Amend section thirty-one (31) by adding after the word "no" in line seven (7) the word "such".

Y2. Further amend section thirty-one (31) by striking the word "should" in line eight (8) and inserting in lieu thereof the word "shall".

Y3. Further amend section thirty-one (31) by adding after the word "be" in line ten (10) the word "lawfully".

Z. Amend by striking all of section thirty-three (33) and inserting in lieu thereof the following:

"Sec. 33. Except as otherwise provided, it is hereby made unlawful for any person to use or consume any alcoholic liquors upon the public streets or highways, or in any public place, and no person shall be intoxicated nor simulate intoxication in a public place; and any person violating any provisions of this section shall be fined not to exceed one hundred dollars ($100.00) or sentenced not to exceed thirty (30) days in the county jail."

1A. Amend by striking section thirty-eight (38).

1B. Amend by striking section forty-one (41).

1C. Amend section forty-three (43) by inserting after the word "Act" in line seventeen (17) the following: "as determined and fixed from time to time by the comptroller".

1D1. Amend section forty-seven (47) by adding after the word "liquor" in line three (3) thereof the following: ", except as otherwise provided in this Act,".

1D2. Further amend section forty-seven (47), line five (5), by striking the words "brewery or".

1D3. Further amend section forty-seven (47) by inserting after the word "commission," in line seven (7) thereof the following: "except as otherwise provided in this Act,".

1D4. Further amend section forty-seven (47) by striking from line ten (10) the words "breweries or".

1D5. Further amend section forty-seven (47) by inserting after the word "thirty-seven" in line twelve (12) thereof the following: "(37) and Chapter thirty-eight (38),".

1D6. Further amend section forty-seven (47) by changing the period

Digitized by Google

(.) to a comma (,) in line thirteen (13) thereof and adding the following: "and except as otherwise provided in this Act."

1E. Amend by striking section forty-nine (49) and inserting in lieu thereof the following:

"Sec. 49. Notwithstanding anything in this Act contained, but subject to any regulations or restrictions which the commission may impose, manufacturers of native wines from grapes, cherries, other fruit juices, or honey grown and produced in Iowa may sell, keep, or offer for sale and deliver the same in such quantities as may be permitted by the commission for consumption off the premises.

"A manufacturer of native wines shall not sell such wines otherwise than as permitted by this section or allow any wine so sold, or any part thereof, to be drunk upon the premises of such manufacturer.

"Notwithstanding anything in this act contained, any person may manufacture native wine as herein defined for consumption on his own premises."

1F. Amend section fifty-two (52) by striking lines fourteen (14) and fifteen (15) and inserting in lieu thereof the following: "conviction shall be sentenced to the county jail or the penitentiary, in the discretion of the court, for a period not exceeding one year."

1G. Amend section eighty-four (84) by striking from line one (1) the words "otherwise stated" and inserting in lieu thereof the following: "other penalties are herein provided".

1H. Amend by adding a new section, number eighty-five (85), as follows:

"Sec. 85. Any member, secretary, officer or employee of the Commission who shall knowingly or willfully violate any of the provisions of this act, or knowingly and willingly aid, assist or permit any such violation, shall be guilty of a misdemeanor and be punishable by fine of not to exceed $1,000.00, nor less than $300.00, or by imprisonment in the County Jail for not less than three months, nor more than one year, or by both such fine and imprisonment.

"Section thirteen thousand two hundred ninety-three (13,293), Code, 1931, is hereby made applicable to the members and employees of the Liquor Control Commission."

1J. Amend section eighty-six (86) by striking therefrom lines eight (8) to thirteen (13) inclusive and inserting in lieu thereof the following:

"Any neglect, misfeasance, or malfeasance shown by any peace officer included in this section will be sufficient cause for his removal as provided for by the statutes of the State of Iowa."

1K. Amend by adding as a new section, the following:

"Sec. —. No repeal declared in this act shall be deemed to affect the validity or continued operation of any existing permit issued under chapters one hundred (100) to one hundred four (104), inclusive, of the Code, 1931, until said permits are formally terminated by the Commission and the power to terminate is hereby vested in the Commission."

1L. Amend section eighty-seven (87) by striking the words "Fort Madison" in line two (2) and inserting in lieu thereof the word "Evening".

1M. Amend by renumbering the sections as follows: 11-a as 12, 12 as 13, 13 as 14, 14 as 15, 15 as 16, 16 as 17, 17 as 18, 18 as 19, 19 as 20,

Digitized by Google

20 as 21, 21 as 22, 22 as 23, 23 as 24, 24 as 25, 25 as 26, the new "Sec. 26" as 27, the old "Sec. 26." as 28, the first "Sec. —." as 29, 28 as 30, 28-a as 31, 29 as 32, 30 as 33, 31 as 34, 32 as 35, 33 as 36, 34 as 37, 35 as 38, 36 as 39, 37 as 40, 39 as 41, 40 as 42, 42 as 43, 43 as 44, 44 as 45, 45 as 46, 46 as 47, 47 as 48, 48 as 49, 49 as 50, 50 as 51, 51 as 52, 52 as 53, 53 as 54, 54 as 55, 55 as 56, 56 as 57, 57 as 58, 58 as 59, 59 as 60, 60 as 61, 61 as 62, 62 as 63, 63 as 64, 64 as 65, 65 as 66, 66 as 67, 67 as 68, 68 as 69, 69 as 70, 70 as 71, 71 as 72, 72 as 73, 73 as 74, 74 as 75, 75 as 76, 76 as 77, 77 as 78, 78 as 79, 79 as 80, 80 as 81, 81 as 82, 82 as 83, 83 as 84, 84 as 85, 85 as 86. the new "Sec. 85." as 87, 86 as 88, the second "Sec. —." as 89, and 87 as 90.

Mr. McCreery moved that the House refuse to concur in the Senate amendments to House File No. 292.

On the question "Shall the House concur?"

The ayes were, 2.

Crouch	Hartman

The nays were, 93.

Aldrich	Fletcher	McCarthy	Schroeder
Augustine	Foster	McCreery	Smith
Avery	Frizzell	McFarlane	Snyder
Beath	Fuelling	McKinnon	Sours
Beswick	Fuester	McLean	Speidel
Bonnstetter	Gallagher	Malone	Stansell
Bouska	Garner	Mercer	Stanzel
Brady	Gissel	Metcalf	Stewart
Bruce	Gittinger	Millhone	Stimpson
Burgess	Goode	Mitchell	Strachan
Casey	Grau	Moore of	Swift
Craven	Hanson of Lyon	Harrison	Teter
Cunningham	Hanson of	Mooty	Thies
Davis	Winnebago	Osborn	Thiessen
Dean	Hook	Paisley	Treimer
Dole	Hopp	Peaco	Weed
Doran	Hough	Peet	Wieben
Dreessen	Hultman	Rawlings	Willis
Durant	Humeston	Reed	Wolf
Elliott	Jensen	Rice	Yager
Ellsworth	Johnson	Roe	Zipse
Fabritz	Laughlin	Ryder	Zylstra
Falvey	Lichty	Schlatter	Mr. Speaker
Felter	Lookingbill	Schmitz	

Absent or not voting, 13.

Alesch	Jenkins	Maniece	Porter
Bowers	Koch	Moore of Benton	Sheridan
Donlon	McDermott	Ostby	Wiese
Grell			

The House refused to concur in the Senate amendments to House File No. 292.

Digitized by Google

CONSIDERATION OF BILLS

Senate File No. 252, a bill for an act to amend chapter four hundred twenty-seven (427), code, 1931, as amended by Senate File sixty-nine (69), acts of the Forty-fifth General Assembly in extraordinary session, relating to the charges to be paid by the owners of grain at the time of the sealing of his warehouse; changing the fees of the sealer and the fees accruing to the secretary of agriculture; providing that the sealers appointed by the secretary of agriculture shall not be members of the local board—all under the unbonded agricultural warehouse board, was taken up for consideration.

Beswick of Van Buren called up the amendments filed by him and found on pages 1175 and 1176 of the Journal of February 19, and moved their adoption.

Johnson of Linn moved to amend the Beswick amendment to Senate File No. 252 by striking section three.

Johnson of Linn asked and obtained unanimous consent to withdraw his amendment to the amendment.

Foster of Cedar moved the previous question on the main bill and amendment. Motion prevailed.

Beswick amendments were adopted.

Beswick of Van Buren moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Aldrich	Falvey	Lichty	Ryder
Avery	Felter	Lookingbill	Schlatter
Beath	Foster	McCarthy	Schmitz
Beswick	Fuelling	McDermott	Snyder
Bouska	Gallagher	McFarlane	Sours
Bowers	Garner	McKinnon	Speidel
Burgess	Gittinger	McLean	Stansell
Casey	Goode	Mercer	Stewart
Craven	Grell	Metcalf	Strachan
Cunningham	Hanson of Lyon	Millhone	Thies
Davis	Hanson of Winnebago	Mitchell	Treimer
Dean	Hartman	Mooty	Weed
Dole	Hopp	Osborn	Wieben
Donlon	Hough	Ostby	Wiese
Doran	Hultman	Paisley	Willis
Elliott	Jensen	Peet	Wolf
Ellsworth	Johnson	Reed	Yager
Fabritz	Laughlin	Rice	Zylstra

Digitized by Google

The nays were, 21.

Bonnstetter	Frizzell	McCreery	Schroeder
Brady	Fuester	Maniece	Smith
Bruce	Gissel	Peaco	Swift
Crouch	Grau	Rawlings	Thiessen
Dreessen	Humeston	Roe	Zipse
Fletcher			

Absent or not voting, 15.

Alesch	Jenkins	Moore of Harrison	Stanzel
Augustine	Koch	Porter	Stimpson
Durant	Malone	Sheridan	Teter
Hook	Moore of Benton		Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title as amended agreed to.

Beswick of Van Buren moved that the vote by which Senate File No. 252 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 175, a bill for an act to repeal sections five hundred twenty-three (523), and ten thousand six hundred thirty-nine (10,639), code, 1931, and to enact substitutes therefor, all relating to the election of Justices of the Peace and Constables, and their compensation, was taken up for consideration.

Reed of Mahaska called up the amendment filed by him and found on page 1190 of the Journal of February 20, and moved its adoption. Amendment adopted.

On motion of Goode of Davis the House recessed until 1:30 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 175.

Moore of Harrison moved that House File No. 175 be laid on the table.

On the question "Shall House File No. 175 be laid on the table?" a roll call was demanded.

Digitized by Google

The ayes were, 55.

Aldrich	Fuelling	Malone	Schmitz
Bonnstetter	Fuester	Maniece	Schroeder
Brady	Gallagher	Mercer	Smith
Bruce	Garner	Millhone	Stanzel
Casey	Gittinger	Moore of Benton	Stimpson
Craven	Goode	Moore of Harrison	Swift
Cunningham	Grell	Mooty	Teter
Davis	Hartman	Ostby	Thiessen
Dean	Jensen	Peaco	Treimer
Donlon	Laughlin	Rice	Wiese
Dreessen	Lichty	Roe	Wolf
Fabritz	McCarthy	Ryder	Yager
Fletcher	McFarlane	Schlatter	Zipse
Foster	McKinnon		Zylstra

The nays were, 42.

Augustine	Durant	Hopp	Osborn
Avery	Elliott	Hough	Rawlings
Beath	Ellsworth	Hultman	Reed
Beswick	Falvey	Jenkins	Snyder
Bouska	Felter	Johnson	Sours
Bowers	Frizzell	Lookingbill	Stansell
Burgess	Gissel	McCreery	Stewart
Crouch	Grau	McDermott	Strachan
Dole	Hanson of Lyon	McLean	Thies
Doran	Hanson of Winnebago	Metcalf	Weed
		Mitchell	Mr. Speaker

Absent or not voting, 11.

Alesch	Koch	Porter	Wieben
Hook	Paisley	Sheridan	Willis
Humeston	Peet	Speidel	

House File No. 175 was laid on the table.

ACTION DEFERRED ON HOUSE FILE NO. 332 AND SENATE FILES NO. 95 AND 108

Mitchell of Webster asked and obtained unanimous consent to have action deferred on House File No. 332, and that it retain its place on the calendar.

Brady of Pottawattamie asked and obtained unanimous consent to have action deferred on Senate File No. 95, and that it retain its place on the calendar.

Fabritz of Wapello asked and obtained unanimous consent to have action deferred on Senate File No. 108, and that it retain its place on the calendar.

CONSIDERATION OF BILLS

House File No. 340, a bill for an act to amend Section two (2), chapter one hundred eighty-two (182), Acts of the Forty-fifth

Digitized by Google

General Assembly, which provides for an emergency delay of foreclosures, was taken up for consideration.

Speaker Miller called Rawlings of Monona to the chair at 2:18 o'clock p. m.

Maniece of Emmet moved the previous question. Motion prevailed.

McKinnon of Henry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 51.

Aldrich	Elliott	McCarthy	Roe
Augustine	Fabritz	McKinnon	Schroeder
Beswick	Fuester	Maniece	Sheridan
Bonnstetter	Garner	Metcalf	Smith
Brady	Gissel	Mitchell	Speidel
Bruce	Gittinger	Moore of	Stewart
Burgess	Grell	Harrison	Stimpson
Craven	Hook	Mooty	Thiessen
Cunningham	Hopp	Ostby	Wiese
Davis	Hough	Paisley	Wolf
Dean	Hultman	Rawlings	Yager
Donlon	Humeston	Reed	Zipse
Dreessen	Jensen	Rice	Zylstra

The nays were, 44.

Avery	Fletcher	Lookingbill	Schmitz
Beath	Foster	McCreery	Snyder
Bouska	Frizzell	McDermott	Sours
Bowers	Fuelling	McFarlane	Stansell
Casey	Gallagher	McLean	Stanzel
Crouch	Goode	Mercer	Strachan
Dole	Grau	Millhone	Swift
Doran	Hanson of Lyon	Osborn	Thies
Durant	Hanson of	Peaco	Treimer
Ellsworth	Winnebago	Ryder	Weed
Felter	Hartman	Schlatter	Wieben
	Johnson		

Absent or not voting, 13.

Alesch	Laughlin	Moore of Benton	Teter
Falvey	Lichty	Peet	Willis
Jenkins	Malone	Porter	Mr. Speaker
Koch			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Digitized by Google

Senate has amended and concurred in the House amendments to the following bill in which the concurrence of the House is asked:

Senate File No. 233, a bill for an act to provide for the appointment of a conservator for a drainage district, levee district, drainage and levee district, drainage and levee district with pumping stations in default to holders of bonds issued by such districts in default; to provide for the issuance of conservator's bonds by such districts to the bondholders; to provide for adequate proceedings in the district court, and to provide for notices and writs incident to the operation of this act; and defining the meaning of the term 'drainage district' for the purpose of this act.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 103, a bill for an act amending Section sixty-one hundred thirty-four-d1 (6134-d1), Code, 1931, and providing for the issuance by municipalities of negotiable revenue bonds payable only out of the net earnings of municipally owned public utilities, providing the security for the payment of such bonds and the rate of interest and form of such bonds; providing for the delivery or sale of such bonds and that the same may be used as security for money borrowed to pay the cost of such improvement.

Also: That the Senate has adopted the conference committee report and concurred in the amendments proposed therein to the following bill in which the concurrence of the House is asked:

Senate File No. 273, a bill for an act relating to secondary roads which may be formally abandoned.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 10 directing the Executive Council to make a full, detailed and itemized report on the Iowa Exhibit at the Century of Progress Exposition in Chicago.

BYRON G. ALLEN, *Secretary.*

SENATE CONCURRENT RESOLUTION NO. 10

Whereas, By Chapter 249 of the Acts of the 44th General Assembly the Executive Council of the state was constituted "Century of Progress Exposition Commission" and an appropriation of twenty-five thousand dollars ($25,000.00) was made for the purpose of advertising and boosting the State of Iowa at said exposition, and

Whereas, It was further provided by said Act of the Legislature that the Executive Council should make a report, or statement, of all its doings, including the exhibits made by the state, the prizes won by or awards made to the state and accounting of monies spent, and

Whereas, No such report has been made, and

Whereas, Chapter 249 of the Acts of the 44th General Assembly provides: "At the close of its services the commission shall make a statement of all of its doings, which statement shall include a showing of all

Digitized by Google

exhibits made by the State of Iowa, or the citizens thereof, and the awards made on such exhibits",

Now, Therefore, Be It Resolved by the Senate, the House concurring, That:

1. The Executive Council be and is hereby directed to make a full, detailed and itemized report of its doings as the "Century of Progress Exposition Commission" without further delay.

2. Such report shall recite the exhibits made by the state and the awards made thereon.

3. The Executive Council shall disclose what arrangements or plans, if any, it has relative to the continuing of the Iowa Exhibit in case the Century of Progress Exposition is held again during 1934.

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 233

Amend the House amendment to Senate File No. 233 by striking from line five (5) the words "delinquent payments" and inserting in lieu thereof the words "unpaid assessments".

RESIGNATION OF COMMITTEE CLERK

MR. SPEAKER: I hereby tender my resignation as Committee Clerk, effective February 24th. LUCILLE O'HAGAN.

MOTION TO RECONSIDER FILED

I move to reconsider the vote by which House File No. 340 failed to pass the House. LAMAR P. FOSTER.

AMENDMENTS FILED

Thiessen of Clinton filed the following amendment:

Amend Senate File No. 95 by adding thereto another Section as follows: "All teachers in the public schools of this state shall be paid for their services a minimum wage of not less than fifty dollars ($50) per month."

Ellsworth of Hardin filed the following amendment:

Amend House File No. 343, section one, by inserting after the figures "1933" where the same occurs in line seven and again in line nine the words "or in any amendments thereto".

Bruce of Pocahontas filed the following amendment:

Amend Senate File No. 103 by renumbering the publication clause, the original "Sec. 2.", as "Sec. 4."

On the motion of Bonnstetter of Kossuth the House adjourned until 9:30 o'clock a. m. Saturday, February 24.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 24, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. R. Weed, Pastor West Star and Worthington M. E. Churches, Winterset, Iowa.

Journal of February 23, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Hartman of Des Moines for the day, on request of Hough of Fayette; Wolf of Franklin for the day, on request of Davis of Appanoose; Durant of Hancock for the day, on request of Roe of Allamakee; Sheridan of Lee for the day, on request of Fabritz of Wapello; Speidel of Washington for the day, on request of Moore of Benton; Teter of Marion for the day, on request of Zylstra of Sioux; Mooty of Grundy for the day, on request of Burgess of Woodbury; Crouch of Greene for the day, on request of Grell of Scott; Gittinger of Lucas for the day, on request of Lookingbill of Story.

REPORTS OF COMMITTEES

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 258, a bill for an act to make an appropriation to B. Agard, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 261, a bill for an act to make an appropriation to Lewis G. Rodman, Administrator of the Estate of Alfred Franklin Rodman, deceased, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Digitized by Google

Also:

Your committee on appropriations to whom was referred Senate File No. 279, a bill for an act to make an appropriation to D. F. Wolfe, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 287, a bill for an act to make an appropriation to Elmer Williams, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 288, a bill for an act to make an appropriation to Ben Terhark, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 289, a bill for an act to make an appropriation to Staley Sales Corporation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 290, a bill for an act to make an appropriation to O. D. Scholl, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 291, a bill for an Act to make an appropriation to Roscoe W. Wilson, beg leave to report they have had the same under consideration and have

Digitized by Google

instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 292, a bill for an Act to make an appropriation to Mrs. Olina Waltz of Mason City, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 303, a bill for an Act to make an appropriation to Lyon County, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 304, a bill for an Act to make an appropriation to Inter City Bus Line, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 346, by committee on appropriations, a bill for an act to make an appropriation of twenty-nine dollars and ninety-eight cents ($29.98) to Dr. E. E. Munger, Spencer, Iowa, for his expenses as a member of the committee appointed under authority of House Joint Resolution Number Seven (7) of the Forty-fifth General Assembly for preparation of minority report of the State University Hospital.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 42, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing a method therefor, making an

Digitized by Google

appropriation therefor, levying a tax, and prescribing penalties for the violation of the provisions of this act.

Read first and second times and referred to committee on appropriations.

Senate File No. 103, a bill for an act amending Section sixty-one hundred thirty-four-d1 (6134-d1), Code, 1931, and providing for the issuance by municipalities of negotiable revenue bonds payable only out of the net earnings of municipally owned public utilities, providing the security for the payment of such bonds and the rate of interest and form of such bonds; providing for the delivery or sale of such bonds and that the same may be used as security for money borrowed to pay the cost of such improvement.

Read first and second times and referred to steering committee.

ACTION ON SENATE FILE NO. 95 DEFERRED

Swift of Dubuque asked and obtained unanimous consent to defer action on Senate File No. 95, and that it retain its place on the calendar.

CONSIDERATION OF BILLS

Senate File No. 108, a bill for an act to amend chapter thirty-seven (37), Acts Forty-fifth (45th) General Assembly, relating to the sale of beer, and to prohibit the sale of beer after March first (1st), 1934, unless sixty-six and two thirds per cent (66⅔%) or more of the grain used in its manufacture consists of barley malt, was taken up for consideration.

Alesch of Plymouth moved to amend Senate File No. 108 as follows:

Amend Sec. 1, line 4, by striking the word "sold" and inserting in lieu thereof the word "brewed".

Foster of Cedar moved to lay Senate File No. 108 and pending amendment on the table.

On the question "Shall Senate File No. 108 and the pending amendment be laid on the table?" a roll call was demanded.

Digitized by Google

The ayes were, 29.

Aldrich	Donlon	Grau	Maniece
Alesch	Doran	Hanson of Lyon	Mercer
Avery	Felter	Hanson of	Metcalf
Beath	Fletcher	Winnebago	Schlatter
Bonnstetter	Foster	Jenkins	Thies
Bowers	Gallagher	Jensen	Weed
Cunningham	Gissel	Johnson	Zipse
Dole	Goode		

The nays were, 58.

Beswick	Garner	Moore of Benton	Snyder
Bouska	Grell	Moore of	Sours
Bruce	Hook	Harrison	Stanzel
Burgess	Hopp	Osborn	Stewart
Casey	Hough	Ostby	Stimpson
Craven	Hultman	Paisley	Strachan
Davis	Humeston	Peaco	Swift
Dreessen	Lookingbill	Rawlings	Thiessen
Elliott	McCarthy	Reed	Treimer
Ellsworth	McCreery	Rice	Wieben
Fabritz	McDermott	Roe	Wiese
Falvey	McKinnon	Ryder	Yager
Frizzell	McLean	Schmitz	Zylstra
Fuelling	Millhone	Schroeder	Mr. Speaker
Fuester	Mitchell	Smith	

Absent or not voting, 21.

Augustine	Hartman	Malone	Speidel
Brady	Koch	Mooty	Stansell
Crouch	Laughlin	Peet	Teter
Dean	Lichty	Porter	Willis
Durant	McFarlane	Sheridan	Wolf
Gittinger			

Motion to lay on the table lost.

Hopp of Mills moved the previous question on the Alesch amendment. Motion prevailed.

On the question "Shall the Alesch amendment be adopted?" a roll call was demanded.

The ayes were, 16.

Alesch	Falvey	Ostby	Schroeder
Augustine	Gissel	Paisley	Swift
Donlon	Hanson of Lyon	Rawlings	Thies
Dreessen	McDermott	Ryder	Yager

The nays were, 67.

Aldrich	Casey	Felter	Grau
Avery	Craven	Fletcher	Grell
Beath	Cunningham	Frizzell	Hanson of
Bonnstetter	Dole	Fuelling	Winnebago
Bouska	Doran	Fuester	Hook
Bowers	Elliott	Gallagher	Hopp
Bruce	Ellsworth	Garner	Hough
Burgess	Fabritz	Goode	Hultman

Digitized by Google

Humeston	Metcalf	Rice	Strachan
Jenkins	Millhone	Roe	Thiessen
Jensen	Mitchell	Schlatter	Treimer
Johnson	Moore of Benton	Schmitz	Weed
Lookingbill	Moore of	Smith	Wieben
McCreery	Harrison	Snyder	Wiese
McKinnon	Osborn	Stanzel	Zipse
McLean	Peaco	Stewart	Zylstra
Maniece	Reed	Stimpson	Mr. Speaker
Mercer			

Absent or not voting, 25.

Beswick	Gittinger	McFarlane	Sours
Brady	Hartman	Malone	Speidel
Crouch	Koch	Mooty	Stansell
Davis	Laughlin	Peet	Teter
Dean	Lichty	Porter	Willis
Durant	McCarthy	Sheridan	Wolf
Foster			

Amendment lost.

Stimpson of Jones moved that action on Senate File 108 be deferred until Monday, February 26.

Foster of Cedar moved the previous question on the Stimpson motion. Motion prevailed.

On the question "Shall action on Senate File No. 108 be deferred until Monday, February 26?" a roll call was demanded.

The ayes were, 18.

Davis	Fuester	McKinnon	Ostby
Donlon	Gissel	Mercer	Stimpson
Fabritz	Jenkins	Metcalf	Thiessen
Falvey	Jensen	Mitchell	Zylstra
Foster	McDermott		

The nays were, 68.

Aldrich	Felter	Lookingbill	Schlatter
Alesch	Fletcher	McCarthy	Schmitz
Augustine	Frizzell	McCreery	Schroeder
Avery	Fuelling	McLean	Smith
Beath	Gallagher	Maniece	Snyder
Bonnstetter	Garner	Millhone	Sours
Bouska	Goode	Moore of Benton	Stanzel
Bowers	Grau	Moore of	Stewart
Bruce	Grell	Harrison	Strachan
Burgess	Hanson of Lyon	Osborn	Swift
Casey	Hanson of	Paisley	Thies
Craven	Winnebago	Peaco	Treimer
Cunningham	Hook	Rawlings	Weed
Dole	Hopp	Reed	Wiese
Doran	Hough	Rice	Yager
Dreessen	Hultman	Roe	Zipse
Elliott	Humeston	Ryder	Mr. Speaker
Ellsworth	Johnson		

Digitized by Google

Absent or not voting, 22.

Beswick	Hartman	Mooty	Stansell
Brady	Koch	Peet	Teter
Crouch	Laughlin	Porter	Wieben
Dean	Lichty	Sheridan	Willis
Durant	McFarlane	Speidel	Wolf
Gittinger	Malone		

Motion to defer action lost.

Goode of Davis moved to amend Senate File No. 108 as follows:

Amend Sec. 1 by inserting after the word "state" in line 4 the words "by a class "A" permittee."

Amendment lost.

Bonnstetter of Kossuth moved the previous question on the main bill. Motion prevailed.

Fabritz of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 68.

Alesch	Fuester	Maniece	Schmitz
Augustine	Garner	Metcalf	Schroeder
Beath	Grell	Millhone	Smith
Bonnstetter	Hanson of Lyon	Mitchell	Snyder
Bouska	Hook	Moore of Benton	Stanzel
Bruce	Hopp	Moore of Harrison	Stewart
Burgess	Hough	Osborn	Stimpson
Casey	Hultman	Ostby	Strachan
Craven	Humeston	Paisley	Swift
Cunningham	Jenkins	Peaco	Thies
Davis	Lookingbill	Rawlings	Thiessen
Dreessen	McCarthy	Reed	Treimer
Elliott	McCreery	Rice	Weed
Ellsworth	McDermott	Roe	Wieben
Fabritz	McKinnon	Ryder	Wiese
Falvey	McLean	Schlatter	Zipse
Frizzell	Malone		Zylstra
Fuelling			

The nays were, 18.

Aldrich	Donlon	Gissel	Jensen
Avery	Doran	Goode	Johnson
Beswick	Felter	Grau	Mercer
Bowers	Fletcher	Hanson of Winnebago	Yager
Dole	Gallagher		

Absent or not voting, 22.

Brady	Hartman	Peet	Stansell
Crouch	Koch	Porter	Teter
Dean	Laughlin	Sheridan	Willis
Durant	Lichty	Sours	Wolf
Foster	McFarlane	Speidel	Mr. Speaker
Gittinger	Mooty		

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 298, a bill for an act relating to the appointment of police matrons and civil service appointments and examinations.

Also: That the Senate insists on its amendments to the following bill, House File No. 292, a bill for an act relating to the State Control of Liquor. The Senate requests a conference committee and the President of the Senate has named the following as Senate members: Senators Frailey, Roelofs, Harrington and Irwin.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 321, a bill for an act to amend paragraph 5 of section 6944, Code, 1931, relating to exemption of property taxation.

BYRON G. ALLEN, *Secretary.*

Fabritz of Wapello asked and obtained unanimous consent to return to the introduction of bills.

SENATE MESSAGES CONSIDERED

Senate File No. 321, a bill for an act to amend paragraph numbered five (5) of section sixty-nine hundred forty-four of the Code, 1931, relating to exemption of property from taxation.

Read first and second times and taken up for immediate consideration on unanimous consent.

Fabritz of Wapello moved that the rules be suspended, prohibiting the reading of a bill the second and third times on the same day. Motion prevailed.

Fabritz of Wapello moved that action on Senate File No. 321 be deferred for five minutes. Motion prevailed.

Rice of Keokuk moved that action on House File No. 341 be deferred until Monday and that it retain its place os the calendar. Motion prevailed.

House File No. 343, a bill for an act to amend Section ninety-one hundred eighty-three (9183), Code, 1931, and to permit sav-

Digitized by Google

ings banks to invest in bonds of the Home Owners Loan Corporation, and in Class A stock of the Federal Deposit Insurance Corporation, was taken up for consideration.

Ellsworth of Hardin called up the amendment filed by him and found on page 1250 of the Journal of February 23, and moved its adoption. Amendment adopted.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Aldrich	Felter	Koch	Roe
Augustine	Fletcher	Lookingbill	Ryder
Avery	Foster	McCarthy	Schlatter
Beswick	Frizzell	McCreery	Schmitz
Bonnstetter	Fuelling	McDermott	Schroeder
Bouska	Fuester	McKinnon	Smith
Bowers	Gallagher	Maniece	Snyder
Bruce	Garner	Mercer	Stewart
Burgess	Goode	Metcalf	Stimpson
Casey	Grau	Millhone	Strachan
Craven	Grell	Moore of Benton	Swift
Cunningham	Hanson of Lyon	Moore of	Thiessen
Davis	Hanson of	Harrison	Weed
Donlon	Winnebago	Ostby	Wieben
Doran	Hook	Paisley	Wiese
Dreessen	Hopp	Peaco	Yager
Elliott	Hough	Rawlings	Zylstra
Ellsworth	Humeston	Reed	Mr. Speaker
Falvey	Jenkins		

The nays were, 2.

Gissel	Osborn

Absent or not voting, 35.

Alesch	Hartman	Mitchell	Stansell
Beath	Hultman	Mooty	Stanzel
Brady	Jensen	Peet	Teter
Crouch	Johnson	Porter	Thies
Dean	Laughlin	Rice	Treimer
Dole	Lichty	Sheridan	Willis
Durant	McFarlane	Sours	Wolf
Fabritz	McLean	Speidel	Zipse
Gittinger	Malone		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Fuester of Ida moved that the House adjourn until 10:00 o'clock a. m. Monday, February 26.

Digitized by Google

A roll call was demanded on the question "Shall the House adjourn until 10:00 o'clock a. m. Monday?"

The ayes were, 26.

Cunningham	Hanson of Lyon	Osborn	Stewart
Doran	Jenkins	Reed	Swift
Felter	Lookingbill	Rice	Weed
Fuelling	McDermott	Ryder	Wiese
Fuester	McLean	Schmitz	Zipse
Grau	Maniece	Sours	Zylstra
Grell	Millhone		

The nays were, 43.

Augustine	Fletcher	Johnson	Rawlings
Beswick	Foster	Koch	Schlatter
Bonnstetter	Frizzell	McCreery	Schroeder
Bowers	Garner	McKinnon	Smith
Bruce	Gissel	Mercer	Stimpson
Craven	Goode	Metcalf	Strachan
Dole	Hanson of Winnebago	Moore of Harrison	Thies
Donlon	Hook	Ostby	Thiessen
Dreessen	Hopp	Paisley	Wieben
Elliott	Humeston	Peaco	Yager
Ellsworth			Mr. Speaker
Fabritz			

Absent or not voting, 39.

Aldrich	Dean	Lichty	Sheridan
Alesch	Durant	McCarthy	Snyder
Avery	Falvey	McFarlane	Speidel
Beath	Gallagher	Malone	Stansell
Bouska	Gittinger	Mitchell	Stanzel
Brady	Hartman	Moore of Benton	Teter
Burgess	Hough	Mooty	Treimer
Casey	Hultman	Peet	Willis
Crouch	Jensen	Porter	Wolf
Davis	Laughlin	Roe	

Motion lost.

CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 321.

Fabritz of Wapello moved to amend Senate File No. 321 as follows:

Strike from line 7 of Sec. 1, the words "park board,".

Amendment adopted.

Fabritz of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 65.

Aldrich	Falvey	Lookingbill	Roe
Augustine	Felter	McCarthy	Ryder
Beswick	Frizzell	McCreery	Schroeder
Bonnstetter	Fuelling	McDermott	Smith
Bouska	Gallagher	McLean	Stewart
Bowers	Garner	Maniece	Stimpson
Bruce	Goode	Mercer	Strachan
Burgess	Grell	Metcalf	Swift
Casey	Hanson of Lyon	Millhone	Thies
Craven	Hanson of Winnebago	Mitchell	Thiessen
Cunningham	Hook	Moore of Benton	Weed
Davis	Hultman	Moore of Harrison	Wieben
Donlon	Humeston	Osborn	Wiese
Dreessen	Jensen	Paisley	Yager
Elliott	Johnson	Peaco	Zylstra
Ellsworth	Koch	Rawlings	Mr. Speaker
Fabritz			

The nays were, 20.

Alesch	Fletcher	Jenkins	Schmitz
Avery	Gissell	McKinnon	Sours
Beath	Grau	Reed	Stanzel
Dole	Hopp	Rice	Treimer
Doran	Hough	Schlatter	Zipse

Absent or not voting, 23.

Brady	Gittinger	Mooty	Speidel
Crouch	Hartman	Ostby	Stansell
Dean	Laughlin	Peet	Teter
Durant	Lichty	Porter	Willis
Foster	McFarlane	Sheridan	Wolf
Fuester	Malone	Snyder	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 344, a bill for an act to amend House File Three Hundred Thirty-one (331), Acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the nature of waivers by certificate holders as provided for therein, was taken up for consideration.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Aldrich	Bouska	Cunningham	Dreessen
Alesch	Bowers	Davis	Elliott
Augustine	Bruce	Dole	Ellsworth
Beath	Burgess	Donlon	Fabritz
Bonnstetter	Casey	Doran	Falvey

Digitized by Google

Fletcher	Hough	Metcalf	Stanzel
Foster	Humeston	Mitchell	Stewart
Frizzell	Jenkins	Osborn	Stimpson
Fuelling	Jensen	Paisley	Strachan
Garner	Johnson	Peaco	Swift
Gissel	Koch	Rawlings	Thiessen
Goode	Lookingbill	Reed	Treimer
Grau	McCarthy	Roe	Weed
Hanson of Lyon	McCreery	Ryder	Wieben
Hanson of Winnebago	McDermott	Schlatter	Wiese
Hook	McLean	Schmitz	Yager
Hopp	Maniece	Schroeder	Zylstra
	Mercer	Smith	Mr. Speaker

The nays were, none.

Absent or not voting, 37.

Avery	Gittinger	Moore of Benton	Snyder
Beswick	Grell	Moore of Harrison	Sours
Brady	Hartman	Mooty	Speidel
Craven	Hultman	Ostby	Stansell
Crouch	Laughlin	Peet	Teter
Dean	Lichty	Porter	Thies
Durant	McFarlane	Rice	Willis
Felter	McKinnon	Sheridan	Wolf
Fuester	Malone		Zipse
Gallagher	Millhone		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 292

The speaker announced the appointment of the following members of the conference committee on House File No. 292 on the part of the House: Fabritz of Wapello, Johnson of Linn, Goode of Davis and Mitchell of Webster.

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as Committee Clerk to Representatives J. P. Gallagher and R. Arno Peet, effective February 26.

CATHERINE HONY.

AMENDMENTS FILED

Teter of Marion and Donlon of Palo Alto filed the following amendments:

Amend Senate File 42, as amended and passed by the Senate, by striking from line 22 of Sec. 34 of the printed bill the words and figures, "an annual tax of one dollar ($1.00)," and substituting in lieu thereof the following: "an annual tax of two dollars ($2.00)."

Amend Senate File 42, as amended and passed by the Senate, by striking therefrom Sections 1, 2, 3, 4, 5 and 6 of the printed bill, and substituting in lieu thereof the following:

Digitized by Google

Section 1. Definitions. When used herein (a) the term "department" shall mean the old age pension department;

(b) the term "board," shall mean the old age pension board of a county;

(c) the singular shall include the plural and the masculine shall include the feminine.

Sec. 2. There is hereby created within the bureau of labor a department to be known and designated as the old age pension department which shall be under the direction and supervision of the state labor commissioner, but who shall not receive any additional salary for his services.

Sec. 3. The labor commissioner may appoint such assistants as are reasonably necessary to carry on the work of said department, but such assistants, and the salaries to be paid, shall be subject to the approval of the state executive council. The labor commissioner is authorized to incur all other reasonably necessary expenses to carry out the provisions of this act, subject to the approval of the state executive council.

Sec. 4. The labor commissioner shall have power and authority to make such rules and regulations as are reasonably necessary to carry out the provisions of this act, and for guiding and regulating county boards. He shall prepare and have printed all reasonably necessary blanks, books and records and supply each county old age pension board with the same, to the end that a uniform system shall be employed.

Sec. 5. The county overseer of the poor in each county of this state shall be the direct representative of the old age pension department in his respective county, and shall be subject to and under the direction of the labor commissioner, in so far only as his duties pertain to carrying out the provisions of this act. In any county having more than one overseer of the poor, the board of supervisors shall designate, by writing filed with the county auditor, the one who shall serve on the board. To the county overseeer of the poor shall be addressed all matters of business transacted between the old age pension department and the county old age pension board.

Sec. 6. (1) There is hereby created in each county of this state an old age pension board of three members, at least one of whom shall be a woman, to consist of the county overseer of the poor, who shall act as chairman of the board and have custody of all the files and records of matters pertaining to old age pension, the chairman of the board of supervisors, who shall serve during his term as such chairman, and one person to be appointed by the board of supervisors for a term of two years. A vacancy in such appointive office shall be filled by the board of supervisors for the remainder of the unexpired term. The chairman of the county old age pension board shall certify the names and addresses of each member of such board to the state labor commissioner. County boards shall meet at such times and places as the board may fix. The members of the county board shall receive no compensation for their services as members of such board, but they shall be entitled to the actual and necessary expenses incurred by them in properly discharging their official duties, whether when making investigations or otherwise, to be paid semi-annually by the state out of the old age pension fund hereinafter

Digitized by Google

provided for, on the filing of an itemized and verified statement therefor with the labor commissioner. The board of supervisors shall provide space in the county courthouse for the use of the old age pension board.

(2) In any county in which the board of supervisors do not appoint an overseer of the poor, under the provisions of section 5321, Code of 1931, the county auditor of such county shall be and act as ex-officio overseer of the poor, and, for the purpose of this act shall perform all the duties and functions as herein provided and imposed upon the overseer of the poor. As a member of the county board, such county auditor shall receive no compensation for his services, but shall be entitled to the actual and necessary expenses incurred by him in properly discharging his official duty.

Amend Senate File 42, as amended and passed by the Senate, by inserting between the period (.) and the word "As" in line 25 of Sec. 34 of the printed bill, the following:

"Any person, firm, association or corporation, including municipal corportations and special charter cities, having in their employ continuously for a period of thirty days or more any resident of this state and who is a citizen of the United States, and to whom this act applies and who has not paid the tax provided for in this section, shall deduct said tax from the earnings of such employee and deliver to such employee a receipt for said collection and remit same to the treasurer of state, together with a report showing the amount and name of the person from whom collected; and the treasurer of state shall credit said tax as other taxes provided for in this section and act, and report to the county treasurer of the county from which such remittance was received, giving the name of the employee and the amount of such tax collected; and when said report has been received by the county treasurer, he shall credit such person on his books with said payment. Any employer failing to collect and so report said tax shall be liable therefor."

On the motion of Rice of Keokuk the House adjourned until 10:00 o'clock a. m. Monday, February 26.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 26, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. S. L. Shenton, Pastor Church of the Brethren, Des Moines, Iowa.

Journal of February 24 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Gissel of Buchanan for the forenoon, on request of Bouska of Howard; Wieben of Tama for the day, on request of Koch of Bremer; Bonnstetter of Kossuth for the day, on request of Maniece of Emmet.

REPORTS OF COMMITTEES

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 276, a bill for an act to revise and modernize the military laws of the State of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 305, a bill for an act to make an appropriation to Nettie Mae Bennett and to E. D. Marshall, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 306, a bill for an act to make an appropriation to I. J. Petri, beg leave

Digitized by Google

to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 307, a bill for an act to make an appropriation to A. R. Walton, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 309, a bill for an act to make an appropriation to the Dallas County News and to C. W. Havenstein, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 310, a bill for an act to make an appropriation to Leonard Ruback and Richard Ruback, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. H. BONNSTETTER, *Chairman.*

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 314, a bill for an act to make an appropriation to Robert Harrison, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

REPORT OF COMMITTEE ON MILEAGE

Peaco of Clinton, chairman of the committee on mileage, submitted the following report and moved its adoption:

MR. SPEAKER: Your committee appointed to fix the mileage due each member, begs leave to submit the following report:

Digitized by Google

Name	Miles	Amt.
Porter, E. B.	175	$17.50

MILTON PEACO, *Chairman.*
J. D. BOUSKA.
F. DAVIS.

Report adopted.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 14

Foster of Cedar called up the resolution filed by him and found on page 1142 of the Journal of February 16.

Foster of Cedar moved to amend the resolution by striking all after the word "at" in line three and inserting in lieu thereof "12 o'clock noon, Saturday, March 3, 1934".

Johnson of Linn moved to amend the Foster amendment by striking therefrom the words and figures "12 o'clock noon, Saturday, March 3, 1934", and inserting in lieu thereof the words and figures "5:00 o'clock p. m., Friday, March 2, 1934."

Rice of Keokuk moved the previous question on the resolution and amendments. Motion lost.

McKinnon of Henry moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Johnson amendment to the Foster amendment be adopted?" a roll call was demanded.

The ayes were, 39.

Alesch	Fuelling	Lichty	Roe
Augustine	Goode	Lookingbill	Schlatter
Bruce	Grau	McCreery	Sheridan
Dean	Hanson of Winnebago	McFarlane	Sours
Dole	Hough	Malone	Speidel
Doran	Hultman	Millhone	Stansell
Elliott	Jenkins	Moore of Benton	Stanzel
Fletcher	Johnson	Mooty	Thies
Foster	Koch	Osborn	Weed
Frizzell		Paisley	Willis

The nays were, 56.

Aldrich	Cunningham	Garner	McCarthy
Avery	Davis	Gittinger	McKinnon
Beath	Donlon	Grell	Maniece
Beswick	Dreessen	Hanson of Lyon	Metcalf
Bouska	Ellsworth	Hartman	Moore of Harrison
Bowers	Falvey	Hook	Ostby
Burgess	Felter	Hopp	Peaco
Craven	Fuester	Humeston	Peet
Crouch	Gallagher	Jensen	

Digitized by Google

Rawlings	Smith	Swift	Wolf
Reed	Snyder	Teter	Yager
Rice	Stewart	Thiessen	Zipse
Ryder	Stimpson	Treimer	Zylstra
Schmitz	Strachan	Wiese	Mr. Speaker.
Schroeder			

Absent or not voting, 13.

Bonnstetter	Fabritz	McDermott	Mitchell
Brady	Gissel	McLean	Porter
Casey	Laughlin	Mercer	Wieben
Durant			

Amendment to amendment lost.

On the question "Shall the Foster amendment be adopted?" a roll call was demanded.

The ayes were, 57.

Alesch	Fletcher	McCarthy	Snyder
Augustine	Foster	McFarlane	Speidel
Avery	Frizzell	McKinnon	Stansell
Beath	Fuelling	Malone	Stanzel
Bowers	Goode	Maniece	Swift
Bruce	Grau	Mercer	Teter
Casey	Hanson of Lyon	Mooty	Thies
Craven	Hook	Osborn	Thiessen
Davis	Hough	Paisley	Treimer
Dean	Hultman	Peet	Weed
Dole	Jenkins	Rice	Wiese
Doran	Koch	Roe	Willis
Elliott	Lichty	Schlatter	Yager
Ellsworth	Lookingbill	Sheridan	Mr. Speaker
Fabritz			

The nays were, 40.

Aldrich	Gallagher	Metcalf	Ryder
Beswick	Garner	Millhone	Schmitz
Bouska	Gittinger	Mitchell	Schroeder
Burgess	Grell	Moore of	Smith
Crouch	Hanson of	Harrison	Sours
Cunningham	Winnebago	Ostby	Stewart
Donlon	Hartman	Peaco	Strachan
Dreessen	Hopp	Porter	Wolf
Falvey	Humeston	Rawlings	Zipse
Felter	Jensen	Reed	Zylstra
Fuester	McCreery		

Absent or not voting, 11.

Bonnstetter	Gissel	McDermott	Stimpson
Brady	Johnson	McLean	Wieben
Durant	Laughlin	Moore of Benton	

Amendment adopted.

On the question "Shall the House Concurrent Resolution No. 14 as amended be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 85.

Aldrich	Fletcher	McCarthy	Schroeder
Alesch	Foster	McCreery	Sheridan
Augustine	Frizzell	McDermott	Snyder
Avery	Fuelling	McFarlane	Sours
Beath	Fuester	McKinnon	Speidel
Beswick	Gittinger	Maniece	Stansell
Bowers	Goode	Mercer	Stanzel
Bruce	Grau	Metcalf	Stimpson
Casey	Hanson of Lyon	Millhone	Strachan
Craven	Hanson of Winnebago	Mitchell	Swift
Crouch	Hartman	Moore of Benton	Teter
Cunningham	Hook	Moore of Harrison	Thies
Davis	Hopp	Mooty	Thiessen
Dean	Hough	Paisley	Treimer
Dole	Hultman	Peet	Wiese
Doran	Humeston	Rawlings	Willis
Dreessen	Jenkins	Reed	Wolf
Durant	Johnson	Rice	Yager
Elliott	Koch	Roe	Zipse
Ellsworth	Lichty	Ryder	Zylstra
Fabritz	Lookingbill	Schlatter	Mr. Speaker
Felter			

The nays were, 16.

Bouska	Gallagher	Osborn	Schmitz
Burgess	Garner	Ostby	Smith
Donlon	Grell	Peaco	Stewart
Falvey	Jensen	Porter	Weed

Absent or not voting, 7.

Bonnstetter	Gissel	McLean	Wieben
Brady	Laughlin	Malone	

House Concurrent Resolution No. 14 as amended was adopted.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 16

Willis of Dallas called up the resolution filed by him and found on page 1178 of the Journal of February 20, and moved its adoption.

House Concurrent Resolution No. 16 was adopted.

ADOPTION OF REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 273

Reed of Mahaska called up the report of Conference Committee of Senate File No. 273, found on page 1229 of the Journal of February 22 and moved its adoption.

On the question "Shall the House adopt the conference report and concur in the amendment proposed therein?" a roll call was demanded.

The ayes were, 88.

Aldrich	Beath	Bowers	Casey
Alesch	Beswick	Bruce	Craven
Avery	Bouska	Burgess	Crouch

Digitized by Google

Cunningham	Grell	Maniece	Schroeder
Davis	Hanson of Lyon	Metcalf	Smith
Dean	Hanson of	Millhone	Snyder
Dole	Winnebago	Mitchell	Sours
Donlon	Hartman	Moore of Benton	Speidel
Doran	Hook	Moore of	Stansell
Dreessen	Hopp	Harrison	Stanzel
Durant	Hultman	Mooty	Stewart
Ellsworth	Humeston	Osborn	Strachan
Felter	Jensen	Ostby	Swift
Fletcher	Johnson	Peaco	Thies
Foster	Koch	Peet	Thiessen
Frizzell	Lichty	Porter	Treimer
Fuelling	Lookingbill	Rawlings	Weed
Fuester	McCarthy	Reed	Wiese
Gallagher	McCreery	Rice	Willis
Garner	McDermott	Roe	Wolf
Gittinger	McFarlane	Ryder	Yager
Goode	McKinnon	Schmitz	Mr. Speaker
Grau	Malone		

The nays were, none.

Absent or not voting, 20.

Augustine	Falvey	McLean	Stimpson
Bonnstetter	Gissel	Mercer	Teter
Brady	Hough	Paisley	Wieben
Elliott	Jenkins	Schlatter	Zipse
Fabritz	Laughlin	Sheridan	Zylstra

The House adopted the Conference Committee report and concurred in the amendment proposed therein.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 252, a bill for an act to amend, revise and codify sections ninety-seven hundred ninety-five (9795), and ninety-seven hundred ninety-eight (9798), Code, 1931, and to amend chapter four hundred twenty-seven (427), Code, 1931, relating to the charges to be paid by the owners of grain at the time of the sealing of the warehouse, the fees of the sealer and the secretary of agriculture and releasing the warehouse certificates.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 322, a bill for an act to amend Section two (2), Chapter sixty-four (64), Acts of Forty-fifth General Assembly, relating to uniform cost accounting and financial record of schools.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 277, a bill for an act to amend Sections eighty-seven hundred thirty-seven (8737), eighty-eight hundred twenty-nine (8829), and eighty-nine hundred twenty-seven (8927) of the Code, 1931, author-

Digitized by Google

izing the investment of funds by all insurance companies and associations in bonds issued or guaranteed by the United States or the Dominion of Canada, and bonds of the Federal Home Loan Banks and bonds of Home Owners' Loan Corporation.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 316, a bill for an act to amend House File 331, Acts of the Special Session, Forty-Fifth General Assembly relating to the nature of certificates provided for therein.

Also: That the Senate has concurred in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File No. 321, a bill for an act to amend paragraph numbered five (5) of section sixty-nine hundred forty-four (6944) of the Code, 1931, relating to exemption of property from taxation.

BYRON G. ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 298, a bill for an act to repeal section fifty-six hundred thirty-five (5635), Code, 1931, and to enact a substitute therefor relating to appointment of police matrons; and to amend sections fifty-six hundred ninety-four (5694) and fifty-six hundred ninety-six (5696), Code, 1931, relating to civil service appointments and examinations.

Read first and second times and referred to steering committee.

Senate File No. 322, a bill for an act to amend Section two (2), Chapter sixty-four (64), Acts of Forty-fifth General Assembly, relating to uniform cost accounting the financial record of schools.

Read first and second times and referred to steering committee.

CONSIDERATION OF SENATE AMENDMENTS

On request of Dean of Cerro Gordo, unanimous consent having been given Senate File No. 233, a bill for an act to provide for the appointment of a conservator for a drainage district, levee district, drainage and levee district, drainage and levee district with pumping stations in default to holders of bonds issued by such districts in default; to provide for the issuance of conservator's bonds by such districts to the bondholders; to provide for adequate proceedings in the district court, and to provide for notices and writs incident to the operation of this act; and defining the meaning of the term 'drainage district' for the purpose of this act, with Senate amendment to House amendment, was taken up and the amendment read and considered.

Digitized by Google

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 233

Amend the House amendment to Senate File No. 233 by striking from line five (5) the words "delinquent payments" and inserting in lieu thereof the words "unpaid assessments".

Mr. Dean moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 80.

Alesch	Fletcher	Johnson	Reed
Augustine	Frizzell	Lichty	Rice
Beath	Fuelling	Lookingbill	Roe
Beswick	Fuester	McCarthy	Schlatter
Bouska	Gallagher	McCreery	Schroeder
Bowers	Garner	McDermott	Sheridan
Burgess	Gittinger	Malone	Smith
Casey	Goode	Maniece	Snyder
Craven	Grau	Mercer	Sours
Crouch	Grell	Metcalf	Speidel
Cunningham	Hanson of Lyon	Millhone	Stewart
Davis	Hanson of Winnebago	Mitchell	Thies
Dean		Moore of Benton	Thiessen
Dole	Hartman	Mooty	Treimer
Donlon	Hook	Osborn	Weed
Doran	Hopp	Paisley	Wiese
Dreessen	Hultman	Peaco	Willis
Elliott	Humeston	Peet	Wolf
Ellsworth	Jenkins	Porter	Yager
Falvey	Jensen	Rawlings	Mr. Speaker
Felter			

The nays were, 5.

Bruce	McFarlane	Ostby	Stanzel
Durant			

Absent or not voting, 23.

Aldrich	Gissel	Moore of Harrison	Strachan
Avery	Hough		Swift
Bonnstetter	Koch	Rider	Teter
Brady	Laughlin	Schmitz	Wieben
Fabritz	McKinnon	Stansell	Zipse
Foster	McLean	Stimpson	Zylstra

The House concurred in Senate amendment to House amendment to Senate File No. 233.

CONSIDERATION OF BILLS

The time for special order having arrived, House File No. 286, a bill for an act to amend Chapter Two hundred fifty-one (251), Code, 1931, relating to motor vehicles and the laws of the road, to provide for a road patrol and for the appointment, powers, duties,

Digitized by Google

compensation and term of office of the members of said patrol, with report of committee recommending passage was taken up for consideration.

Augustine of Ringgold called up the amendment filed by Yager of Dickinson and Strachan of Humboldt and found on pages 767, 768 and 769 of the Journal of January 17, and moved its adoption.

Yager of Dickinson moved to amend the amendment to Sec. 9 line 1, by striking the word and figures "June 1, 1934" and inserting in lieu thereof the word and figures "January 1, 1935".

Avery of Clay offered as a substitute for the Yager amendment to the amendment by striking all of Sec. 9 and renumbering the following section.

On the question "Shall the amendment offered by Avery of Clay be substituted for the Yager amendment to the amendment?" a roll call was demanded.

The ayes were, 80.

Alesch	Fabritz	Jensen	Rawlings
Augustine	Felter	Johnson	Reed
Avery	Fletcher	Koch	Roe
Beath	Foster	Lichty	Ryder
Beswick	Frizzell	Lookingbill	Schlatter
Bouska	Fuelling	McCarthy	Sheridan
Bowers	Fuester	McCreery	Smith
Bruce	Gallagher	McFarlane	Sours
Burgess	Garner	McKinnon	Speidel
Casey	Goode	Malone	Stansell
Craven	Grau	Maniece	Stewart
Cunningham	Grell	Mercer	Swift
Davis	Hanson of Lyon	Metcalf	Teter
Dean	Hanson of Winnebago	Millhone	Thies
Dole	Hartman	Mitchell	Thiessen
Donlon	Hook	Moore of Harrison	Treimer
Doran	Hough	Mooty	Weed
Dreessen	Hultman	Peaco	Wolf
Durant	Humeston	Peet	Zipse
Elliott	Jenkins		Zylstra
Ellsworth			

The nays were, 11.

Gittinger	Osborn	Rice	Strachan
Hopp	Paisley	Schmitz	Yager
McDermott	Porter	Stanzel	

Absent or not voting, 17.

Aldrich	Gissel	Ostby	Wieben
Bonnstetter	Laughlin	Schroeder	Wiese
Brady	McLean	Snyder	Willis
Crouch	Moore of Benton	Stimpson	Mr. Speaker
Falvey			

Avery amendment substituted for Yager amendment.

Digitized by Google

The Avery substitute amendment was adopted.

Reed of Mahaska offered the following amendment and moved its adoption:

Amend the Yager and Strachan amendment to House File No. 286 as follows:

By striking from line three of Section One (1) the word, "thirty-eight" and substituting therefor the word, "twenty-five".

Also by striking from lines three (3) and four (4) of Section Five (5) the words and figures "two hundred and fifty dollars ($250.00)" and inserting in lieu therefor the words and figures "two hundred dollars ($200.00)" and by striking from lines four (4) and five (5) of Section five the words and figures "for two supervisors, not to exceed one hundred and seventy-five dollars ($175) per month."

Alesch of Plymouth moved that the House File No. 286 and all amendments be laid on the table.

On the question "Shall House File No. 286 and all amendments be laid on the table?" a roll call was demanded.

The ayes were, 45.

Aldrich	Grell	McKinnon	Schlatter
Alesch	Hook	Malone	Schmitz
Casey	Hopp	Maniece	Sheridan
Davis	Hough	Mercer	Smith
Donlon	Hultman	Moore of Benton	Stimpson
Durant	Humeston	Moore of Harrison	Teter
Falvey	Jenkins	Ostby	Thies
Fletcher	Jensen	Paisley	Thiessen
Foster	Johnson	Peaco	Wiese
Frizzell	Koch	Roe	Wolf
Gittinger	McCarthy		Zipse
Goode	McDermott		

The nays were, 54.

Augustine	Ellsworth	McCreery	Snyder
Avery	Fabritz	McFarlane	Sours
Beath	Felter	Metcalf	Speidel
Beswick	Fuelling	Millhone	Stanzel
Bouska	Fuester	Mitchell	Stewart
Bowers	Gallagher	Mooty	Strachan
Burgess	Garner	Osborn	Swift
Craven	Grau	Peet	Treimer
Cunningham	Hanson of Lyon	Porter	Weed
Dean	Hanson of Winnebago	Rawlings	Willis
Dole	Hartman	Reed	Yager
Doran	Lichty	Rice	Zylstra
Dreessen	Lookingbill	Ryder	Mr. Speaker
Elliott		Schroeder	

Absent or not voting, 9.

Bonnstetter	Crouch	Laughlin	Stansell
Brady	Gissel	McLean	Wieben
Bruce			

Motion to lay on the table lost.

Digitized by Google

INVITATION TO ADDRESS THE HOUSE

Garner of Butler moved that an invitation be extended to Mrs. Annie Olsen, the only lady member of the National Emergency Council, to address the House of Representatives at 10:00 o'clock a. m., Tuesday, February 27, 1934. Motion prevailed.

On motion of Lookingbill of Story the House recessed until 2:00 o'clock p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

The House resumed consideration of House File No. 286.

Reed of Mahaska asked and obtained unanimous consent to withdraw the amendments offered by him this morning.

Reed of Mahaska offered the following amendments and moved their adoption:

Amend the Yager and Strachan amendment to House File No. 286 as follows:

By striking from line three of Section One (1) the word "thirty-eight" and substituting therefor the word, "twenty-five".

Also by striking from lines three (3) and four (4) of Section Five (5) the words and figures "Two hundred fifty dollars ($250.00)" and inserting in lieu thereof the words and figures "Two hundred dollars ($200.00)" and by striking from lines four (4) and five (5) of Section Five the words and figures "for two supervisors, not to exceed one hundred seventy-five dollars ($175) per month."

Also by adding to Section Five the following: "which shall include personal expenses".

A division of the amendments was asked for and that the amendment to Sec. 5 be considered at this time.

Frizzell of Poweshiek moved the previous question on the amendments. Motion prevailed.

On the question "Shall the Reed amendment to Sec. 5 be adopted?" a roll call was demanded.

The ayes were, 61.

Aldrich	Crouch	Durant	Gissel
Augustine	Davis	Elliott	Gittinger
Avery	Dole	Felter	Goode
Beswick	Donlon	Fletcher	Grau
Bowers	Doran	Frizzell	Hartman
Craven	Dreessen	Garner	Hultman

Digitized by Google

Humeston	Millhone	Reed	Stansell
Jenkins	Moore of Benton	Rice	Stanzel
Jensen	Mooty	Roe	Stimpson
Koch	Osborn	Ryder	Teter
Laughlin	Ostby	Schlatter	Thies
Lichty	Paisley	Schroeder	Thiessen
Lookingbill	Peet	Smith	Weed
McCarthy	Porter	Snyder	Wiese
McLean	Rawlings	Sours	Zipse
Malone			

The nays were, 35.

Alesch	Foster	McCreery	Schmitz
Beath	Fuelling	McDermott	Speidel
Bouska	Fuester	McFarlane	Strachan
Bruce	Gallagher	Mercer	Swift
Burgess	Hanson of Lyon	Metcalf	Treimer
Casey	Hanson of Winnebago	Mitchell	Willis
Dean	Hough	Moore of Harrison	Wolf
Ellsworth	Johnson	Peaco	Yager
Fabritz			Zylstra
Falvey			

Absent or not voting, 12.

Bonnstetter	Grell	McKinnon	Stewart
Brady	Hook	Maniece	Wieben
Cunningham	Hopp	Sheridan	Mr. Speaker

Amendments to section 5 were adopted.

On the question "Shall the Reed amendment to Section 1 be adopted?" a roll call was demanded.

The ayes were, 44.

Aldrich	Falvey	Lichty	Schlatter
Augustine	Felter	Lookingbill	Snyder
Avery	Fletcher	McCarthy	Sours
Beath	Frizzell	McDermott	Stansell
Bowers	Gissel	Malone	Stanzel
Crouch	Gittinger	Mooty	Stimpson
Davis	Goode	Ostby	Teter
Dole	Hartman	Paisley	Thies
Donlon	Hook	Peet	Thiessen
Durant	Humeston	Porter	Weed
Elliott	Jensen	Reed	Zipse

The nays were, 55.

Alesch	Garner	McFarlane	Ryder
Beswick	Grau	McKinnon	Schmitz
Bouska	Grell	McLean	Schroeder
Bruce	Hanson of Lyon	Mercer	Sheridan
Casey	Hanson of Winnebago	Metcalf	Smith
Craven	Hopp	Millhone	Speidel
Dean	Hough	Mitchell	Stewart
Doran	Hultman	Moore of Harrison	Strachan
Dreessen	Jenkins	Osborn	Swift
Ellsworth	Johnson	Peaco	Treimer
Fabritz	Koch	Rawlings	Willis
Foster	Laughlin	Rice	Wolf
Fuelling	McCreery	Roe	Yager
Fuester			Zylstra
Gallagher			

Digitized by Google

Absent or not voting, 9.

Bonnstetter	Cunningham	Moore of Benton	Wiese
Brady	Maniece	Wieben	Mr. Speaker
Burgess			

Amendment to section 1 lost.

Mitchell of Webster and Sheridan of Lee offered the following amendment and moved its adoption:

Amend the amendment to House File No. 286 as found on page 767 of the House Journal as follows:

Strike from Section 1 of said amendment in line 2 thereof the word "department" and substitute in lieu thereof the words "Governor of the state of Iowa".

Further amend said amendment in Section 3 thereof in lines 2 and 3 the word "department" and substitute in lieu thereof the words "Governor of the state of Iowa".

Further amend said amendment in Section 5 thereof in line 2 by striking therefrom the word "department" and substituting in lieu thereof the words "Governor of the state of Iowa".

Further amend said Section in Section 7 in line 1 by striking therefrom the word "department" and substituting in lieu thereof "Governor of the state of Iowa".

Further amend said amendment in Section 8 thereof in line 1 by striking therefrom the word "department" and substituting in lieu thereof "Governor of the state of Iowa".

Further amend said amendment by striking from line 3, Sec. 3, the word "department" and substituting in lieu thereof the words "Governor of the State of Iowa".

Grau of Buena Vista offered as a substitute for the Mitchell and Sheridan amendment to the Yager and Strachan amendment to H. F. No. 286, the following:

Sec. 1 by striking the numerals "251" in line 1 and substituting the numeral "12".

Further amend Sec. 1 by striking the period in line five and adding the following: "and Chapter 251".

Amend Sec. 10, line 2, by inserting immediately preceding the word "department", the following: "motor vehicle."

McCreery of Linn moved that action on House File No. 286 be deferred and that the House return to introduction of resolutions.

Mitchell of Webster moved that the House recess until the fall of the gavel.

MOTION TO RECONSIDER FILED

MR. SPEAKER: I move to reconsider the vote by which House Concurrent Resolution No. 14 was adopted. LEROY MERCER.

Digitized by Google

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as Committee Clerk to Representatives William Paisley and W. R. Sheridan, effective February 27.

MARGARET BOYD.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. No. 317, S. F. No. 103, S. F. No. 296.

Bills to be introduced: House Files No. 347, 348, 349 and 350.

JAS. BURGESS, *Chairman.*

AMENDMENTS FILED

Hanson of Lyon filed the following amendment:

Amend the Yager and Strachan amendment to House File No. 286 as follows:

Section two (2), line three, change the comma after the word "fitness" to a period. Strike the balance of the section and insert in lieu thereof the following:

"In considering applicants, the department shall also consider any information that can be obtained as to character and moral fitness, and shall make appointment entirely on merit, regardless of party affiliation."

Fuester of Ida filed the following amendment:

Amend Section Five (5) of the Yager and Strachan amendment to House File No. 286, by striking the words and figures in lines three (3) and four (4) thereof, "two hundred and fifty dollars ($250.00) and insert in lieu thereof the following: "two hundred dollars ($200.00).

Further amend said amendment by striking the words and figures in lines four (4) and five (5) thereof, "one hundred and seventy-five dollars ($175.00), and insert in lieu thereof the following: "one hundred and fifty dollars ($150.00).

Donlon of Palo Alto filed the following amendment:

Amend Senate File No. 42, section sixteen (16) by striking the word "where" in line ten (10) and inserting in lieu thereof the words "of the county in which".

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 292

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned conference committee appointed to consider the difference between the Senate and the House on House File No. 292, being a bill for an act to control the alcoholic liquor traffic in Iowa, providing for the necessary set-up in connection therewith, fixing penalties and fines for the violation of the pro-

Digitized by Google

visions of this act and to repeal chapters ninety-four (94) to one hundred four (104), inclusive, which includes sections nineteen hundred twenty-two (1922) to and including section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any and all laws or parts of laws inconsistent with this act, begs leave to report that it has had the same under consideration and recommends that the bill, as passed by the Senate, be amended as follows:

1. Amend section 2 by adding at the beginning thereof the following: "Chapter forty-two (42) of the Acts of the forty-fifth (45) General Assembly and Chapters ninety-four (94) to one hundred four (104), inclusive, which includes sections nineteen hundred twenty-two (1922) to and including section twenty-one hundred eighty (2180) of the 1931 Code of Iowa, are hereby repealed and". Also amend section 2 by striking the word "Wherever" in the first line and inserting the word "wherever".

2. Amend section 4 by striking subsections twenty (20) and twenty-two (22) and renumbering the subsections.

3. Amend section 5 by striking from line two of subsection one the word "five" and inserting in lieu thereof the word "three". Further amend by striking from line three the word "three" and inserting in lieu thereof the word "two".

4. Amend subsection 4 of section 5 by striking from line 36 the words "five thousand" and inserting in lieu thereof the words "four thousand five hundred".

5. Amend subsection 5 of section five by striking from line 53 the words and figures "two-thirds (⅔)" and inserting in lieu thereof the word "majority". Further amend said subsection by striking the word "two" wherever it appears in lines 54 and 55 and inserting in lieu thereof when stricken the word "one". Also, further amend subsection 5 by striking from line 61 the words "two-thirds" and inserting in lieu thereof the word "majority".

6. Amend section 7 by striking all after the word "package" in line 31 of subsection (h) and inserting in lieu thereof a period (.).

7. Amend section 7 by striking subsection (1).

8. Amend section 10 by inserting after the word "such" in line 21 of subsection (3) the words "city or".

9. Amend subsection (4) of section 10 by inserting after the word "any" in line 24 the words "city or".

10. Amend section 20 by striking from line 32 the word "or".

11. Amend by striking all of section 29 and renumbering the remaining sections.

12. Amend section 31 by striking from line 7 the word "supplying" and insert the words "selling to".

13. Amend section 36 by striking from line 1 the following: "Except as otherwise provided,". Further amend by striking from line one the word "it" and insert in lieu thereof the word "It".

14. Amend section 43 by striking from line 6 the words "twenty-six" and insert in lieu thereof the words "twenty-eight".

15. Amend section 68 by striking from line 1 the words "break into or".

Digitized by Google

16. Amend the title by striking from line 11 the comma (,) following the word "Assembly" and inserting in lieu thereof the word "and".

J. R. FRAILEY.	E. H. FABRITZ.
H. L. IRWIN.	JOHN H. MITCHELL.
G. E. ROELOFS.	DEWEY E. GOODE.
VINCENT F. HARRINGTON.	E. A. JOHNSON.
On the part of the Senate.	*On the part of the House.*

On the motion of Zipse of Chickasaw the House adjourned until 9:30 o'clock a. m., Tuesday, February 27.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 27, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Philip L. Shutt, Lay-reader St. James Episcopal Church, Independence, Iowa.

Journal of February 26 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Bonnstetter of Kossuth for the day, on request of Maniece of Emmet; Stansell of Clarke for the day, on request of Millhone of Page.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 292

Fabritz of Wapello called up the report of the conference committee on House File No. 292, found on pages 1278, 1279 and 1280 of the Journal of February 26.

Sours of Floyd moved that action be taken at this time on the report of the conference committee on House File No. 292. Motion prevailed.

On the question "Shall the House adopt the conference report and concur in the amendments proposed therein?" a roll call was demanded.

The ayes were, 71.

Aldrich	Dreessen	Grell	Metcalf
Alesch	Ellsworth	Hanson of Lyon	Mitchell
Augustine	Fabritz	Hanson of Winnebago	Moore of Benton
Avery	Falvey	Hopp	Moore of Harrison
Beswick	Fletcher	Hough	Osborn
Bouska	Foster	Jensen	Ostby
Bruce	Fuelling	Johnson	Paisley
Burgess	Fuester	Koch	Peaco
Casey	Gallagher	Laughlin	Porter
Davis	Garner	McCarthy	Rawlings
Dean	Gittinger	McFarlane	Reed
Dole	Goode	Mercer	Rice
Donlon	Grau		

Digitized by Google

Roe	Snyder	Strachan	Wieben
Schlatter	Sours	Swift	Wolf
Schmitz	Stansell	Thies	Zipse
Schroeder	Stewart	Thiessen	Zylstra
Sheridan	Stimpson	Treimer	Mr. Speaker
Smith			

The nays were, 32.

Beath	Gissel	McCreery	Ryder
Bowers	Hartman	McDermott	Speidel
Craven	Hook	McKinnon	Stanzel
Doran	Hultman	McLean	Teter
Durant	Humeston	Maniece	Weed
Elliott	Jenkins	Millhone	Wiese
Felter	Lichty	Mooty	Willis
Frizzell	Lookingbill	Peet	Yager

Absent or not voting, 5.

Bonnstetter	Crouch	Cunningham	Malone
Brady			

The House adopted the conference committee report and concurred in the amendments proposed therein.

INTRODUCTION OF BILLS

House File No. 347 by steering committee, a bill for an act to authorize and empower the finance committee of the Iowa State Board of Education to compromise and settle obligations growing out of notes and mortgages taken by said committee.

Read first and second times and placed on calendar.

House File No. 348 by steering committee, a bill for an act to permit Boards of Supervisors to sell products or by-products of stone quarries, for the purpose of furnishing employment to unemployed residents of said counties.

Read first and second times and placed on calendar.

House File No. 349 by steering committee, a bill for an act to amend section fifty-two hundred twenty (5220), Code, 1931, as amended by chapter ninety-one (91), Acts of the 45th General Assembly, relating to the salaries of county auditors in certain counties; and section fifty-two hundred twenty-two (5222), Code, 1931, as amended by chapter ninety-two (92), Acts of the 45th General Assembly, relating to the salaries of county treasurers in certain counties.

Read first and second times and placed on calendar.

House File No. 350 by steering committee, a bill for an act to

Digitized by Google

authorize municipalities, as an emergency measure to be financed only through the Federal Emergency Administration of Public Works, to purchase, establish, construct, reconstruct, extend, repair, maintain and operate armories, and pay for the same solely and only out of the earnings thereof; to authorize the issuance of revenue bonds payable solely and only out of the revenues from such armories to the payment of such revenue bonds.

Read first and second times and placed on calendar.

House File No. 351 by committee on emergency legislation, a bill for an act to amend Section Twenty-four Hundred Fifty-three (2453), Code of 1931, relating to the board of embalmer examiners.

Read first and second times and referred to steering committee.

ADDRESS BY MRS. ANNA DICKIE OLESEN

Garner of Butler introduced Mrs. Anna Dickie Olesen of Minneapolis, Minnesota, member of the National Emergency Committee, who addressed the House on the problems of the present emergency.

MOTION TO RECONSIDER

Johnson of Linn moved that the motion to reconsider the vote by which House Concurrent Resolution No. 14 was adopted by the House, which was filed by Mercer of Johnson and found on page 1277 of the Journal of February 26, be laid on the table. Motion withdrawn.

Foster of Cedar called up the motion to reconsider the vote by which House Concurrent Resolution No. 14 was adopted by the House, which was filed by Mercer of Johnson and found on page 1277 of the Journal of February 26.

Rice of Keokuk raised the point of order that Rule 32 provides "a motion filed to reconsider a vote shall not be withdrawn after the said succeeding day without the consent of the House; and thereafter any member may call it up for consideration," and therefore Mr. Rice contended that no member could call up the motion to reconsider the House concurrent resolution except Mercer of Johnson until one legislative day had elapsed.

Speaker Miller held the point of order well taken.

Digitized by Google

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 286, a bill for an act to amend Chapter Two hundred fifty-one (251), Code, 1931, relating to motor vehicles and the laws of the road, to provide for a road patrol and for the appointment, powers, duties, compensation and term of office of the members of said patrol, with report of committee recommending passage.

Mitchell of Webster asked and obtained unanimous consent to withdraw the amendment offered by him and Sheridan of Lee and found on page 1277 of the Journal of February 26.

Grau of Buena Vista asked and obtained unanimous consent to withdraw the amendment offered by him and found on page 1277 of the Journal of February 26.

Mitchell of Webster, Sheridan of Lee and Grau of Buena Vista offered the following amendments and moved their adoption:

Amend the amendment by Yager of Dickinson and Strachan of Humboldt to House File No. 286 found on page 767 of the Journal of the House as follows:

Amend Section one (1) of said amendment as it appears in the Journal by striking from line one (1) the figures "251" and by substituting in lieu thereof the figures "12".

Further amend Section one (1) of said amendment as it appears in the Journal by striking therefrom in line two (2) the word "department" and by substituting in lieu thereof the words "Governor of the State of Iowa".

Further amend Section one (1) of said amendment as it appears in the Journal striking the period in line five (5) and adding thereto the following: "and Chapter 251".

Further amend said amendment by inserting in line four (4) of Section seven (7) immediately preceding the word "department" the words "Motor Vehicle".

Further amend said amendment by inserting in line two (2) of Section ten (10) immediately preceding the word "department" the words "Motor Vehicle".

Malone of Cass moved that House File No. 286 and all pending amendments be laid on the table.

On the question "Shall House File No. 286 and all pending amendments be laid on the table?" a roll call was demanded.

The ayes were, 49.

Alesch	Davis	Frizzell	Grell
Beath	Dreessen	Gissel	Hanson of
Casey	Durant	Gittinger	Winnebago
Crouch	Fletcher	Goode	Hook

Digitized by Google

Hopp	McKinnon	Paisley	Stanzel
Hough	Malone	Peaco	Teter
Hultman	Maniece	Porter	Thies
Humeston	Mercer	Rawlings	Thiessen
Jensen	Moore of	Roe	Weed
Johnson	Harrison	Schlatter	Wolf
McCarthy	Mooty	Schmitz	Zipse
McCreery	Osborn	Schroeder	Mr. Speaker
McDermott	Ostby	Smith	

The nays were, 54.

Aldrich	Ellsworth	Laughlin	Sheridan
Augustine	Fabritz	Lichty	Snyder
Avery	Falvey	Lookingbill	Speidel
Beswick	Felter	McFarlane	Stansell
Bouska	Foster	McLean	Stewart
Bowers	Fuelling	Metcalf	Stimpson
Bruce	Fuester	Millhone	Strachan
Burgess	Gallagher	Mitchell	Swift
Craven	Garner	Moore of Benton	Treimer
Cunningham	Grau	Peet	Wieben
Dean	Hanson of Lyon	Reed	Wiese
Dole	Hartman	Rice	Yager
Donlon	Jenkins	Ryder	Zylstra
Doran	Koch		

Absent or not voting, 5.

Bonnstetter	Elliott	Sours	Willis
Brady			

Motion to lay on the table lost.

Swift of Dubuque moved the previous question on the pending amendments. Motion prevailed.

On the question "Shall the Mitchell, Sheridan and Grau amendments to the Yager and Strachan amendment be adopted?" a roll call was demanded.

The ayes were, 70.

Avery	Felter	McCarthy	Ryder
Beath	Fletcher	McCreery	Schlatter
Beswick	Gallagher	McDermott	Schmitz
Bouska	Garner	Malone	Schroeder
Bruce	Gissel	Maniece	Sheridan
Burgess	Gittinger	Mercer	Snyder
Casey	Goode	Metcalf	Speidel
Crouch	Grau	Millhone	Stanzel
Cunningham	Hopp	Mitchell	Stewart
Davis	Hough	Moore of Benton	Stimpson
Dean	Hultman	Moore of	Swift
Dole	Humeston	Harrison	Thies
Donlon	Jenkins	Osborn	Thiessen
Doran	Jensen	Ostby	Treimer
Dreessen	Johnson	Paisley	Wieben
Durant	Koch	Porter	Wiese
Ellsworth	Laughlin	Rawlings	Wolf
Falvey	Lookingbill	Roe	

Digitized by Google

The nays were, 29.

Aldrich	Fuester	McLean	Strachan
Alesch	Grell	Mooty	Teter
Augustine	Hanson of Lyon	Peaco	Weed
Bowers	Hanson of	Peet	Yager
Craven	Winnebago	Reed	Zipse
Foster	Hartman	Rice	Zylstra
Frizzell	Hook	Smith	Mr. Speaker
Fuelling	Lichty		

Absent or not voting, 9.

Bonnstetter	Fabritz	McKinnon	Stansell
Brady	McFarlane	Sours	Willis
Elliott			

Amendment to the amendment adopted.

Hanson of Lyon called up the amendment to Sec. 2 of the Yager and Strachan amendment to House File No. 286 filed by him and found on page 1278 of the Journal of February 26 and moved its adoption. Amendment adopted.

On the motion of Zipse of Chickasaw the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

MOTION TO RECONSIDER

Fabritz of Wapello moved to reconsider the vote by which the report of the Conference Committee on House File No. 292 was adopted.

On the question "Shall the vote by which the conference report on House File No. 292 was adopted be reconsidered?" a roll call was demanded.

The ayes were, 87.

Aldrich	Donlon	Goode	Jensen
Alesch	Doran	Grau	Johnson
Augustine	Ellsworth	Grell	Koch
Avery	Fabritz	Hanson of Lyon	Laughlin
Beath	Falvey	Hanson of	Lichty
Bouska	Felter	Winnebago	Lookingbill
Bowers	Fletcher	Hartman	McCreery
Burgess	Foster	Hook	McFarlane
Craven	Frizzell	Hopp	McKinnon
Cunningham	Fuelling	Hough	Malone
Davis	Fuester	Hultman	Maniece
Dean	Gallagher	Humeston	Mercer
Dole	Gittinger	Jenkins	Metcalf

Digitized by Google

Millhone	Porter	Sheridan	Treimer
Moore of Benton	Rawlings	Smith	Weed
Moore of Harrison	Reed	Snyder	Wieben
Mooty	Rice	Speidel	Wiese
Osborn	Roe	Stewart	Wolf
Ostby	Ryder	Strachan	Yager
Paisley	Schlatter	Swift	Zipse
Peaco	Schmitz	Thies	Zylstra
Peet	Schroeder	Thiessen	Mr. Speaker

The nays were, none.

Absent or not voting, 21.

Beswick	Dreessen	McCarthy	Stansell
Bonnstetter	Durant	McDermott	Stanzel
Brady	Elliott	McLean	Stimpson
Bruce	Garner	Mitchell	Teter
Casey	Gissel	Sours	Willis
Crouch			

The House reconsidered the vote by which the House adopted the report of the conference committee on House File No. 292.

Fabritz of Wapello moved that the report of the conference committee on House File No. 292 be rereferred to the conference committee for further consideration. Motion prevailed.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Willis of Dallas for the afternoon, on request of Koch of Bremer; Crouch of Greene for the afternoon, on request of Grell of Scott.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 286.

Grau of Buena Vista moved to amend the Yager and Strachan amendment to House File No. 286 as follows:

Strike from Sec. 10, line 5, the word "section" and insert the word "act".

Amendment adopted.

Grau of Buena Vista moved to amend the Yager and Strachan amendment to House File No. 286 as follows:

Strike from Section 10, line 2, the words: "the unallocated portion of".

Strachan of Humboldt offered as a substitute for the Grau amendment the following:

Strike from the Yager and Strachan amendment all of Section 10.

On the question "Shall the Strachan amendment be substituted for the Grau amendment?" a roll call was demanded.

Digitized by Google

The ayes were, 30.

Augustine	Gallagher	Mooty	Schmitz
Beath	Gittinger	Osborn	Smith
Burgess	Grell	Ostby	Sours
Dreessen	Hanson of Winnebago	Peaco	Stanzel
Fletcher	Lichty	Peet	Strachan
Foster	McFarlane	Porter	Zylstra
Fuelling	McLean	Roe	Mr. Speaker
Fuester		Schlatter	

The nays were, 62.

Aldrich	Falvey	Laughlin	Schroeder
Alesch	Felter	Lookingbill	Sheridan
Avery	Frizzell	McCreery	Snyder
Beswick	Gissel	McDermott	Speidel
Bouska	Goode	McKinnon	Stewart
Bowers	Grau	Maniece	Teter
Bruce	Hanson of Lyon	Mercer	Thies
Cunningham	Hartman	Metcalf	Thiessen
Dean	Hook	Millhone	Treimer
Dole	Hopp	Mitchell	Weed
Donlon	Hough	Moore of Harrison	Wieben
Doran	Hultman	Paisley	Wiese
Durant	Humeston	Rawlings	Wolf
Elliott	Jenkins	Reed	Yager
Ellsworth	Johnson	Ryder	Zipse
Fabritz	Koch		

Absent or not voting, 16.

Bonnstetter	Crouch	McCarthy	Stansell
Brady	Davis	Malone	Stimpson
Casey	Garner	Moore of Benton	Swift
Craven	Jensen	Rice	Willis

The House refused to substitute.

On the question "Shall the Grau amendment to the Yager and Strachan amendment be adopted?" a roll call was demanded.

The ayes were, 51.

Avery	Falvey	Johnson	Sheridan
Beswick	Felter	Koch	Smith
Bouska	Fletcher	Lookingbill	Snyder
Burgess	Frizzell	McCreery	Speidel
Cunningham	Gallagher	Metcalf	Stanzel
Davis	Gissel	Millhone	Stewart
Dean	Goode	Mitchell	Stimpson
Dole	Grau	Paisley	Swift
Donlon	Hanson of Lyon	Peet	Thies
Doran	Hopp	Rawlings	Treimer
Elliott	Hultman	Roe	Wieben
Ellsworth	Jenkins	Ryder	Yager
Fabritz	Jensen	Schlatter	

The nays were, 44.

Aldrich	Bowers	Foster	Grell
Alesch	Bruce	Fuelling	Hanson of Winnebago
Augustine	Dreessen	Fuester	Hartman
Beath	Durant	Gittinger	

Digitized by Google

Hook	Maniece	Reed	Thiessen
Hough	Mercer	Rice	Weed
Humeston	Moore of	Schmitz	Wiese
Laughlin	Harrison	Schroeder	Wolf
Lichty	Osborn	Sours	Zipse
McDermott	Ostby	Strachan	Zylstra
McKinnon	Peaco	Teter	Mr. Speaker
McLean	Porter		

Absent or not voting, 13.

Bonnstetter	Crouch	McFarlane	Mooty
Brady	Garner	Malone	Stansell
Casey	McCarthy	Moore of Benton	Willis
Craven			

Grau amendment adopted.

McKinnon of Henry moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Yager and Strachan amendment to House File No. 286 as amended be adopted?" a roll call was demanded.

The ayes were, 30.

Avery	Elliott	McCreery	Sheridan
Beath	Felter	Malone	Snyder
Bouska	Gallagher	Millhone	Speidel
Bruce	Goode	Mitchell	Stewart
Cunningham	Grau	Ostby	Stimpson
Dean	Jenkins	Porter	Swift
Dole	Johnson	Reed	Treimer
Doran	Laughlin		

The nays were, 67.

Aldrich	Gittinger	McKinnon	Schmitz
Alesch	Grell	McLean	Schroeder
Augustine	Hanson of Lyon	Maniece	Smith
Bowers	Hanson of	Mercer	Sours
Burgess	Winnebago	Metcalf	Stanzel
Craven	Hartman	Moore of	Strachan
Davis	Hook	Harrison	Teter
Donlon	Hopp	Mooty	Thies
Dreessen	Hough	Osborn	Thiessen
Durant	Hultman	Paisley	Weed
Ellsworth	Humeston	Peaco	Wieben
Falvey	Jensen	Peet	Wiese
Fletcher	Koch	Rawlings	Wolf
Foster	Lichty	Rice	Yager
Frizzell	Lookingbill	Roe	Zipse
Fuelling	McDermott	Ryder	Zylstra
Fuester	McFarlane	Schlatter	Mr. Speaker
Gissel			

Absent or not voting, 11.

Beswick	Casey	Garner	Stansell
Bonnstetter	Crouch	McCarthy	Willis
Brady	Fabritz	Moore of Benton	

Amendments lost.

Digitized by Google

Mitchell of Webster and Sheridan of Lee offered the following amendment to House File No. 286 and moved its adoption:

Amend House File No. 286 as follows:

Strike from Section one (1) in line one (1) the word "department" and substitute in lieu thereof the following: "Governor of the State of Iowa".

Further amend Section one (1) by striking therefrom in line five (5) the word "department" and substitute in lieu thereof the words "Governor of the State of Iowa".

Further amend said House File 286 in Section four (4) thereof by striking from line one (1) the word "department" and by substituting in lieu thereof the words "Governor of the State of Iowa".

Further amend said House File 286 in Section six (6) by striking from line one (1) thereof the word "department" and substituting in lieu thereof the words "Governor of the State of Iowa".

Goode of Davis moved to lay the amendment on the table.

On the question "Shall the Mitchell and Sheridan amendment to House File No. 286 be laid on the table?" a roll call was demanded.

The ayes were, 64.

Aldrich	Fuester	Koch	Roe
Alesch	Gissel	Lichty	Schlatter
Augustine	Goode	McCreery	Schmitz
Avery	Grau	McDermott	Smith
Beath	Grell	McKinnon	Stanzel
Beswick	Hanson of Lyon	Malone	Strachan
Bowers	Hanson of Winnebago	Maniece	Teter
Davis	Hartman	Mercer	Thies
Dean	Hook	Metcalf	Thiessen
Dole	Hopp	Moore of Harrison	Treimer
Doran	Hough	Mooty	Weed
Durant	Hultman	Peaco	Wiese
Elliott	Humeston	Peet	Yager
Felter	Jenkins	Rawlings	Zipse
Foster	Jensen	Rice	Zylstra
Frizzell	Johnson		Mr. Speaker
Fuelling			

The nays were, 37.

Bouska	Fletcher	Mitchell	Sheridan
Bruce	Gallagher	Moore of Benton	Snyder
Burgess	Gittinger	Osborn	Sours
Craven	Laughlin	Ostby	Speidel
Cunningham	Lookingbill	Paisley	Stewart
Donlon	McCarthy	Porter	Stimpson
Dreessen	McFarlane	Reed	Swift
Ellsworth	McLean	Ryder	Wieben
Fabritz	Millhone	Schroeder	Wolf
Falvey			

Absent or not voting, 7.

Bonnstetter	Casey	Garner	Willis
Brady	Crouch	Stansell	

Digitized by Google

Motion prevailed and the amendment was laid on the table, carrying with it the main bill, in accordance with the rules of the House.

CONSIDERATION OF BILLS

House File No. 332, a bill for an act to revise and amend sections sixty-two hundred forty-five (6245) and sixty-two hundred forty-eight (6248) of the Code of 1931, relating to the election and other proceedings required preliminary to the issuance of bonds for certain purposes by cities and towns, was taken up for consideration.

Mitchell of Webster moved to amend House File No. 332 by striking Sec. 2 from the bill. Amendment adopted.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 66.

Aldrich	Falvey	McCarthy	Schlatter
Avery	Fletcher	McKinnon	Schmitz
Beath	Foster	Malone	Schroeder
Bouska	Frizzell	Maniece	Smith
Bruce	Fuelling	Metcalf	Speidel
Burgess	Gallagher	Millhone	Stewart
Craven	Gittinger	Mitchell	Stimpson
Cunningham	Goode	Mooty	Swift
Dean	Grau	Osborn	Teter
Dole	Grell	Ostby	Thiessen
Donlon	Hanson of Lyon	Peaco	Treimer
Doran	Hopp	Rawlings	Wieben
Dreessen	Hultman	Reed	Wiese
Durant	Humeston	Rice	Wolf
Elliott	Jensen	Roe	Yager
Ellsworth	Laughlin	Ryder	Mr. Speaker
Fabritz	Lichty		

The nays were, 20.

Alesch	Hanson of Winnebago	Koch	Peet
Beswick	Hartman	McFarlane	Stanzel
Bowers	Hook	McLean	Strachan
Davis	Johnson	Mercer	Weed
Felter		Paisley	Zylstra
Fuester			

Absent or not voting, 22.

Augustine	Gissel	Moore of Benton	Sours
Bonnstetter	Hough	Moore of Harrison	Stansell
Brady	Jenkins	Porter	Thies
Casey	Lookingbill	Sheridan	Willis
Crouch	McCreery	Snyder	Zipse
Garner	McDermott		

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House.

Mitchell of Webster asked and obtained unanimous consent to have the Chief Clerk renumber the sections and correct the title as follows:

Renumber section three of the bill as section two.

Amend the title by striking from line two the following: "and sixty-two hundred forty-eight (6248)".

Title as amended was agreed to.

NOTICE TO RECONSIDER

Foster of Cedar called up his motion to reconsider the vote by which House File No. 340 failed to pass the House, found on page 1250 of the Journal of February 23.

McFarlane of Black Hawk moved the previous question on the motion to reconsider. Motion prevailed.

On the question "Shall the House reconsider the vote by which House File No. 340 failed to pass the House?" a roll call was demanded.

The ayes were, 51.

Aldrich	Gittinger	Metcalf	Schmitz
Alesch	Hook	Mitchell	Schroeder
Augustine	Hopp	Moore of Harrison	Sheridan
Bruce	Hough	Mooty	Smith
Craven	Hultman	Ostby	Speidel
Davis	Humeston	Paisley	Stewart
Dean	Jensen	Porter	Stimpson
Donlon	Lookingbill	Rawlings	Swift
Dreessen	McCarthy	Reed	Thiessen
Fabritz	McKinnon	Rice	Wolf
Foster	McLean	Roe	Yager
Fuester	Malone	Ryder	Zipse
Gissel	Maniece		Zylstra

The nays were, 47.

Avery	Falvey	Hartman	Peaco
Beath	Felter	Jenkins	Peet
Beswick	Fletcher	Johnson	Schlatter
Bouska	Frizzell	Koch	Sours
Bowers	Fuelling	Laughlin	Stanzel
Burgess	Gallagher	Lichty	Strachan
Casey	Goode	McCreery	Thies
Cunningham	Grau	McFarlane	Treimer
Dole	Grell	Mercer	Weed
Doran	Hanson of Lyon	Millhone	Wieben
Durant	Hanson of Winnebago	Moore of Benton	Wiese
Elliott		Osborn	
Ellsworth			

Digitized by Google

Absent or not voting, 10.

Bonnstetter	Garner	Stansell	Willis
Brady	McDermott	Teter	Mr. Speaker
Crouch	Snyder		

The House refused to reconsider, the motion requiring a constitutional majority.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution Number 16, memorializing the President of the United States relative to a Subsistence Homesteads Experimental Project for Dallas County, Iowa.

Also: That the Senate has concurred in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File No. 239, a bill for an act to amend the provisions of chapter two hundred eighty-two (282) of the 1931 Code of Iowa, relating to limitation of the boundaries of a benefited water district, creating a board of trustees to supervise and manage such district.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 313, a bill for an act to amend Section 9340-b1, Code, 1931, as amended, pertaining to investments of building and loan associations and to authorize such associations to accept bonds of Home Owners' Loan Corporation in payment or exchange for notes and mortgages.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 299, a bill for an act to make permanent the transfer of ten thousand dollars ($10,000.00), from the Secondary Road Construction Fund to the Poor Fund in Taylor County, Iowa.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE NO. 299

Amend by striking the word "permanent" in line one (1) of section one (1) and inserting in lieu thereof the word "temporary".

Also amend section one (1) by striking from lines four (4) and five (5) the words "be made, and is thereby legalized, and therefore valid" and inserting in lieu thereof "is hereby made permanent".

SENATE AMENDMENT TO HOUSE FILE NO. 313

Amend House File 313 by inserting the period (.) after the word "assets" in line nine (9), Section one (1), and striking the words and punctuation, "at par value."

Digitized by Google

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: S. F. No. 125, S. F. No. 227.

JAS. BURGESS, *Chairman.*

AMENDMENTS FILED

Speidel of Washington filed the following amendment:

Amend Senate File No. 103 by adding thereto as Sec. 4 the following:

Sec. 4. Such revenue, bonds, or other securities issued under the provisions of this act shall be subject to taxation as moneys and credits, other statutes to the contrary notwithstanding.

Renumber the following sections.

Foster of Cedar filed the following amendment:

Amend Senate File No. 42 as amended and passed by the Senate by adding thereto as Section 42, the following:

"Section 42. Chapter 318, Code, 1931, and Sections 4644-c58, 4644-c59, 4644-c60, 4644-c61, 4644-c62, 4644-c63, and 4644-c64 are hereby repealed."

On the motion of Strachan of Humboldt the House adjourned until 9:30 o'clock a. m. Wednesday, February 28.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, FEBRUARY 28, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Edwin L. Spiller, Pastor Simpson M. E. Church, Des Moines, Iowa.

Journal of February 27, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Laughlin of Fremont for the day, on request of Willis of Dallas; Falvey of Monroe for the day, on request of Jenkins of Louisa; Bonnstetter of Kossuth for the day, on request of Maniece of Emmet.

REPORT OF COMMITTEE

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 42, a bill for an Act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this Act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

SENATE MESSAGES CONSIDERED

Senate File No. 277, a bill for an act to amend Sections eighty-seven hundred thirty-seven (8737), eighty-eight hundred twenty-nine (8829), and eighty-nine hundred twenty-seven (8927) of the Code 1931, authorizing the investment of funds by all insurance companies and associations in bonds issued or guaranteed by the United States or the Dominion of Canada, and bonds of the Federal Home Loan Banks and bonds of Home Owner's Loan Corporation.

Digitized by Google

Read first and second times and referred to steering committee.

Senate File No. 316, a bill for an act to amend House File Three Hundred Thirty-one (331), Acts of the Special Session, Forty-fifth General Assembly, relating to the nature of certificates provided for therein.

Read first and second times and referred to steering committee.

CONSIDERATION OF SENATE AMENDMENTS

On request of Hook of Taylor, unanimous consent having been given, House File No. 299, a bill for an act to make permanent the transfer of ten thousand dollars, ($10,000) from the Secondary Road Construction Fund, to the Poor Fund in Taylor County, Iowa, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE NO. 299

Amend by striking the word "permanent" in line one (1) of section one (1) and inserting in lieu thereof the word "temporary".

Also amend section one (1) by striking from lines four (4) and five (5) the words "be made, and is thereby legalized, and therefore valid" and inserting in lieu thereof "is hereby made permanent".

Mr. Hook moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The nays were, 87.

Aldrich	Foster	Lookingbill	Rice
Alesch	Frizzell	McCreery	Roe
Augustine	Fuelling	McDermott	Schlatter
Avery	Gallagher	McFarlane	Schmitz
Beath	Garner	McKinnon	Schroeder
Beswick	Gissel	McLean	Smith
Bouska	Gittinger	Malone	Sours
Bowers	Goode	Maniece	Speidel
Brady	Grau	Mercer	Stansell
Bruce	Hanson of Lyon	Metcalf	Stewart
Burgess	Hanson of Winnebago	Millhone	Strachan
Casey	Hartman	Moore of Benton	Swift
Craven	Hook	Moore of Harrison	Teter
Crouch	Hopp	Mooty	Thiessen
Davis	Hough	Osborn	Treimer
Dean	Hultman	Paisley	Weed
Donlon	Humeston	Peaco	Willis
Doran	Jenkins	Peet	Wolf
Dreessen	Jensen	Porter	Yager
Durant	Johnson	Rawlings	Zipse
Ellsworth	Koch	Reed	Zylstra
Felter			Mr. Speaker
Fletcher			

Digitized by Google

The nays were, 1.

Ostby

Absent or not voting, 20.

Bonnstetter	Falvey	McCarthy	Stanzel
Cunningham	Fuester	Mitchell	Stimpson
Dole	Grell	Ryder	Thies
Elliott	Laughlin	Sheridan	Wieben
Fabritz	Lichty	Snyder	Wiese

The House concurred in the Senate amendments to House File No. 299.

Hough of Fayette moved that all bills now on the calendar be rereferred to the steering committee, except Senate File No. 42. Motion lost.

CONSIDERATION OF BILLS

Senate File No. 95, a bill for an act to amend section thirty-three (33), chapter eighty-nine (89), Acts of the 45th General Assembly relating to salaries of deputy county officials, was taken up for consideration.

Craven of Jasper called up the amendments filed by him and found on pages 1189 and 1190 of the Journal of February 20 and moved their adoption.

Hanson of Lyon moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Craven amendment be adopted?" a roll call was demanded.

The ayes were, 54.

Aldrich	Frizzell	McLean	Snyder
Alesch	Fuester	Malone	Sours
Avery	Garner	Maniece	Stansell
Beath	Gissel	Mercer	Stanzel
Beswick	Goode	Metcalf	Stewart
Bouska	Hook	Mooty	Strachan
Craven	Hopp	Osborn	Teter
Crouch	Hough	Ostby	Thies
Davis	Humeston	Peet	Thiessen
Dean	Jenkins	Reed	Wolf
Doran	Jensen	Rice	Yager
Durant	Koch	Schlatter	Zylstra
Ellsworth	Lookingbill	Smith	Mr. Speaker
Felter	McDermott		

The nays were, 48.

Bowers	Burgess	Donlon	Fabritz
Brady	Casey	Dreessen	Fletcher
Bruce	Dole	Elliott	Foster

Digitized by Google

Fuelling	Johnson	Paisley	Speidel
Gallagher	Lichty	Peaco	Stimpson
Gittinger	McCreery	Porter	Swift
Grau	McFarlane	Rawlings	Treimer
Grell	McKinnon	Roe	Weed
Hanson of Lyon	Millhone	Ryder	Wieben
Hanson of Winnebago	Mitchell	Schmitz	Wiese
Hartman	Moore of Benton	Schroeder	Willis
Hultman	Moore of Harrison	Sheridan	Zipse

Absent or not voting, 6.

Augustine	Cunningham	Laughlin	McCarthy
Bonnstetter	Falvey		

Amendment adopted.

Thiessen of Clinton called up the amendment filed by him and found on page 1250 of the Journal of February 23 and moved its adoption.

Brady of Pottawattamie rose to a point of order that the amendment was not germane to the question, in that it was a new question under color of an amendment.

The Speaker ruled the point of order was well taken.

Grau of Buena Vista and McCreery of Linn offered the following amendment and moved its adoption:

Amend Senate File No. 95 by striking from Section one (1), line five (5) the words and figures "seventy-five (75)" and substituting in lieu thereof the words and figures "sixty-five (65)".

Durant of Hancock moved Senate File No. 95 and all amendments be laid on the table.

On the question "Shall Senate File No. 95 and all amendments be laid on the table?" a roll call was demanded.

The ayes were, 37.

Aldrich	Fuester	Jensen	Roe
Augustine	Gissel	McCreery	Smith
Beath	Gittinger	McDermott	Sours
Beswick	Grau	McKinnon	Speidel
Davis	Grell	McLean	Stanzel
Dean	Hanson of Winnebago	Malone	Stimpson
Durant	Hook	Maniece	Teter
Felter	Hough	Mooty	Thiessen
Fletcher	Jenkins	Ostby	Weed
Frizzell			

The nays were, 64.

Alesch	Bowers	Burgess	Cunningham
Avery	Brady	Casey	Dole
Bouska	Bruce	Craven	Donlon

Digitized by Google

Doran	Humeston	Paisley	Stansell
Dreessen	Johnson	Peaco	Stewart
Elliott	Koch	Peet	Strachan
Ellsworth	Lichty	Porter	Swift
Fabritz	Lookingbill	Rawlings	Thies
Foster	McFarlane	Reed	Treimer
Fuelling	Mercer	Rice	Wieben
Gallagher	Metcalf	Ryder	Wiese
Garner	Millhone	Schlatter	Willis
Goode	Moore of Benton	Schmitz	Wolf
Hanson of Lyon	Moore of Harrison	Schroeder	Zipse
Hartman	Osborn	Sheridan	Zylstra
Hopp		Snyder	Mr. Speaker
Hultman			

Absent or not voting, 7.

Bonnstetter	Falvey	McCarthy	Yager
Crouch	Laughlin	Mitchell	

Motion to lay on the table was lost.

Zylstra of Sioux moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Grau and McCreery amendment be adopted?" a roll call was demanded.

The ayes were, 56.

Avery	Felter	McDermott	Schroeder
Beath	Frizzell	McKinnon	Snyder
Beswick	Fuester	McLean	Sours
Bouska	Gissel	Maniece	Speidel
Bowers	Goode	Metcalf	Stansell
Brady	Grau	Millhone	Stanzel
Crouch	Hanson of Winnebago	Mitchell	Stewart
Davis	Hopp	Mooty	Strachan
Dean	Hough	Ostby	Teter
Dole	Jenkins	Rawlings	Treimer
Donlon	Jensen	Reed	Weed
Doran	Lookingbill	Rice	Wieben
Dreessen	McCreery	Schlatter	Zipse
Durant		Schmitz	Zylstra
Ellsworth			

The nays were, 45.

Aldrich	Fuelling	Lichty	Roe
Alesch	Gallagher	McFarlane	Ryder
Augustine	Garner	Malone	Sheridan
Bruce	Gittinger	Mercer	Smith
Burgess	Grell	Moore of Harrison	Stimpson
Casey	Hanson of Lyon	Osborn	Swift
Craven	Hartman	Paisley	Thies
Cunningham	Hook	Peaco	Thiessen
Elliott	Hultman	Peet	Wiese
Fabritz	Humeston	Porter	Willis
Fletcher	Johnson		Wolf
Foster	Koch		

Absent or not voting, 7.

Bonnstetter	Laughlin	Moore of Benton	Mr. Speaker
Falvey	McCarthy	Yager	

Digitized by Google

Grau and McCreery amendment was adopted.

MOTION TO RECONSIDER

MR. SPEAKER: I move to reconsider the vote by which the Craven amendment to Senate File No. 95 was adopted. C. L. RICE.

Strachan of Humboldt moved the previous question on the Rice motion to reconsider. Motion prevailed.

On the question "Shall the House reconsider the vote by which the Craven amendment was adopted?" a roll call was demanded.

The ayes were, 60.

Aldrich	Foster	McKinnon	Schlatter
Avery	Fuelling	Maniece	Schmitz
Beswick	Fuester	Mercer	Schroeder
Bouska	Gallagher	Millhone	Sheridan
Bowers	Goode	Mitchell	Snyder
Brady	Grau	Moore of Benton	Sours
Bruce	Grell	Moore of	Speidel
Burgess	Hanson of Lyon	Harrison	Strachan
Casey	Hanson of	Mooty	Swift
Crouch	Winnebago	Peaco	Teter
Dole	Hartman	Porter	Treimer
Donlon	Hook	Rawlings	Wieben
Dreessen	Humeston	Rice	Wiese
Fabritz	Johnson	Roe	Willis
Felter	Lichty	Ryder	Zipse
Fletcher	McFarlane		

The nays were, 42.

Alesch	Frizzell	McCreery	Smith
Augustine	Garner	McDermott	Stansell
Beath	Gissel	McLean	Stewart
Craven	Gittinger	Malone	Stimpson
Cunningham	Hopp	Metcalf	Thies
Davis	Hough	Osborn	Thiessen
Dean	Hultman	Ostby	Weed
Doran	Jenkins	Paisley	Wolf
Durant	Jensen	Peet	Zylstra
Elliott	Koch	Reed	Mr. Speaker
Ellsworth	Lookingbill		

Absent or not voting, 6.

Bonnstetter	Laughlin	Stanzel	Yager
Falvey	McCarthy		

Motion prevailed and House reconsidered.

Willis of Dallas offered the following amendment:

Amend Sec. 2 of the amendment by the gentleman from Jasper, by striking from lines 4 and 5 the words and figures, "eighteen hundred dollars ($1800.00)" and inserting in lieu thereof the words and figures "twenty-four hundred dollars ($2400.00)".

Digitized by Google

Willis of Dallas asked and obtained unanimous consent to withdraw his amendment.

On the question "Shall the Craven amendment be adopted?" a roll call was demanded.

The ayes were, 39.

Alesch	Elliott	Jensen	Porter
Augustine	Ellsworth	Koch	Reed
Beath	Frizzell	Lookingbill	Ryder
Burgess	Gallagher	McCreery	Stewart
Craven	Garner	McLean	Stimpson
Cunningham	Gissel	Mercer	Thies
Davis	Hopp	Metcalf	Thiessen
Dean	Hough	Moore of Harrison	Weed
Doran	Hultman	Osborn	Wolf
Durant	Jenkins		Zylstra

The nays were, 58.

Aldrich	Foster	McDermott	Schmitz
Avery	Fuelling	McFarlane	Schroeder
Beswick	Fuester	McKinnon	Smith
Bouska	Gittinger	Maniece	Snyder
Bowers	Goode	Millhone	Sours
Brady	Grau	Mitchell	Speidel
Bruce	Grell	Moore of Benton	Stansell
Casey	Hanson of Lyon	Moooty	Strachan
Crouch	Hanson of Winnebago	Ostby	Swift
Dole	Hartman	Peaco	Treimer
Donlon	Hook	Peet	Wieben
Dreessen	Humeston	Rawlings	Wiese
Fabritz	Johnson	Rice	Willis
Felter	Lichty	Roe	Zipse
Fletcher		Schlatter	

Absent or not voting, 11.

Bonnstetter	McCarthy	Sheridan	Yager
Falvey	Malone	Stanzel	Mr. Speaker
Laughlin	Paisley	Teter	

Amendment lost.

MOTION TO RECONSIDER

Zylstra of Sioux moved to reconsider the vote by which the Grau and McCreery amendment to Senate File No. 95 was adopted.

On the question "Shall the House reconsider the vote by which the Grau and McCreery amendment was adopted?" a roll call was demanded.

The ayes were, 42.

Aldrich	Bruce	Craven	Dreessen
Bowers	Burgess	Cunningham	Elliott
Brady	Casey	Davis	Foster

Digitized by Google

Fuelling	Hultman	Osborn	Stansell
Gallagher	Koch	Peaco	Swift
Goode	Lichty	Peet	Wiese
Grell	McFarlane	Porter	Willis
Hanson of Lyon	Mercer	Rawlings	Wolf
Hanson of Winnebago	Metcalf	Ryder	Zipse
Hartman	Moore of Benton	Schlatter	Zylstra
	Moore of Harrison	Schroeder	

The nays were, 58.

Augustine	Frizzell	McCreery	Smith
Avery	Fuester	McDermott	Snyder
Beath	Garner	McKinnon	Sours
Beswick	Gissel	McLean	Speidel
Bouska	Gittinger	Malone	Stanzel
Crouch	Grau	Maniece	Stewart
Dean	Hook	Millhone	Stimpson
Dole	Hopp	Mooty	Strachan
Donlon	Hough	Ostby	Teter
Doran	Humeston	Paisley	Thies
Durant	Jenkins	Reed	Thiessen
Ellsworth	Jensen	Rice	Treimer
Fabritz	Johnson	Roe	Weed
Felter	Lookingbill	Schmitz	Wieben
Fletcher			Mr. Speaker

Absent or not voting, 8.

Alesch	Falvey	McCarthy	Sheridan
Bonnstetter	Laughlin	Mitchell	Yager

Motion to reconsider lost.

Sours of Floyd moved the previous question on Senate File No. 95. Motion prevailed.

Brady of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 70.

Alesch	Fuelling	Maniece	Sheridan
Avery	Fuester	Mercer	Snyder
Bouska	Gallagher	Metcalf	Sours
Bowers	Garner	Millhone	Stansell
Brady	Goode	Moore of Benton	Stewart
Bruce	Grau	Moore of Harrison	Stimpson
Burgess	Grell	Paisley	Strachan
Casey	Hanson of Lyon	Peaco	Swift
Craven	Hartman	Peet	Thies
Crouch	Hopp	Porter	Treimer
Cunningham	Hultman	Rawlings	Wieben
Davis	Humeston	Reed	Wiese
Donlon	Johnson	Rice	Willis
Doran	Koch	Ryder	Wolf
Dreessen	Lichty	Schlatter	Zipse
Elliott	Lookingbill	Schmitz	Zylstra
Ellsworth	McFarlane	Schroeder	Mr. Speaker
Fabritz	McLean		

Digitized by Google

The nays were, 33.

Aldrich	Foster	Jensen	Ostby
Augustine	Frizzell	McCreery	Roe
Beath	Gissel	McDermott	Smith
Beswick	Gittinger	McKinnon	Speidel
Dean	Hanson of Winnebago	Malone	Stanzel
Dole	Hook	Mitchell	Teter
Durant	Hough	Mooty	Thiessen
Felter	Jenkins	Osborn	Weed
Fletcher			

Absent or not voting, 5.

Bonnstettter	Laughlin	McCarthy	Yager
Falvey			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Brady of Pottawattamie moved that the vote by which Senate File No. 95 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

ACTION ON HOUSE FILE NO. 341 DEFERRED

Rice of Keokuk moved that action on House File No. 341 be temporarily deferred and that it retain its place on the calendar. Motion prevailed.

Mitchell of Webster moved that Senate File No. 227 be made a special order for 10 o'clock a. m., Thursday, March 1. Motion lost.

Donlon of Palo Alto moved that Senate File No. 42 be made a special order for 10 o'clock a. m., Thursday, March 1. Motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Crouch of Greene for balance of the day, on request of Dean of Cerro Gordo.

CONSIDERATION OF BILLS

Senate File No. 258, a bill for an act to make an appropriation to B. Agard, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 85.

Aldrich	Fabritz	Jensen	Ryder
Alesch	Felter	Koch	Schlatter
Augustine	Fletcher	Lichty	Schroeder
Avery	Foster	McCreery	Smith
Beath	Frizzell	McFarlane	Snyder
Beswick	Fuester	McKinnon	Sours
Bouska	Gallagher	McLean	Stewart
Bowers	Garner	Malone	Stimpson
Brady	Gissel	Maniece	Strachan
Bruce	Gittinger	Mercer	Swift
Burgess	Goode	Millhone	Teter
Casey	Grell	Moore of Benton	Thies
Cunningham	Hanson of Lyon	Moore of	Thiessen
Davis	Hanson of	Harrison	Treimer
Dean	Winnebago	Mooty	Weed
Dole	Hartman	Paisley	Wieben
Donlon	Hook	Peaco	Wiese
Doran	Hopp	Peet	Willis
Dreessen	Hough	Rawlings	Yager
Durant	Hultman	Reed	Zylstra
Elliott	Humeston	Rice	Mr. Speaker
Ellsworth	Jenkins	Roe	

The nays were, 2.

Ostby	Schmitz

Absent or not voting, 21.

Bonnstetter	Johnson	Metcalf	Speidel
Craven	Laughlin	Mitchell	Stansell
Crouch	Lookingbill	Osborn	Stanzel
Falvey	McCarthy	Porter	Wolf
Fuelling	McDermott	Sheridan	Zipse
Grau			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 261, a bill for an act to make an appropriation to Lewis G. Rodman, administrator of the Estate of Alfred Franklin Rodman, deceased, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Aldrich	Brady	Davis	Durant
Alesch	Bruce	Dean	Ellsworth
Augustine	Burgess	Dole	Fabritz
Avery	Casey	Donlon	Felter
Beath	Craven	Doran	Fletcher
Bouska	Cunningham	Dreessen	Frizzell

Digitized by Google

Fuester	Hough	Paisley	Stanzel
Gallagher	Hultman	Peaco	Stewart
Garner	Humeston	Peet	Strachan
Gissel	Jenkins	Rawlings	Swift
Gittinger	Jensen	Reed	Thies
Goode	Koch	Roe	Thiessen
Grau	Lichty	Ryder	Treimer
Grell	McCreery	Schlatter	Weed
Hanson of Lyon	McFarlane	Smith	Wieben
Hanson of Winnebago	Malone	Snyder	Willis
Hartman	Metcalf	Sours	Yager
Hopp	Mooty	Speidel	Mr. Speaker

The nays were, 4.

Foster	Schmitz	Zipse	Zylstra

Absent or not voting, 32.

Beswick	Laughlin	Millhone	Rice
Bonnstetter	Lookingbill	Mitchell	Schroeder
Bowers	McCarthy	Moore of Benton	Sheridan
Crouch	McDermott	Moore of Harrison	Stansell
Elliott	McKinnon	Osborn	Stimpson
Falvey	McLean	Ostby	Teter
Fuelling	Maniece	Porter	Wiese
Hook	Mercer		Wolf
Johnson			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 279, a bill for an act to make an appropriation to D. F. Wolfe, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Dole	Grell	Millhone
Alesch	Donlon	Hanson of Lyon	Moore of Harrison
Augustine	Doran	Hanson of Winnebago	Mooty
Avery	Dreessen	Hartman	Paisley
Beath	Durant	Hopp	Peaco
Beswick	Elliott	Hough	Peet
Bouska	Ellsworth	Hultman	Rawlings
Bowers	Felter	Humeston	Reed
Brady	Fletcher	Jenkins	Roe
Bruce	Frizzell	Koch	Ryder
Burgess	Fuester	McCreery	Schlatter
Casey	Gallagher	McFarlane	Schmitz
Craven	Gittinger	McLean	Schroeder
Cunningham	Goode	Metcalf	Smith
Dean	Grau		

Digitized by Google

Snyder	Stewart	Thies	Wieben
Sours	Strachan	Thiessen	Willis
Speidel	Swift	Treimer	Yager
Stanzel	Teter	Weed	Mr. Speaker

The nays were, 3.

Davis	Foster	Zylstra

Absent or not voting, 31.

Bonnstetter	Jensen	Malone	Rice
Crouch	Johnson	Maniece	Sheridan
Fabritz	Laughlin	Mercer	Stansell
Falvey	Lichty	Mitchell	Stimpson
Fuelling	Lookingbill	Moore of Benton	Wiese
Garner	McCarthy	Osborn	Wolf
Gissel	McDermott	Ostby	Zipse
Hook	McKinnon	Porter	

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

CALL OF THE HOUSE

MR. SPEAKER: We the undersigned request a call of the House for Wednesday, Thursday, Friday and Saturday, February 28, March 1, 2 and 3.

J. P. GALLAGHER. ANDREW STEWART.
P. H. DONLON. J. W. FRIZZELL.
L. D. TETER.

A roll call disclosed all members present except Bonnstetter of Kossuth, Crouch of Greene, Fabritz of Wapello, Falvey of Monroe, Fuelling of Clayton, Jensen of Audubon, Laughlin of Fremont, Lichty of Black Hawk, McCarthy of Woodbury, McKinnon of Henry, Malone of Cass, Mitchell of Webster, Peet of Guthrie, Sheridan of Lee and Wiese of Scott.

Crouch of Greene, Bonnstetter of Kossuth, Laughlin of Fremont and Falvey of Monroe were previously excused.

McFarlane of Black Hawk asked and obtained unanimous consent to have Fuelling of Clayton excused for today and tomorrow.

Doran of Boone moved that the House proceed with passage of claims bills while the Sergeant-at-arms is procuring absentees. Motion prevailed.

Senate File No. 287, a bill for an act to make an appropriation to Elmer Williams, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 82.

Aldrich	Fletcher	Koch	Roe
Alesch	Frizzell	Lookingbill	Ryder
Avery	Fuester	McKinnon	Schlatter
Beath	Gallagher	McLean	Schmitz
Beswick	Garner	Malone	Schroeder
Bouska	Gissel	Maniece	Sours
Bowers	Gittinger	Mercer	Stanzel
Bruce	Goode	Metcalf	Stewart
Burgess	Grau	Millhone	Stimpson
Casey	Grell	Mitchell	Strachan
Craven	Hanson of Lyon	Moore of Benton	Swift
Cunningham	Hanson of Winnebago	Moore of Harrison	Teter
Davis	Hartman	Mooty	Thies
Dean	Hook	Osborn	Thiessen
Donlon	Hopp	Paisley	Treimer
Doran	Hough	Peaco	Weed
Dreessen	Hultman	Peet	Wieben
Durant	Humeston	Porter	Willis
Elliott	Jenkins	Rawlings	Wolf
Ellsworth	Jensen	Reed	Yager
Felter			Zipse

The nays were, none.

Absent or not voting, 26.

Augustine	Foster	McDermott	Snyder
Bonnstettter	Fuelling	McFarlane	Speidel
Brady	Johnson	Ostby	Stansell
Crouch	Laughlin	Rice	Wiese
Dole	Lichty	Sheridan	Zylstra
Fabritz	McCarthy	Smith	Mr. Speaker
Falvey	McCreery		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 288, a bill for an act to make an appropriation to Ben Terhark, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Aldrich	Beswick	Burgess	Davis
Alesch	Bouska	Casey	Dean
Avery	Bowers	Craven	Dole
Beath	Bruce	Cunningham	Donlon

Digitized by Google

Doran	Hook	Moore of Harrison	Smith
Dreessen	Hough	Mooty	Sours
Durant	Hultman	Osborn	Speidel
Elliott	Humeston	Ostby	Stanzel
Ellsworth	Jenkins	Paisley	Stewart
Fletcher	Jensen	Peet	Stimpson
Frizzell	Koch	Porter	Strachan
Fuester	Lookingbill	Rawlings	Swift
Gallagher	McCreery	Reed	Teter
Garner	McFarlane	Rice	Thies
Gittinger	McKinnon	Roe	Thiessen
Goode	McLean	Ryder	Treimer
Grau	Malone	Schlatter	Weed
Grell	Mercer	Schmitz	Wieben
Hanson of Lyon	Metcalf	Schroeder	Willis
Hanson of Winnebago	Millhone	Sheridan	Wolf
Hartman	Mitchell		Yager
			Mr. Speaker

The nays were, none.

Absent or not voting, 24.

Augustine	Felter	Laughlin	Peaco
Bonnstetter	Foster	Lichty	Snyder
Brady	Fuelling	McCarthy	Stansell
Crouch	Gissel	McDermott	Wiese
Fabritz	Hopp	Maniece	Zipse
Falvey	Johnson	Moore of Benton	Zylstra

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 289, a bill for an act to make an appropriation to Staley Sales Corporation, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Dole	Hanson of Lyon	McFarlane
Alesch	Donlon	Hanson of Winnebago	McKinnon
Avery	Doran	Hartman	Malone
Beath	Dreessen	Hook	Maniece
Beswick	Durant	Hopp	Mercer
Bouska	Ellsworth	Hough	Metcalf
Bowers	Felter	Hultman	Millhone
Brady	Frizzell	Humeston	Mitchell
Bruce	Fuester	Jenkins	Moore of Harrison
Burgess	Gallagher	Jensen	Mooty
Casey	Garner	Johnson	Osborn
Craven	Gittinger	Koch	Ostby
Cunningham	Goode	Lichty	Peaco
Davis	Grau	McCreery	Peet
Dean	Grell		

Digitized by Google

Porter	Schroeder	Strachan	Wieben
Rawlings	Smith	Swift	Wiese
Reed	Snyder	Teter	Willis
Rice	Sours	Thies	Wolf
Roe	Speidel	Thiessen	Yager
Ryder	Stanzel	Treimer	Zylstra
Schlatter	Stewart	Weed	Mr. Speaker
Schmitz			

The nays were, 1.

Gissel

Absent or not voting, 20.

Augustine	Falvey	Lookingbill	Paisley
Bonnstetter	Fletcher	McCarthy	Sheridan
Crouch	Foster	McDermott	Stansell
Elliott	Fuelling	McLean	Stimpson
Fabritz	Laughlin	Moore of Benton	Zipse

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 290, a bill for an act to make an appropriation to O. D. Scholl, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Aldrich	Gallagher	Maniece	Smith
Alesch	Garner	Mercer	Snyder
Avery	Gissel	Metcalf	Sours
Beath	Gittinger	Millhone	Speidel
Beswick	Goode	Mitchell	Stansell
Bouska	Grau	Moore of Harrison	Stanzel
Bowers	Grell	Mooty	Stewart
Brady	Hanson of Lyon	Osborn	Stimpson
Burgess	Hanson of Winnebago	Ostby	Strachan
Casey	Hartman	Paisley	Swift
Cunningham	Hook	Peaco	Teter
Davis	Hopp	Peet	Thies
Dean	Hough	Porter	Thiessen
Dole	Hultman	Rawlings	Treimer
Donlon	Humeston	Reed	Weed
Doran	Jensen	Rice	Wieben
Dreessen	Koch	Roe	Wiese
Durant	Lichty	Ryder	Willis
Elliott	McCreery	Schlatter	Wolf
Ellsworth	McFarlane	Schmitz	Yager
Felter	McKinnon	Schroeder	Zipse
Fletcher	Malone	Sheridan	Zylstra
Frizzell			Mr. Speaker
Fuester			

Digitized by Google

The nays were, none.

Absent or not voting, 17.

Augustine	Fabritz	Jenkins	McCarthy
Bonnstetter	Falvey	Johnson	McDermott
Bruce	Foster	Laughlin	McLean
Craven	Fuelling	Lookingbill	Moore of Benton
Crouch			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 291, a bill for an act to make an appropriation to Roscoe W. Wilson, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Fletcher	Lichty	Schroeder
Alesch	Frizzell	McCreery	Sheridan
Avery	Gallagher	McFarlane	Smith
Beath	Garner	McKinnon	Snyder
Beswick	Gissel	Malone	Sours
Bouska	Gittinger	Maniece	Speidel
Bowers	Goode	Mercer	Stansell
Brady	Grau	Metcalf	Stanzel
Burgess	Grell	Millhone	Stewart
Casey	Hanson of Lyon	Mitchell	Stimpson
Craven	Hanson of Winnebago	Mooty	Strachan
Cunningham		Osborn	Swift
Davis	Hartman	Paisley	Teter
Dean	Hook	Peaco	Thies
Dole	Hopp	Peet	Thiessen
Donlon	Hough	Rawlings	Treimer
Doran	Hultman	Reed	Weed
Dreessen	Humeston	Rice	Wieben
Durant	Jenkins	Roe	Wiese
Elliott	Jensen	Ryder	Willis
Ellsworth	Johnson	Schlatter	Wolf
Felter	Koch	Schmitz	Yager

The nays were, 1.

Ostby

Absent or not voting, 20.

Augustine	Falvey	Lookingbill	Moore of Harrison
Bonnstetter	Foster	McCarthy	Porter
Bruce	Fuelling	McDermott	Zipse
Crouch	Fuester	McLean	Zylstra
Fabritz	Laughlin	Moore of Benton	Mr. Speaker

Digitized by Google

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 292, a bill for an act to make an appropriation to Mrs. Olina Waltz of Mason City, Iowa, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Frizzell	Lichty	Schmitz
Alesch	Fuester	McCreery	Schroeder
Avery	Gallagher	McFarlane	Sheridan
Beath	Garner	McKinnon	Snyder
Beswick	Gissel	Malone	Sours
Bouska	Gittinger	Mercer	Speidel
Bowers	Goode	Metcalf	Stansell
Burgess	Grau	Millhone	Stanzel
Casey	Grell	Mitchell	Stewart
Craven	Hanson of Lyon	Moore of Benton	Stimpson
Cunningham	Hanson of Winnebago	Mooty	Strachan
Davis	Hartman	Osborn	Swift
Dean	Hook	Ostby	Thies
Dole	Hopp	Paisley	Thiessen
Donlon	Hough	Peaco	Treimer
Doran	Hultman	Peet	Weed
Dreessen	Humeston	Porter	Wieben
Durant	Jenkins	Reed	Wiese
Elliott	Jensen	Rice	Willis
Ellsworth	Johnson	Roe	Wolf
Felter	Koch	Ryder	Yager
Fletcher		Schlatter	Zipse

The nays were, none.

Absent or not voting, 21.

Augustine	Falvey	McCarthy	Rawlings
Bonnstetter	Foster	McDermott	Smith
Brady	Fuelling	McLean	Teter
Bruce	Laughlin	Maniece	Zylstra
Crouch	Lookingbill	Moore of Harrison	Mr. Speaker
Fabritz			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 303, a bill for an act to make an appropriation to Lyon County, Iowa, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Felter	McCreery	Schroeder
Alesch	Fletcher	McFarlane	Sheridan
Augustine	Foster	McKinnon	Smith
Avery	Frizzell	McLean	Snyder
Beath	Fuester	Malone	Sours
Beswick	Gallagher	Mercer	Speidel
Bouska	Garner	Metcalf	Stansell
Bowers	Gittinger	Millhone	Stanzel
Brady	Goode	Mitchell	Stewart
Bruce	Grau	Moore of Benton	Stimpson
Burgess	Grell	Mooty	Strachan
Casey	Hanson of Lyon	Osborn	Swift
Craven	Hanson of	Ostby	Teter
Cunningham	Winnebago	Paisley	Thies
Davis	Hartman	Peaco	Treimer
Dean	Hook	Peet	Weed
Dole	Hopp	Porter	Wieben
Donlon	Hough	Rawlings	Wiese
Doran	Hultman	Reed	Willis
Dreessen	Humeston	Rice	Wolf
Durant	Jenkins	Roe	Yager
Elliott	Jensen	Ryder	Zipse
Ellsworth	Johnson	Schlatter	Zylstra
Fabritz	Lichty	Schmitz	Mr. Speaker

The nays were, none.

Absent or not voting, 13.

Bonnstetter	Gissel	McCarthy	Moore of
Crouch	Koch	McDermott	Harrison
Falvey	Laughlin	Maniece	Thiessen
Fuelling	Lookingbill		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

On the motion of Ryder of Dubuque the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A roll call to ascertain the absentees was taken. All members were found present except Bonnstetter of Kossuth, Falvey of Monroe, Fuelling of Clayton, Gittinger of Lucas, Laughlin of Fremont, McKinnon of Henry and Zylstra of Sioux.

Digitized by Google

Bonnstetter of Kossuth, Falvey of Monroe, Fuelling of Clayton and Laughlin of Fremont had been previously excused.

McFarlane of Black Hawk moved that the House proceed with claims bills until the Sergeant-at-arms procured the presence of the absentees. Motion prevailed.

Gittinger of Lucas, McKinnon of Henry and Zylstra of Sioux appeared on the floor of the chamber and the Call of the House was declared complete.

MOTION TO RECONSIDER

Ostby of Worth called up his motion to reconsider the vote by which Senate File No. 278 failed to pass the House, filed by him and found on page 1139 of the Journal of February 15.

The Speaker called Swift of Dubuque to the chair at 2:00 o'clock p. m.

Alesch of Plymouth moved the previous question on the motion to reconsider. Motion prevailed.

On the question "Shall the House reconsider the vote by which Senate File No. 278 failed to pass the House?" a roll call was demanded.

The ayes were, 85.

Aldrich	Frizzell	McCreery	Schlatter
Alesch	Fuester	McDermott	Schmitz
Augustine	Gallagher	McFarlane	Schroeder
Avery	Garner	McKinnon	Smith
Beswick	Goode	McLean	Snyder
Bouska	Grau	Malone	Speidel
Brady	Grell	Maniece	Stansell
Bruce	Hanson of Lyon	Mercer	Stanzel
Burgess	Hanson of Winnebago	Metcalf	Stimpson
Craven	Hartman	Millhone	Swift
Cunningham	Hook	Mitchell	Teter
Dean	Hopp	Moore of Benton	Thies
Dole	Hultman	Moore of Harrison	Thiessen
Donlon	Humeston	Mooty	Treimer
Doran	Jenkins	Osborn	Weed
Dreessen	Jensen	Ostby	Wiese
Durant	Johnson	Peet	Willis
Elliott	Koch	Porter	Wolf
Ellsworth	Lichty	Rawlings	Yager
Fabritz	Lookingbill	Roe	Zipse
Felter	McCarthy	Ryder	Zylstra
Foster			

Digitized by Google

The nays were, 16.

Beath	Fletcher	Paisley	Sours
Bowers	Gissel	Reed	Stewart
Casey	Gittinger	Rice	Strachan
Davis	Hough	Sheridan	Wieben

Absent or not voting, 7.

Bonnstetter	Falvey	Laughlin	Mr. Speaker
Crouch	Fuelling	Peaco	

The House reconsidered.

Speaker Miller returned to the chair at 2:38 o'clock p. m.

On the question "Shall the bill pass?" a roll call was demanded.

The ayes were, 75.

Aldrich	Foster	McCreery	Roe
Alesch	Fuester	McFarlane.	Ryder
Augustine	Gallagher	McKinnon	Schlatter
Avery	Garner	McLean	Schmitz
Beswick	Gissel	Malone	Snyder
Brady	Goode	Maniece	Speidel
Bruce	Grau	Mercer	Stanzel
Burgess	Grell	Metcalf	Stimpson
Craven	Hanson of Lyon	Millhone	Swift
Cunningham	Hanson of Winnebago	Mitchell	Thies
Dean	Hopp	Moore of Benton	Thiessen
Dole	Hultman	Moore of Harrison	Treimer
Donlon	Humeston	Mooty	Weed
Doran	Jensen	Osborn	Wiese
Dreessen	Johnson	Ostby	Willis
Durant	Koch	Peet	Wolf
Elliott	Lichty	Porter	Yager
Ellsworth	McCarthy	Rice	Zipse
Fabritz			Zylstra
Felter			

The nays were, 23.

Beath	Frizzell	Lookingbill	Sours
Bouska	Gittinger	Paisley	Stansell
Bowers	Hartman	Rawlings	Stewart
Casey	Hook	Reed	Strachan
Davis	Hough	Sheridan	Wieben
Fletcher	Jenkins	Smith	

Absent or not voting, 10.

Bonnstetter	Fuelling	Peaco	Teter
Crouch	Laughlin	Schroeder	Mr. Speaker
Falvey	McDermott		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

McFarlane of Black Hawk moved that the vote by which Senate File No. 278 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Digitized by Google

CONSIDERATION OF BILLS

Senate File No. 304, a bill for an act to make an appropriation to Inter City Bus Line, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 94.

Alesch	Fletcher	McCreery	Schmitz
Augustine	Frizzell	McDermott	Schroeder
Avery	Fuester	McKinnon	Sheridan
Beath	Gallagher	McLean	Smith
Beswick	Garner	Malone	Snyder
Bouska	Gissel	Maniece	Sours
Bowers	Gittinger	Mercer	Speidel
Brady	Goode	Metcalf	Stansell
Bruce	Grau	Millhone	Stewart
Burgess	Grell	Mitchell	Stimpson
Casey	Hanson of Lyon	Moore of Benton	Strachan
Craven	Hanson of Winnebago	Moore of Harrison	Swift
Cunningham	Hartman	Mooty	Teter
Davis	Hook	Osborn	Thies
Dean	Hopp	Paisley	Thiessen
Dole	Hough	Peet	Treimer
Donlon	Hultman	Porter	Weed
Doran	Humeston	Rawlings	Wieben
Dreessen	Jenkins	Reed	Wiese
Durant	Koch	Rice	Willis
Elliott	Lichty	Roe	Wolf
Ellsworth	Lookingbill	Ryder	Yager
Fabritz	McCarthy	Schlatter	Zipse
Felter			Mr. Speaker

The nays were, 2.

Ostby	Zylstra

Absent or not voting, 12.

Aldrich	Falvey	Jensen	McFarlane
Bonnstetter	Foster	Johnson	Peaco
Crouch	Fuelling	Laughlin	Stanzel

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 305, a bill for an act to make an appropriation to Nettie Mae Bennett and to E. D. Marshall, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now

Digitized by Google

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Frizzell	McCreery	Schlatter
Alesch	Fuester	McDermott	Schmitz
Augustine	Gallagher	McFarlane	Schroeder
Avery	Garner	McKinnon	Sheridan
Beath	Gittinger	McLean	Smith
Beswick	Goode	Malone	Snyder
Bouska	Grau	Maniece	Sours
Bowers	Hanson of Lyon	Mercer	Speidel
Brady	Hanson of Winnebago	Metcalf	Stansell
Bruce	Hartman	Millhone	Stewart
Burgess	Hook	Mitchell	Strachan
Casey	Hopp	Moore of Benton	Swift
Craven	Hough	Moore of Harrison	Thies
Cunningham	Hultman	Mooty	Thiessen
Davis	Humeston	Osborn	Treimer
Dole	Jenkins	Paisley	Weed
Donlon	Jensen	Peet	Wieben
Doran	Koch	Porter	Wiese
Dreessen	Lichty	Rawlings	Willis
Ellsworth	Lookingbill	Reed	Wolf
Fabritz	McCarthy	Rice	Yager
Felter			Zipse
Fletcher			

The nays were, 4.

Durant	Stanzel	Zylstra	Mr. Speaker

Absent or not voting, 16.

Bonnstetter	Falvey	Grell	Peaco
Crouch	Foster	Johnson	Roe
Dean	Fuelling	Laughlin	Stimpson
Elliott	Gissel	Ostby	Teter

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 306, a bill for an act to make an appropriation to I. J. Petri, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Aldrich	Avery	Bouska	Burgess
Alesch	Beath	Bowers	Casey
Augustine	Beswick	Bruce	Craven

Digitized by Google

Cunningham	Hanson of Lyon	McLean	Schroeder
Davis	Hanson of Winnebago	Malone	Smith
Dean	Hartman	Maniece	Snyder
Dole	Hook	Mercer	Sours
Donlon	Hopp	Metcalf	Speidel
Doran	Hough	Millhone	Stansell
Dreessen	Hultman	Mitchell	Stanzel
Durant	Humeston	Moore of Benton	Stewart
Ellsworth	Jenkins	Moore of Harrison	Strachan
Fabritz	Jensen	Mooty	Swift
Felter	Johnson	Osborn	Teter
Fletcher	Koch	Paisley	Thies
Foster	Lichty	Peet	Thiessen
Frizzell	Lookingbill	Porter	Treimer
Fuester	McCarthy	Reed	Weed
Gallagher	McCreery	Rice	Wiese
Garner	McDermott	Ryder	Willis
Gittinger	McFarlane	Schlatter	Wolf
Goode	McKinnon	Schmitz	Yager
Grau			Zylstra
Grell			

The nays were, none.

Absent or not voting, 17.

Bonnstetter	Fuelling	Peaco	Stimpson
Brady	Gissel	Rawlings	Wieben
Crouch	Laughlin	Roe	Zipse
Elliott	Ostby	Sheridan	Mr. Speaker
Falvey			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 307, a bill for an act to make an appropriation to A. R. Walton, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Alesch	Davis	Frizzell	Hopp
Augustine	Dean	Fuester	Hough
Avery	Dole	Gallagher	Hultman
Beath	Donlon	Garner	Humeston
Beswick	Doran	Gittinger	Jenkins
Bouska	Dreessen	Goode	Jensen
Bowers	Durant	Grau	Johnson
Brady	Elliott	Grell	Koch
Bruce	Ellsworth	Hanson of Lyon	Lichty
Burgess	Fabritz	Hanson of Winnebago	Lookingbill
Casey	Felter	Hartman	McCarthy
Craven	Fletcher	Hook	McCreery
Cunningham	Foster		McDermott

Digitized by Google

McFarlane	Mooty	Schlatter	Stimpson
McKinnon	Osborn	Schmitz	Strachan
McLean	Ostby	Schroeder	Swift
Malone	Paisley	Sheridan	Teter
Mercer	Peet	Snyder	Thies
Metcalf	Porter	Sours	Thiessen
Millhone	Rawlings	Speidel	Treimer
Mitchell	Reed	Stansell	Weed
Moore of Harrison	Roe	Stanzel	Wolf
	Ryder	Stewart	Zipse

The nays were, none.

Absent or not voting, 18.

Aldrich	Gissel	Rice	Willis
Bonnstetter	Laughlin	Smith	Yager
Crouch	Maniece	Wieben	Zylstra
Falvey	Moore of Benton	Wiese	Mr. Speaker
Fuelling	Peaco		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 309, a bill for an act to make an appropriation to the Dallas County News and to C. W. Havenstein, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Aldrich	Felter	Johnson	Roe
Alesch	Fletcher	Koch	Ryder
Augustine	Foster	Lichty	Schlatter
Avery	Frizzell	Lookingbill	Schmitz
Beath	Gallagher	McCarthy	Schroeder
Beswick	Garner	McCreery	Sheridan
Bouska	Gissel	McFarlane	Snyder
Bowers	Gittinger	McKinnon	Sours
Bruce	Goode	McLean	Speidel
Burgess	Grau	Mercer	Stansell
Casey	Grell	Metcalf	Stewart
Craven	Hanson of Lyon	Millhone	Stimpson
Cunningham	Hanson of Winnebago	Mitchell	Strachan
Davis	Hartman	Moore of Harrison	Swift
Dean	Hook	Mooty	Teter
Dole	Hopp	Osborn	Thies
Donlon	Hough	Ostby	Thiessen
Doran	Hultman	Paisley	Treimer
Dreessen	Humeston	Porter	Weed
Durant	Jenkins	Reed	Wolf
Elliott	Jensen	Rice	Yager
Ellsworth			Mr. Speaker
Fabritz			

Digitized by Google

The nays were, none.

Absent or not voting, 21.

Bonnstetter	Laughlin	Peaco	Wieben
Brady	McDermott	Peet	Wiese
Crouch	Malone	Rawlings	Willis
Falvey	Maniece	Smith	Zipse
Fuelling	Moore of Benton	Stanzel	Zylstra
Fuester			

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 310, a bill for an act to make an appropriation to Leonard Ruback and Richard Ruback, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Fletcher	Lookingbill	Ryder
Alesch	Foster	McCarthy	Schlatter
Augustine	Frizzell	McCreery	Schmitz
Avery	Fuester	McDermott	Schroeder
Beath	Gallagher	McFarlane	Sheridan
Beswick	Garner	McKinnon	Snyder
Bouska	Gittinger	McLean	Sours
Bowers	Goode	Malone	Speidel
Bruce	Grau	Mercer	Stansell
Burgess	Grell	Metcalf	Stanzel
Casey	Hanson of Lyon	Millhone	Stewart
Craven	Hanson of Winnebago	Mitchell	Stimpson
Cunningham	Hartman	Moore of Harrison	Strachan
Davis	Hook	Mooty	Swift
Dean	Hopp	Osborn	Teter
Dole	Hough	Paisley	Thies
Donlon	Hultman	Peet	Thiessen
Doran	Humeston	Porter	Treimer
Dreessen	Jensen	Rawlings	Weed
Elliott	Johnson	Reed	Wiese
Ellsworth	Koch	Roe	Wolf
Fabritz	Lichty		Yager
Felter			

The nays were, none.

Absent or not voting, 20.

Bonnstetter	Fuelling	Moore of Benton	Wieben
Brady	Gissel	Ostby	Willis
Crouch	Jenkins	Peaco	Zipse
Durant	Laughlin	Rice	Zylstra
Falvey	Maniece	Smith	Mr. Speaker

Digitized by Google

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Senate File No. 314, a bill for an act to make an appropriation to Robert Harrison, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Aldrich	Fletcher	McCarthy	Ryder
Alesch	Foster	McCreery	Schlatter
Augustine	Frizzell	McDermott	Schmitz
Avery	Gallagher	McFarlane	Schroeder
Beath	Garner	McKinnon	Snyder
Beswick	Gittinger	McLean	Sours
Bouska	Goode	Malone	Speidel
Bowers	Grau	Maniece	Stansell
Bruce	Grell	Mercer	Stanzel
Burgess	Hanson of Lyon	Metcalf	Stewart
Casey	Hanson of Winnebago	Millhone	Strachan
Craven	Hartman	Mitchell	Swift
Cunningham	Hook	Moore of Benton	Thies
Dean	Hopp	Moore of Harrison	Thiessen
Dole	Hough	Osborn	Treimer
Donlon	Hultman	Paisley	Weed
Doran	Jenkins	Peet	Wieben
Dreessen	Jensen	Porter	Wiese
Durant	Johnson	Reed	Wolf
Ellsworth	Koch	Roe	Yager
Fabritz	Lichty		Zipse
Felter			

The nays were, 4.

Davis	Humeston	Stimpson	Zylstra

Absent or not voting, 20.

Bonnstetter	Fuelling	Mooty	Sheridan
Brady	Fuester	Ostby	Smith
Crouch	Gissel	Peaco	Teter
Elliott	Laughlin	Rawlings	Willis
Falvey	Lookingbill	Rice	Mr. Speaker

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

MOTION TO RECONSIDER

Roe of Allamakee and Goode of Davis called up the motion to reconsider the vote by which Senate File No. 249 failed to pass

Digitized by Google

the House, filed them and found on page 1089 of the Journal of February 10.

On the question "Shall the House reconsider the vote by which Senate File No. 249 failed to pass the House?" a roll call was demanded.

The ayes were, 86.

Aldrich	Felter	Jensen	Roe
Alesch	Fletcher	Johnson	Schlattor
Avery	Foster	Koch	Schmitz
Beath	Frizzell	Lichty	Schroeder
Beswick	Fuester	McCarthy	Snyder
Bouska	Gallagher	McCreery	Speidel
Bowers	Garner	McFarlane	Stansell
Bruce	Gissel	McLean	Stanzel
Burgess	Gittinger	Malone	Stewart
Casey	Goode	Maniece	Stimpson
Craven	Grau	Mercer	Strachan
Cunningham	Grell	Metcalf	Swift
Davis	Hanson of Lyon	Millhone	Teter
Dean	Hanson of Winnebago	Moore of Benton	Thies
Dole	Hartman	Moore of Harrison	Thiessen
Donlon	Hook	Mooty	Treimer
Doran	Hopp	Osborn	Weed
Dreessen	Hough	Peet	Wiese
Durant	Hultman	Rawlings	Wolf
Elliott	Humeston	Reed	Yager
Ellsworth	Jenkins	Rice	Zipse
Fabritz			Mr. Speaker

The nays were, 1.

Ostby

Absent or not voting, 21.

Augustine	Laughlin	Paisley	Smith
Bonnstetter	Lookingbill	Peaco	Sours
Brady	McDermott	Porter	Wieben
Crouch	McKinnon	Ryder	Willis
Falvey	Mitchell	Sheridan	Zylstra
Fuelling			

The House reconsidered.

On the question "Shall the bill pass?" a roll call was demanded.

The ayes were, 86.

Aldrich	Cunningham	Fletcher	Hanson of Winnebago
Alesch	Davis	Foster	Hook
Avery	Dean	Frizzell	Hopp
Beath	Dole	Fuester	Hough
Beswick	Donlon	Gallagher	Hultman
Bouska	Doran	Garner	Humeston
Bowers	Dreessen	Gittinger	Jenkins
Brady	Durant	Goode	Jensen
Bruce	Elliott	Grau	Johnson
Burgess	Ellsworth	Grell	Koch
Casey	Fabritz	Hanson of Lyon	Lichty
Craven	Felter		

Digitized by Google

Lookingbill	Moore of Harrison	Schlatter	Swift
McCarthy	Mooty	Schmitz	Teter
McCreery	Osborn	Schroeder	Thies
McFarlane	Paisley	Snyder	Thiessen
Malone	Peet	Speidel	Treimer
Maniece	Porter	Stansell	Weed
Mercer	Reed	Stanzel	Wieben
Metcalf	Rice	Stewart	Wiese
Millhone	Roe	Stimpson	Wolf
Moore of Benton		Strachan	Yager
			Mr. Speaker

The nays were, none.

Absent or not voting, 22.

Augustine	Hartman	Ostby	Smith
Bonnstetter	Laughlin	Peaco	Sours
Crouch	McDermott	Rawlings	Willis
Falvey	McKinnon	Ryder	Zipse
Fuelling	McLean	Sheridan	Zylstra
Gissel	Mitchell		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

CONSIDERATION OF BILLS

Senate File No. 276, a bill for an act to revise and modernize the military laws of the State of Iowa, to define the military force of this state, to provide for their organization, equipment, training, pay and regulation, to provide for the incorporation of companies and organizations therein, to prohibit the unauthorized wearing of the military uniform, to provide for the appointment and retirement of officers, to provide for the use of military force of this state, to provide for military courts and define their duties, to provide for the issuance and protection of state and government property and funds, to provide for the appointment of the Adjutant General and other officers and boards, to provide for the control and improvement of the military reservation and rifle ranges, to make certain appropriations for the support of the military force, to repeal Chapter twenty-eight (28), Code, 1931, and Chapters seventeen (17) and eighteen (18) of the Acts of the Forty-fifth General Assembly, relating to and constituting the military law of this state, with report of committee recommending passage, was taken up for consideration.

Alesch of Plymouth moved that action on Senate File No. 276 be deferred and that it retain its place on the calendar.

Fabritz of Wapello moved as a substitute for the Alesch motion that action be deferred until 10:30 o'clock a. m. tomorrow. Motion prevailed and the substitution was made.

Digitized by Google

On the question "Shall the Alesch motion as substituted by the Fabritz motion be adopted?" a roll call was demanded.

The ayes were, 70.

Aldrich	Frizzell	Jensen	Rice
Alesch	Fuester	Koch	Roe
Beath	Gallagher	Lichty	Ryder
Beswick	Garner	Lookingbill	Schlatter
Bouska	Gissel	McCarthy	Schmitz
Bruce	Gittinger	McKinnon	Schroeder
Burgess	Goode	McLean	Snyder
Casey	Grau	Malone	Speidel
Craven	Grell	Maniece	Stanzel
Davis	Hanson of Lyon	Metcalf	Stewart
Dean	Hanson of Winnebago	Moore of Harrison	Strachan
Dole	Hartman	Osborn	Teter
Donlon	Hook	Ostby	Thies
Dreessen	Hopp	Paisley	Thiessen
Durant	Hultman	Porter	Wieben
Ellsworth	Humeston	Rawlings	Yager
Fabritz	Jenkins	Reed	Zylstra
Foster			Mr. Speaker

The nays were, 26.

Avery	Hough	Moore of Benton	Swift
Brady	Johnson	Mooty	Treimer
Cunningham	McCreery	Peet	Weed
Doran	McFarlane	Sheridan	Wiese
Elliott	Mercer	Sours	Willis
Felter	Millhone	Stimpson	Wolf
Fletcher	Mitchell		

Absent or not voting, 12.

Augustine	Crouch	Laughlin	Smith
Bonnstetter	Falvey	McDermott	Stansell
Bowers	Fuelling	Peaco	Zipse

Motion prevailed and action on Senate File No. 276 was deferred until 10:30 o'clock a. m. March 1.

Senate File No. 103, a bill for an act amending Section sixty-one hundred thirty-four-d1 (6134-d1), Code, 1931, and providing for the issuance by municipalities of negotiable revenue bonds payable only out of the net earnings of municipally owned public utilities, providing the security for the payment of such bonds; providing for the delivery or sale of such bonds and that the same may be used as security for money borrowed to pay the cost of such improvement, was taken up for consideration.

Speidel of Washington asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 1294 of the Journal of February 27.

Digitized by Google

Elliott of Polk offered the following amendment and moved its adoption:

Amend Senate File No. 103 by inserting therein as a separate section the following:

"Sec. 4. In all cities having more than one hundred thousand population petitions for referendum vote on the establishment of the works or plant for which it is proposed to issue securities hereunder shall be in form and contain signatures as provided in Chapter 326 of the Code 1931."

Further amend by renumbering the following Section.

On the question "Shall the Elliott amendment be adopted?" a roll call was demanded.

The ayes were, 7.

Augustine	Doran	Fuester	Wiese
Cunningham	Elliott	McCarthy	

The nays were, 79.

Aldrich	Foster	Johnson	Schmitz
Alesch	Frizzell	Koch	Schroeder
Avery	Gallagher	McCreery	Snyder
Beath	Garner	McDermott	Sours
Beswick	Gissel	McKinnon	Speidel
Bouska	Gittinger	McLean	Stansell
Bowers	Goode	Malone	Stanzel
Brady	Grau	Metcalf	Stewart
Bruce	Grell	Millhone	Strachan
Burgess	Hanson of Lyon	Mitchell	Swift
Casey	Hanson of Winnebago	Moore of Benton	Thiessen
Davis	Hartman	Moore of Harrison	Treimer
Dean	Hook	Mooty	Weed
Dole	Hopp	Paisley	Wieben
Donlon	Hough	Peet	Willis
Dreessen	Hultman	Reed	Wolf
Durant	Humeston	Roe	Yager
Ellsworth	Jenkins	Ryder	Zipse
Fabritz	Jensen	Schlatter	Zylstra
Felter			Mr. Speaker
Fletcher			

Absent or not voting, 22.

Bonnstetter	Lichty	Ostby	Sheridan
Craven	Lookingbill	Peaco	Smith
Crouch	McFarlane	Porter	Stimpson
Falvey	Maniece	Rawlings	Teter
Fuelling	Mercer	Rice	Thies
Laughlin	Osborn		

Amendment lost.

Brady of Pottawattamie offered the following amendment and moved its adoption:

"Sec. 4. Any such revenue bonds or other securities issued hereunder when offered for sale or exchange to the public shall first be registered and qualified in accordance with Chapter 393-C-1, Code, 1931, any pro-

Digitized by Google

visions in the statutes to the contrary notwithstanding. The provisions of this section shall not apply to revenue bonds sold to or deposited as collateral security with the federal government."

Further amend by renumbering the following section.

Foster of Cedar moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Brady amendment be adopted?" a roll call was demanded.

The ayes were, 29.

Avery	Hartman	McLean	Ryder
Beswick	Hopp	Malone	Schmitz
Brady	Hough	Maniece	Sheridan
Fabritz	Johnson	Mercer	Swift
Felter	McCarthy	Paisley	Thies
Fuester	McCreery	Peaco	Wieben
Gallagher	McFarlane	Porter	Willis
Grau			

The nays were, 71.

Aldrich	Ellsworth	Lichty	Schroeder
Alesch	Fletcher	Lookingbill	Snyder
Augustine	Foster	McDermott	Sours
Bonnstetter	Frizzell	McKinnon	Speidel
Bouska	Garner	Metcalf	Stansell
Bowers	Gissel	Millhone	Stanzel
Bruce	Gittinger	Mitchell	Stewart
Burgess	Goode	Moore of Harrison	Stimpson
Casey	Grell	Mooty	Strachan
Craven	Hanson of Lyon	Osborn	Teter
Cunningham	Hanson of Winnebago	Ostby	Treimer
Davis	Hook	Peet	Weed
Dean	Hultman	Rawlings	Wiese
Dole	Humeston	Reed	Wolf
Donlon	Jenkins	Rice	Yager
Doran	Jensen	Roe	Zipse
Dreessen	Koch	Schlatter	Zylstra
Durant			Mr. Speaker
Elliott			

Absent or not voting, 8.

Bonnstetter	Falvey	Laughlin	Smith
Crouch	Fuelling	Moore of Benton	Thiessen

Amendment lost.

Bruce of Pocahontas called up the amendment filed by him and found on page 1250 of the Journal of February 23 and moved its adoption. Amendment adopted.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 94.

Aldrich	Foster	McFarlane	Schmitz
Alesch	Frizzell	McKinnon	Schroeder
Augustine	Fuester	McLean	Sheridan
Avery	Garner	Malone	Snyder
Beath	Gissell	Maniece	Sours
Beswick	Gittinger	Mercer	Speidel
Bouska	Goode	Metcalf	Stansell
Bowers	Grau	Millhone	Stanzel
Bruce	Grell	Mitchell	Stewart
Burgess	Hanson of Lyon	Moore of Benton	Stimpson
Casey	Hanson of Winnebago	Moore of Harrison	Strachan
Craven	Hook	Mooty	Swift
Cunningham	Hopp	Osborn	Teter
Davis	Hough	Ostby	Thies
Dole	Hultman	Paisley	Treimer
Donlon	Humeston	Peaco	Weed
Doran	Jenkins	Peet	Wieben
Dreessen	Jensen	Rawlings	Wiese
Durant	Koch	Reed	Willis
Elliott	Lichty	Rice	Wolf
Ellsworth	Lookingbill	Roe	Yager
Fabritz	McCarthy	Ryder	Zipse
Felter	McDermott	Schlatter	Zylstra
Fletcher			Mr. Speaker

The nays were, 4.

Gallagher	Hartman.	Johnson	Porter

Absent or not voting, 10.

Bonnstetter	Dean	Laughlin	Smith
Brady	Falvey	McCreery	Thiessen
Crouch	Fuelling		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Cunningham of Polk moved that the vote by which Senate File No. 103 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 296, a bill for an act to amend Section two thousand two hundred thirty-two (2232), Code, 1931, relating to the appointment of a sanitation and quarantine officer, was taken up for consideration.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Beath	Bowers	Burgess
Alesch	Beswick	Brady	Casey
Augustine	Bouska	Bruce	Craven

Digitized by Google

Cunningham	Hanson of Winnebago	Malone	Sheridan
Davis	Hartman	Maniece	Smith
Dean	Hook	Mercer	Snyder
Dole	Hopp	Metcalf	Speidel
Donlon	Hough	Millhone	Stansell
Doran	Hultman	Mitchell	Stanzel
Dreessen	Humeston	Moore of Harrison	Stewart
Durant	Jenkins	Mooty	Stimpson
Elliott	Jensen	Osborn	Strachan
Ellsworth	Johnson	Paisley	Swift
Fabritz	Koch	Peaco	Teter
Fletcher	Laughlin	Peet	Thies
Foster	Lichty	Porter	Treimer
Frizzell	Lookingbill	Reed	Weed
Fuester	McCarthy	Rice	Wieben
Gallagher	McCreery	Roe	Wiese
Garner	McDermott	Ryder	Willis
Gittinger	McFarlane	Schlatter	Wolf
Goode	McKinnon	Schmitz	Yager
Grau	McLean	Schroeder	Zylstra
Grell			Mr. Speaker
Hanson of Lyon			

The nays were, 1.

Avery

Absent or not voting, 12.

Bonnstetter	Felter	Moore of Benton	Sours
Crouch	Fuelling	Ostby	Thiessen
Falvey	Gissel	Rawlings	Zipse

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 347, a bill for an act to authorize and empower the Finance Committee of the Iowa State Board of Education to compromise and settle obligations growing out of notes and mortgages taken by said committee, was taken up for consideration.

Sheridan of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Craven	Fletcher	Hanson of Winnebago
Alesch	Dean	Foster	Hartman
Augustine	Dole	Frizzell	Hook
Avery	Donlon	Fuester	Hopp
Beath	Doran	Gallagher	Hough
Beswick	Dreessen	Garner	Hultman
Bouska	Durant	Gissel	Humeston
Bowers	Elliott	Gittinger	Jenkins
Bruce	Ellsworth	Goode	Jensen
Burgess	Fabritz	Grau	Johnson
Casey	Felter	Hanson of Lyon	

Digitized by Google

Koch	Millhone	Reed	Swift
Laughlin	Mitchell	Rice	Teter
Lichty	Moore of Benton	Roe	Thies
Lookingbill	Moore of Harrison	Ryder	Treimer
McCarthy	Mooty	Schlatter	Weed
McCreery	Osborn	Schmitz	Wieben
McDermott	Ostby	Schroeder	Wiese
McFarlane	Paisley	Sheridan	Willis
McKinnon	Peaco	Snyder	Wolf
McLean	Peet	Speidel	Yager
Malone	Porter	Stansell	Zipse
Maniece	Rawlings	Stanzel	Zylstra
Mercer		Stewart	Mr. Speaker
Metcalf			

The nays were, none.

Absent or not voting, 13.

Bonnstetter	Davis	Grell	Stimpson
Brady	Falvey	Smith	Strachan
Crouch	Fuelling	Sours	Thiessen
Cunningham			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 348, a bill for an act to permit Boards of Supervisors to sell products or by-products of stone quarries, for the purpose of furnishing employment to unemployed residents of said counties, was taken up for consideration.

Foster of Cedar moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 97.

Aldrich	Durant	Hartman	Maniece
Alesch	Elliott	Hook	Mercer
Augustine	Ellsworth	Hopp	Metcalf
Avery	Fabritz	Hough	Millhone
Beath	Felter	Hultman	Mitchell
Beswick	Fletcher	Humeston	Moore of Benton
Bouska	Foster	Jenkins	Moore of Harrison
Bowers	Frizzell	Jensen	Mooty
Brady	Fuester	Johnson	Osborn
Bruce	Gallagher	Koch	Ostby
Burgess	Garner	Laughlin	Paisley
Casey	Gissel	Lichty	Peaco
Craven	Gittinger	Lookingbill	Peet
Davis	Goode	McCarthy	Rawlings
Dean	Grau	McCreery	Reed
Dole	Grell	McDermott	Rice
Donlon	Hanson of Lyon	McKinnon	Roe
Doran	Hanson of Winnebago	McLean	Ryder
Dreessen		Malone	

Digitized by Google

Schlatter	Sours	Swift	Willis
Schmitz	Speidel	Teter	Wolf
Schroeder	Stansell	Treimer	Yager
Sheridan	Stewart	Weed	Zipse
Smith	Stimpson	Wieben	Zylstra
Snyder	Strachan	Wiese	

The nays were, none.

Absent or not voting, 11.

Bonnstetter	Falvey	Porter	Thiessen
Crouch	Fuelling	Stanzel	Mr. Speaker
Cunningham	McFarlane	Thies	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 349, a bill for an act to amend section fifty-two hundred twenty (5220), Code, 1931, as amended by chapter ninety-one (91), Acts of the 45th General Assembly, relating to the salaries of county auditors in certain counties; and section fifty-two hundred twenty-two (5222), Code, 1931, as amended by chapter ninety-two (92), Acts of the 45th General Assembly, relating to the salaries of county treasurers in certain counties, was taken up for consideration.

Metcalf of Muscatine offered the following amendment and moved its adoption:

Amend House File No. 349 as follows:

Section one (1), line eight (8), after the "comma" insert the words "he may receive not to exceed".

Section two (2), line seven (7), after the "comma" insert the words "he may receive not to exceed".

Amendment adopted.

Metcalf of Muscatine moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Craven	Elliott	Goode
Alesch	Cunningham	Ellsworth	Grau
Augustine	Davis	Fabritz	Grell
Avery	Dean	Foster	Hanson of Winnebago
Beswick	Dole	Fuester	Hartman
Bouska	Donlon	Gallagher	Hook
Bowers	Doran	Garner	Hopp
Burgess	Dreessen	Gissel	Hough
Casey	Durant	Gittinger	

Digitized by Google

Hultman	Maniece	Rawlings	Stimpson
Humeston	Mercer	Reed	Strachan
Jenkins	Metcalf	Rice	Swift
Jensen	Millhone	Ryder	Teter
Johnson	Mitchell	Schlatter	Thies
Koch	Moore of	Schmitz	Treimer
Laughlin	Harrison	Schroeder	Wieben
Lichty	Mooty	Sheridan	Wiese
Lookingbill	Osborn	Smith	Wolf
McCarthy	Ostby	Snyder	Yager
McCreery	Paisley	Sours	Zipse
McDermott	Peaco	Speidel	Zylstra
McLean	Peet	Stanzel	Mr. Speaker
Malone	Porter	Stewart	

The nays were, 9.

Beath	Fletcher	Hanson of Lyon	Stansell
Bruce	Frizzell	Roe	Weed
Felter			

Absent or not voting, 10.

Bonnstetter	Falvey	McKinnon	Thiessen
Brady	Fuelling	Moore of Benton	Willis
Crouch	McFarlane		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 28, a bill for an act regarding section four (4), article I of the Constitution of Iowa, and providing penalties for violation thereof.

WALTER H. BEAM, *Assistant Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 321, 108, 273, 252, 233 and 239.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 321, 108, 273, 252, 233 and 239.

Digitized by Google

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as Committee Clerk to Representative Frank J. McCarthy, effective March 1. MARY LOUISE CROWLEY.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 292

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned conference committee appointed to consider the difference between the Senate and the House on House File No. 292, being a bill for an Act to promote temperance in the State of Iowa; to create a Liquor Control Commission; to prescribe its powers, duties, and to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa, and to provide for the licensing thereof and revenue therefrom; to provide for the enforcement and to prescribe the penalties for violation of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for appropriation of proceeds derived under this Act; to provide for periodical audits of the Commission; to fix penalties, prescribe procedure, and to repeal Chapter forty-two (42) of the Acts of the forty-fifth (45th) General Assembly, Chapters ninety-four (94) to one hundred four (104), inclusive, which includes Sections nineteen hundred twenty-two (1922) to and including Section twenty-one hundred eighty (2180) of the nineteen hundred thirty-one (1931) Code of Iowa, and any and all laws or parts of laws inconsistent with this Act, beg leave to report we have conferred further on the matter of the differences and beg leave to submit the following conference report in lieu of the one previously submitted and recommend as follows:

Part I

That the House concur in the Senate amendments designated as B., C., D., E 1., E 2., E 3., E 4., E 5., E 6., E 8., F 2., F 3., F 5., F 6., F 7., F 8., G., H 1., H 2., H 3., H 4., J 1., J 2., K 1., K 2., K 3., K 4., K 5., L., M., N 1., N 2., O., P 1., P 2., P 3., P 4., Q 1., Q 2., Q 4., Q 5., Q 6., Q 7., Q 8., Q 9., Q 10., Q 11., Q 12., R., S., U., W 1., W 2., W 3., X., Y 1., Y 2., Y 3., 1 A., 1 B., 1 C., 1 D 1., 1 D 2., 1 D 3., 1 D 4., 1 D 5., 1 D 6., 1 E., 1 F., 1 G., 1 H., 1 J., 1 K., and 1 L.

Part II

That the Senate recede from its amendments designated as A., E 7., F 1., F 10., H 5., H 6., Q 3., and T.

Part III

That the Senate amendments be amended as follows and when so amended, that the House adopt and concur therein; also that the Senate adopt and concur in the following amendments to the Senate amendments:

Amend Senate amendment E 9. by striking from line nine (9) the words, figures and punctuation "twenty-one-a (21-a)" and all of lines

Digitized by Google

ten (10), eleven (11), twelve (12) and thirteen (13), and inserting in lieu thereof the following: "twenty-two (22) as twenty (20), twenty-three (23) as twenty-one (21) and the newly added subsection twenty-four (24) as twenty-two (22)."

Amend the Senate amendment F4, by striking from lines three (3) and four (4) the words " 'five thousand' " and insert in lieu thereof the words " 'four thousand five hundred' ".

Amend the Senate amendment F9 by striking from line four (4) the words, figures and punctuation "two-thirds (2/3)" and inserting in lieu thereof the word "majority".

Amend the Senate amendment V by striking from line ten (10) the word "supplying" and inserting in lieu thereof the words "selling to".

Amend the Senate amendment Z by striking from line three (3) the words and punctuation "Except as otherwise provided, it" and inserting in lieu thereof the word "It".

Amend the Senate amendment 1 M by striking all after line four (4) and inserting in lieu thereof the following: "28 as 29, 28-a as 30, 29 as 31, 30 as 32, 31 as 33, 32 as 34, 33 as 35, 34 as 36, 35 as 37, 36 as 38, 37 as 39, 39 as 40, 40 as 41, the old 'Sec. 85.' as 86, 86 as 87, the second 'Sec. .....' as 88, and 87 as 89."

Part IV

That the Senate and House adopt and concur in the following amendments to House File No. 292, as passed by the House:

Amend by striking the title and inserting in lieu thereof the following:

"An Act to promote temperance in the State of Iowa; to create a liquor control commission; to provide for the appointment of such commission; to prescribe its powers and duties; to provide for the control by such commission of the alcoholic liquor traffic within the State of Iowa; to provide for the licensing thereof and making disposition of the revenue therefrom; to provide for an appropriation to carry out the provisions of this Act; to provide for the enforcement and to prescribe the penalties for violations of this Act; to provide for the confiscation and disposal of property seized under the provisions hereof; to provide for the abatement of nuisances created by the violation of this Act; to provide for the appropriation of proceeds derived under this Act; to provide for the audit of the commission; to provide and fix penalties for the violation of this Act; and to prescribe the method of procedure; to provide that whenever the provisions of any existing laws relative hereto are or may be inconsistent or in conflict with the provisions of this Act that the provisions of this Act shall control and supersede such laws and providing that the passage of this Act shall in no manner affect Chapter thirty-seven (37) and Chapter thirty-eight (38) of the Acts of the Forty-fifth General Assembly, it being the intent of this Act that said Chapters thirty-seven (37) and thirty-eight (38), Acts of the Forty-fifth General Assembly, shall remain in full force and effect as enacted or as hereafter amended."

Amend section four (4) by striking all of subsection twenty-one-a (21-a).

Amend section five (5), subsection five (5) by striking from line sixty-two (62) the words "two-thirds" and inserting in lieu thereof the words "a majority".

Digitized by Google

Amend section ten (10) subsection three (3) by inserting after the word "such" in line nineteen (19) the words "city or".

Further amend section ten (10), subsection four (4), by inserting after the word "any" in line twenty-two (22) the words "city or".

Amend section twenty (20) by striking from line nine (9) the figure "19" and inserting in lieu thereof the following "twenty (20)".

Further amend section twenty (20) by striking lines eleven (11) and twelve (12).

Amend section twenty-one (21) by striking from line three (3) the word "twenty" and inserting in lieu thereof the following: "twenty-one (21)".

Amend section forty-two (42) by striking from line six (6) the word "twenty-six" and insert in lieu thereof the words, figures and punctuation "twenty-eight (28)".

Amend section sixty-seven (67) by striking from line one (1) the words "break into or".

J. R. FRAILEY
H. L. IRWIN
G. E. ROELOFS
VINCENT F. HARRINGTON
On the Part of the Senate.

E. H. FABRITZ
JOHN H. MITCHELL
DEWEY E. GOODE
E. A. JOHNSON
On the Part of the House.

AMENDMENT FILED

Burgess, chairman of the steering committee, filed the following amendment:

Amend House File No. 317 as follows:

Section one (1), line four (4), after the word "expended" insert "in excess of one million dollars ($1,000,000)".

Strike section three (3).

Koch of Bremer moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Gallagher of Iowa moved as a substitute for the Koch motion by adjourning at 5:00 o'clock p. m. today until 9:30 o'clock a. m. tomorrow.

On the question "Shall the Gallagher motion be substituted for the Koch motion?" a roll call was demanded.

The ayes were, 35.

Aldrich	Doran	Hough	Peaco
Augustine	Elliott	Hultman	Roe
Beswick	Fabritz	Humeston	Schlatter
Bowers	Foster	McCreery	Smith
Brady	Gallagher	McKinnon	Sours
Bruce	Gissel	Malone	Stimpson
Cunningham	Grau	Mercer	Weed
Dole	Hartman	Millhone	Yager
Donlon	Hopp	Osborn	

Digitized by Google

The nays were, 58.

Alesch	Goode	Metcalf	Snyder
Avery	Grell	Mitchell	Stansell
Beath	Hanson of Winnebago	Moore of Benton	Stanzel
Burgess	Hook	Moore of Harrison	Stewart
Casey	Jensen	Mooty	Strachan
Craven	Johnson	Ostby	Swift
Davis	Koch	Paisley	Thies
Dean	Laughlin	Peet	Treimer
Dreessen	Lichty	Reed	Wieben
Ellsworth	McCarthy	Rice	Wiese
Felter	McDermott	Ryder	Willis
Fletcher	McFarlane	Schmitz	Wolf
Frizzell	McLean	Schroeder	Zipse
Fuester	Maniece	Sheridan	Zylstra
Garner			Mr. Speaker

Absent or not voting, 15.

Bonnstetter	Falvey	Jenkins	Speidel
Bouska	Fuelling	Lookingbill	Teter
Crouch	Gittinger	Porter	Thiessen
Durant	Hanson of Lyon	Rawlings	

The House refused to substitute.

The motion by Koch of Bremer prevailed and the House stood adjourned until 9:30 o'clock a. m., Thursday, March 1.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 1, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. E. T. Bauer, Pastor of Easton Place M. E. Church, Des Moines, Iowa.

Journal of February 28, corrected and approved.

PETITIONS AND MEMORIALS

Favoring legislation covered by the "National Industrial Recovery Act". Fabritz of Wapello, from the Journeyman Barbers Local No. 133 and the Master Barbers Chapter No. 145, Hough of Fayette, from the citizens of Oelwein, Iowa. Referred to the committee on emergency legislation.

Favoring a special tax on chain stores. Garner, from the business men of Butler county; Moore, from the business men of Benton county. Referred to the committee on tax revision.

Favoring the old age pension bill. Aldrich, from the taxpayers of Wright county. Referred to the committee on appropriations.

NATIONAL RECOVERY ADMINISTRATION

Des Moines, Iowa, February 27, 1934.

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES,
State House, Des Moines, Iowa.

The State Advisory Board of the National Emergency Council have, in meeting on Tuesday afternoon, February 27, 1934, resolved that they endorse and ask the active support of the Iowa State Legislature of Senate File 139, by Doze.

Respectfully submitted,
State Advisory Board, National Emergency Council.

HARRY SHAW.
O. C. PFAFF.
W. H. KLAUER.
J. C. LEWIS.
JOHN C. REID.
RUDOLPH LEYTZE.
GEO. S. SILKNITTER.
J. J. HUGHES.
CHAS. ADSIT.
E. P. SCHOENTGEN.
T. HARRY FOSTER.

Digitized by Google

CONSIDERATION OF REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 292

Fabritz of Wapello called up the report of the conference committe on House File No. 292 as found on pages 1331, 1332 and 1333 of the Journal of February 28.

Fabritz of Wapello moved that the report be adopted and the House concur in the amendments proposed therein.

On the question "Shall the conference report on House File No. 292 be adopted?" a roll call was demanded.

The ayes were, 68.

Aldrich	Fletcher	McCarthy	Rice
Alesch	Foster	McDermott	Roe
Augustine	Fuester	McFarlane	Schlatter
Avery	Gallagher	Malone	Schmitz
Bonnstetter	Garner	Maniece	Schroeder
Bouska	Gittinger	Mercer	Smith
Brady	Goode	Metcalf	Stansell
Bruce	Grau	Mitchell	Stewart
Burgess	Grell	Moore of Benton	Stimpson
Crouch	Hanson of Lyon	Moore of Harrison	Swift
Davis	Hartman	Osborn	Thies
Dean	Hopp	Ostby	Thiessen
Dole	Hough	Paisley	Treimer
Donlon	Jensen	Peaco	Wieben
Dreessen	Johnson	Rawlings	Wolf
Ellsworth	Koch	Reed	Zylstra
Fabritz	Laughlin		Mr. Speaker
Falvey			

The nays were, 34.

Beath	Gissel	McKinnon	Stanzel
Bowers	Hanson of Winnebago	McLean	Strachan
Craven	Hook	Millhone	Teter
Cunningham	Hultman	Mooty	Weed
Doran	Humeston	Peet	Wiese
Durant	Jenkins	Ryder	Willis
Elliott	Lookingbill	Snyder	Yager
Felter	McCreery	Sours	Zipse
Frizzell		Speidel	

Absent or not voting, 6.

Beswick	Fuelling	Porter	Sheridan
Casey	Lichty		

The House adopted the conference committee report and concurred in the amendments proposed therein.

CALL OF THE HOUSE

MR. SPEAKER: We the undersigned request a call of the House for Thursday, March 1.

J. P. GALLAGHER.
P. H. DONLON.
L. D. TETER.
ANDREW STEWART.
J. W. FRIZZELL.

Digitized by Google

A roll call disclosed all members present except Fuelling of Clayton, who had been previously excused and the call of the House was declared complete.

Garner of Butler offered the following resolution:

MEMORIAL RESOLUTION NO. 13

Whereas, the Honorable Fred B. Witt, who was a member of the House of Representatives in the Forty-fourth General Assembly from Butler county and his wife, Laura Witt, were killed in an automobile accident on the twenty-eighth day of February, 1934; now, therefore,

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly, in Extraordinary session, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

Unanimous consent for its immediate consideration having been obtained, Garner of Butler moved the adoption of the resolution. Resolution adopted.

The Speaker appointed as such committee: Garner of Butler, Sours of Floyd and McFarlane of Black Hawk.

SENATE MESSAGES CONSIDERED

Senate File No. 28, a bill for an act regarding section four (4), article one (1) of the Constitution of Iowa and providing penalties for violation thereof.

Read first and second times and referred to steering committee.

MOTION TO SUSPEND THE RULES

I move that the rules as to the limitation of debate be suspended and that for the remainder of this session no member shall be permitted to speak on any question for longer than five minutes, and that no member be permitted to yield his time to another. Also that a request to speak on any question shall be filed only while such question is under discussion.

JOHN SPEIDEL.

McCreery of Linn moved the previous question on the Speidel motion. Motion prevailed.

On the question "Shall the Speidel motion prevail?" a roll call was demanded.

Digitized by Google

The ayes were, 25.

Bonnstetter	Fletcher	Hultman	Schlatter
Bruce	Gittinger	Maniece	Speidel
Casey	Grau	Millhone	Stanzel
Craven	Hanson of Lyon	Moore of	Willis
Crouch	Hartman	Harrison	Zylstra
Davis	Hook	Roe	Mr. Speaker
Falvey	Hough		

The nays were, 75.

Aldrich	Felter	McDermott	Schroeder
Alesch	Foster	McFarlane	Sheridan
Augustine	Frizzell	McKinnon	Smith
Avery	Fuester	McLean	Sours
Beath	Gallagher	Malone	Stansell
Bouska	Garner	Mercer	Stewart
Bowers	Gissel	Metcalf	Stimpson
Brady	Goode	Moore of Benton	Strachan
Burgess	Grell	Mooty	Swift
Cunningham	Hanson of	Osborn	Teter
Dean	Winnebago	Ostby	Thies
Dole	Hopp	Paisley	Thiessen
Donlon	Humeston	Peaco	Treimer
Doran	Jenkins	Peet	Weed
Dreessen	Johnson	Rawlings	Wieben
Durant	Koch	Reed	Wiese
Elliott	Laughlin	Rice	Wolf
Ellsworth	Lichty	Ryder	Yager
Fabritz	McCreery	Schmitz	Zipse

Absent or not voting, 8.

Beswick	Jensen	McCarthy	Porter
Fuelling	Lookingbill	Mitchell	Snyder

Motion to suspend rules lost.

CONSIDERATION OF BILLS

House File No. 341, a bill for an act to amend section (1), chapter one hundred seventy-nine (179), Acts of the Forty-fifth General Assembly, pertaining to the extension of the redemption period in real estate foreclosure of mortgages or deeds of trust, was taken up for consideration.

Foster of Cedar moved the previous question on the bill. Motion prevailed.

Rice of Keokuk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

Digitized by Google

The ayes were, 76.

Aldrich	Fuester	McLean	Schmitz
Alesch	Garner	Malone	Schroeder
Augustine	Gissel	Maniece	Sheridan
Beswick	Gittinger	Mercer	Smith
Bonnstetter	Grell	Metcalf	Snyder
Bouska	Hanson of Lyon	Mitchell	Sours
Brady	Hanson of Winnebago	Moore of Benton	Speidel
Bruce	Hook	Moore of Harrison	Stewart
Burgess	Hopp	Mooty	Stimpson
Casey	Hough	Ostby	Swift
Craven	Hultman	Paisley	Teter
Crouch	Humeston	Peaco	Thiessen
Davis	Jenkins	Rawlings	Weed
Dean	Jensen	Reed	Wiese
Donlon	Koch	Rice	Wolf
Dreessen	Lookingbill	Roe	Yager
Fabritz	McCarthy	Ryder	Zipse
Fletcher	McDermott	Schlatter	Zylstra
Foster	McKinnon		Mr. Speaker
Frizzell			

The nays were, 30.

Avery	Ellsworth	Laughlin	Stansell
Beath	Falvey	Lichty	Stanzel
Bowers	Felter	McFarlane	Strachan
Cunningham	Gallagher	Millhone	Thies
Dole	Goode	Osborn	Treimer
Doran	Grau	Peet	Wieben
Durant	Hartman	Porter	Willis
Elliott	Johnson		

Absent or not voting, 2.

Fuelling	McCreery

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Fuester of Ida moved that the vote by which House File No. 341 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 276, a bill for an act to revise and modernize the military laws of the State of Iowa, to define the military force of this state, to provide for their organization, equipment, training, pay and regulation, to provide for the incorporation of companies and organizations therein, to prohibit the unauthorized wearing of the military uniform, to provide for the appointment and retirement of officers, to provide for the use of the military force of this state, to provide for military courts and define their duties, to provide for the issuance and protection of state and government property and funds, to provide for the appointment of the Adjutant General and other officers and boards, to provide for

Digitized by Google

the control and improvement of the military reservation and rifle ranges, to make certain appropriations for the support of the military force, to repeal Chapter twenty-eight (28), Code, 1931, and Chapters seventeen (17) and eighteen (18) of the Acts of the Forty-fifth General Assembly, relating to and constituting the military law of this state, was taken up for consideration.

McKinnon of Henry moved that action on Senate File No. 276 be deferred until action has been had on the old age pension bill.

On the question "Shall action on Senate File No. 276 be deferred?" a roll call was demanded.

The ayes were, 53.

Aldrich	Gittinger	Osborn	Sheridan
Alesch	Grell	Ostby	Smith
Augustine	Hook	Paisley	Stansell
Bonnstetter	Hough	Peaco	Stewart
Burgess	Humeston	Porter	Stimpson
Craven	Jensen	Rawlings	Swift
Davis	Lookingbill	Reed	Thies
Donlon	McCarthy	Rice	Thiessen
Dreessen	McDermott	Roe	Weed
Fabritz	McKinnon	Ryder	Yager
Falvey	Malone	Schlatter	Zipse
Foster	Maniece	Schmitz	Zylstra
Fuester	Metcalf	Schroeder	Mr. Speaker
Garner			

The nays were, 54.

Avery	Elliott	Hultman	Mooty
Beath	Ellsworth	Jenkins	Peet
Beswick	Felter	Johnson	Snyder
Bouska	Fletcher	Koch	Sours
Bowers	Frizzell	Laughlin	Speidel
Brady	Gallagher	Lichty	Stanzel
Bruce	Gissel	McCreery	Strachan
Casey	Goode	McFarlane	Teter
Crouch	Grau	McLean	Treimer
Cunningham	Hanson of Lyon	Mercer	Wieben
Dean	Hanson of Winnebago	Millhone	Wiese
Dole	Hartman	Mitchell	Willis
Doran	Hopp	Moore of Benton	Wolf
Durant		Moore of Harrison	

Absent or not voting, 1.

Fuelling

Motion lost.

Alesch of Plymouth moved to amend Senate File No. 276 as follows:

Strike from Section 2, lines 26 and 27, the words "or under martial law?".

Digitized by Google

Mercer of Johnson moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Alesch amendment be adopted?" a roll call was demanded.

The ayes were, 19.

Alesch	Jensen	Schlatter	Thiessen
Davis	McKinnon	Schmitz	Yager
Dreessen	Metcalf	Schroeder	Zipse
Foster	Ostby	Smith	Zylstra
Hook	Rice	Stanzel	

The nays were, 81.

Aldrich	Felter	Laughlin	Rawlings
Avery	Fletcher	Lichty	Reed
Beath	Frizzell	Lookingbill	Roe
Beswick	Gallagher	McCarthy	Ryder
Bonnstetter	Garner	McDermott	Sheridan
Bouska	Gissel	McFarlane	Snyder
Bowers	Gittinger	McLean	Sours
Brady	Goode	Malone	Speidel
Bruce	Grau	Maniece	Stansell
Burgess	Grell	Mercer	Stewart
Casey	Hanson of Lyon	Millhone	Stranchan
Craven	Hanson of Winnebago	Mitchell	Swift
Crouch	Hartman	Moore of Benton	Teter
Cunningham	Hopp	Moore of Harrison	Thies
Dean	Hough	Mooty	Treimer
Dole	Hultman	Osborn	Weed
Doran	Humeston	Paisley	Wieben
Durant	Jenkins	Peaco	Wiese
Elliott	Johnson	Peet	Willis
Ellsworth	Koch	Porter	Wolf
Fabritz			

Absent or not voting, 8.

Augustine	Falvey	Fuester	Stimpson
Donlon	Fuelling	McCreery	Mr. Speaker

Amendment lost.

McKinnon of Henry moved to amend Senate File No. 276 by striking all of Sec. 60.

On the motion of Grau of Buena Vista the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A roll call was taken to ascertain the absentees. All members were found present except, Fuelling of Clayton, McLean of Marshall and Porter of Delaware.

Digitized by Google

Fuelling of Clayton had been previously excused.

Johnson of Linn asked and obtained unanimous consent that McLean of Marshall and Porter of Delaware be excused, and the call of the House was declared complete.

The House resumed consideration of Senate File No. 276.

Humeston of Wayne moved that Senate File No. 276 and all amendments be laid on the table.

On the question "Shall Senate File No. 276 and all amendments be laid on the table," a roll call was demanded.

The ayes were, 27.

Aldrich	Humeston	Reed	Stanzel
Alesch	Jenkins	Rice	Thiessen
Davis	Jensen	Schlatter	Weed
Dreessen	McDermott	Schmitz	Yager
Frizzell	McKinnon	Schroeder	Zipse
Fuester	Ostby	Smith	Zylstra
Hook	Peaco	Stansell	

The nays were, 65.

Augustine	Ellsworth	Johnson	Rawlings
Avery	Falvey	Laughlin	Roe
Beath	Felter	Lichty	Ryder
Beswick	Fletcher	Lookingbill	Snyder
Bonnstetter	Gallagher	McCreery	Sours
Bouska	Garner	McFarlane	Speidel
Bowers	Gissel	Maniece	Stimpson
Brady	Gittinger	Mercer	Strachan
Bruce	Goode	Millhone	Swift
Casey	Grell	Mitchell	Teter
Craven	Hanson of Lyon	Moore of Benton	Thies
Cunningham	Hanson of Winnebago	Moore of Harrison	Treimer
Dean	Hartman	Mooty	Wieben
Dole	Hopp	Osborn	Wiese
Doran	Hough	Paisley	Wolf
Durant	Hultman	Peet	Mr. Speaker
Elliott			

Absent or not voting, 16.

Burgess	Foster	McCarthy	Porter
Crouch	Fuelling	McLean	Sheridan
Donlon	Grau	Malone	Stewart
Fabritz	Koch	Metcalf	Willis

Motion lost.

Moore of Harrison moved that the House resolve itself into a Committee of the Whole for further consideration of Senate File No. 276.

On the question "Shall the House resolve itself into a Committee

Digitized by Google

of the Whole for further consideration of Senate File No. 276?'' a roll call was demanded.

The ayes were, 39.

Alesch	Gittinger	McKinnon	Ryder
Bonnstetter	Hanson of Lyon	Maniece	Snyder
Bouska	Hanson of Winnebago	Mercer	Stimpson
Casey	Hopp	Millhone	Strachan
Cunningham	Hultman	Moore of Benton	Swift
Dean	Jenkins	Moore of Harrison	Teter
Durant	Laughlin	Ostby	Thies
Falvey	Lookingbill	Paisley	Treimer
Fletcher	McDermott	Roe	Wiese
Gallagher			Zylstra
Gissel			

The nays were, 54.

Aldrich	Elliott	Lichty	Schroeder
Augustine	Ellsworth	McCreery	Smith
Avery	Felter	McFarlane	Sours
Beath	Frizzell	Mitchell	Speidel
Beswick	Fuester	Mooty	Stansell
Bowers	Garner	Osborn	Stanzel
Brady	Goode	Peaco	Thiessen
Bruce	Grell	Peet	Weed
Craven	Hartman	Rawlings	Wieben
Davis	Hook	Reed	Wolf
Dole	Hough	Rice	Yager
Donlon	Humeston	Schlatter	Zipse
Doran	Jensen	Schmitz	Mr. Speaker
Dreessen	Johnson		

Absent or not voting, 15.

Burgess	Fuelling	McLean	Sheridan
Crouch	Grau	Malone	Stewart
Fabritz	Koch	Metcalf	Willis
Foster	McCarthy	Porter	

Motion lost.

Elliott of Polk moved the previous question on the main bill and all amendments. Motion prevailed.

On the question ''Shall the McKinnon amendment be adopted?'' a roll call was demanded.

The ayes were, 25.

Aldrich	Gissel	Ostby	Stanzel
Alesch	Hook	Peaco	Stimpson
Craven	Humeston	Rice	Thiessen
Davis	Jensen	Schlatter	Yager
Dreessen	McDermott	Schmitz	Zipse
Foster	McKinnon	Smith	Zylstra
Fuester			

The nays were, 79.

Augustine	Beswick	Bowers	Burgess
Avery	Bonnstetter	Brady	Casey
Beath	Bouska	Bruce	Crouch

Digitized by Google

Cunningham	Grell	Maniece	Sheridan
Dean	Hanson of Lyon	Mercer	Snyder
Dole	Hanson of Winnebago	Metcalf	Sours
Donlon	Hartman	Millhone	Speidel
Doran	Hopp	Mitchell	Stansell
Durant	Hough	Moore of Benton	Stewart
Elliott	Hultman	Moore of Harrison	Strachan
Ellsworth	Jenkins	Mooty	Swift
Fabritz	Johnson	Osborn	Teter
Falvey	Koch	Paisley	Thies
Felter	Laughlin	Peet	Treimer
Fletcher	Lichty	Rawlings	Weed
Frizzell	Lookingbill	Reed	Wieben
Gallagher	McCreery	Roe	Wiese
Garner	McFarlane	Ryder	Willis
Gittinger	Malone	Schroeder	Wolf
Goode			Mr. Speaker
Grau			

Absent or not voting, 4.

Fuelling	McCarthy	McLean	Porter

Amendment lost.

Alesch of Plymouth offered the following amendments and moved their adoption:

Amend Senate File No. 276 as follows:

Amend section twenty one (21) on page 12 and 13 by striking lines twenty one (21), twenty two (22) and twenty three (23) therefrom.

Amend section thirty three (33) by striking therefrom all of said section.

Amend section thirty-four (34) by striking all of said section.

Amend section thirty-five (35) by striking therefrom all of said section.

Amend section thirty six (36) by striking therefrom all of said section.

Amend section thirty eight (38) by striking all of said section.

Amend section thirty nine (39) by striking all of said section.

Further amend by renumbering the remaining sections.

On the question "Shall the amendments by Alesch be adopted?" a roll call was demanded.

The ayes were, 25.

Aldrich	Fuester	Peaco	Stimpson
Alesch	Hook	Rice	Thiessen
Davis	Humeston	Schlatter	Weed
Donlon	Jensen	Schmitz	Yager
Dreessen	McKinnon	Smith	Zipse
Foster	Ostby	Stanzel	Zylstra
Frizzell			

The nays were, 80.

Augustine	Bouska	Casey	Dole
Avery	Bowers	Craven	Doran
Beath	Brady	Crouch	Durant
Beswick	Bruce	Cunningham	Elliott
Bonnstetter	Burgess	Dean	Ellsworth

Digitized by Google

Fabritz	Hough	Millhone	Snyder
Falvey	Hultman	Mitchell	Sours
Felter	Jenkins	Moore of Benton	Speidel
Fletcher	Johnson	Moore of Harrison	Stansell
Gallagher	Koch	Mooty	Stewart
Garner	Laughlin	Osborn	Strachan
Gissel	Lchty	Paisley	Swift
Gittinger	Lookingbill	Peet	Teter
Goode	McCarthy	Rawlings	Thies
Grau	McCreery	Reed	Treimer
Grell	McDermott	Roe	Wieben
Hanson of Lyon	McFarlane	Ryder	Wiese
Hanson of Winnebago	Malone	Schroeder	Willis
Hartman	Maniece	Sheridan	Wolf
Hopp	Mercer		Mr. Speaker
	Metcalf		

Absent or not voting, 3.

Fuelling	McLean	Porter

Amendments lost.

McKinnon of Henry offered the following amendments and moved their adoption:

Amend Senate File No. 276 as follows:

Amend section seventeen (17) by adding on page eleven (11) and after the period in line fifteen (15) thereof the following "said bond shall be for not less than the sum of five thousand dollars ($5000.00) and be conditioned to pay any and all damages any person, firm or corporation might sustain by reason of any wrongful act or tort said officer might be guilty of whether in the line of duty or not if said officer committed or was a party to said acts while in his uniform or wearing military insignia."

Amend section twenty-four (24) by striking in line four (4) the words "No member of the" and all of lines five (5), six (6), seven (7), eight (8), and the words "for military duty" in line nine (9).

Amend by inserting "and" in line ten (10) of section twenty-four (24).

Further amend said section twenty four (24) by striking from lines eleven (11) and twelve (12) on page fourteen (14) the following "committed while not in the actual performance of his duty".

Amend section twenty eight (28) by adding after the word designate in line six (6) thereof the following: "Provided however that said troops shall at all times be subject to the order and direction of the Civil officers of the several Counties and be directly responsible to the County Attorney."

Amend section thirty (30) by striking therefrom all of said section. (Lines one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10).

Amend Section thirty-two (32), by striking therefrom all of said section.

Amend Section thirty seven (37), by striking therefrom all of line one (1), all of line three (3), after the word "forces" and all of line four (4), and adding after the words "peace officers" in line five (5), the following: "When acting as such".

Amend section forty (40) by adding after the word "Articles" in line fifteen (15) the following: "or for conviction of a felony or indictable misdemeanor".

Digitized by Google

Amend section sixty (60) by striking all of said section.

Amend section sixty three (63) by striking therefrom all of said section.

Amend section sixty four (64) by striking therefrom all of said section.

Amend section sixty five (65) by striking therefrom all of said section.

Further amend by renumbering the remaining sections.

McKinnon of Henry asked and obtained unanimous consent to withdraw his amendments.

Doran of Boone moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 76.

Augustine	Fabritz	Laughlin	Rawlings
Avery	Falvey	Lichty	Roe
Beath	Felter	Lookingbill	Ryder
Beswick	Fletcher	McCarthy	Schroeder
Bonnstetter	Gallagher	McCreery	Sheridan
Bouska	Gissel	McDermott	Snyder
Bowers	Gittinger	McFarlane	Sours
Brady	Goode	Malone	Speidel
Bruce	Grau	Maniece	Stansell
Burgess	Grell	Mercer	Stewart
Casey	Hanson of Lyon	Metcalf	Strachan
Craven	Hanson of Winnebago	Millhone	Swift
Crouch	Hartman	Mitchell	Thies
Cunningham	Hopp	Moore of Benton	Treimer
Dean	Hough	Moore of Harrison	Wieben
Dole	Hultman	Mooty	Wiese
Doran	Jenkins	Osborn	Willis
Durant	Johnson	Peet	Wolf
Elliott	Koch		Mr. Speaker
Ellsworth			

The nays were, 29.

Aldrich	Garner	Peaco	Stimpson
Alesch	Hook	Reed	Teter
Davis	Humeston	Rice	Thiessen
Donlon	Jensen	Schlatter	Weed
Dreessen	McKinnon	Schmitz	Yager
Foster	Ostby	Smith	Zipse
Frizzell	Paisley	Stanzel	Zylstra
Fuester			

Absent or not voting, 3.

Fuelling	McLean	Porter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Doran of Boone moved that the vote by which Senate File No.

Digitized by Google

276 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 346, a bill for an act to make an appropriation of twenty-nine dollars and ninety-eight cents ($2.98) to Dr. E. E. Munger, Spencer, Iowa, for his expenses as a member of the committee appointed under authority of House Joint Resolution Number Seven (7) of the Forty-fifth General Assembly for preparation of minority report of the State University Hospital, was taken up for consideration.

Mercer of Johnson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 93.

Aldrich	Falvey	Lichty	Schlatter
Augustine	Felter	Lookingbill	Schmitz
Avery	Fletcher	McCarthy	Schroeder
Beath	Frizzell	McCreery	Smith
Beswick	Fuester	McFarlane	Snyder
Bonnstetter	Gallagher	Malone	Sours
Bouska	Garner	Maniece	Speidel
Bowers	Gissel	Mercer	Stansell
Brady	Gittinger	Metcalf	Stewart
Bruce	Goode	Millhone	Stimpson
Burgess	Grau	Mitchell	Swift
Casey	Grell	Moore of Benton	Teter
Craven	Hanson of Lyon	Moore of	Thies
Crouch	Hanson of	Harrison	Thiessen
Cunningham	Winnebago	Mooty	Treimer
Davis	Hartman	Osborn	Weed
Dean	Hook	Paisley	Wieben
Dole	Hopp	Peaco	Wiese
Donlon	Hough	Peet	Willis
Doran	Hultman	Rawlings	Wolf
Dreessen	Humeston	Reed	Yager
Elliott	Johnson	Rice	Zylstra
Ellsworth	Koch	Roe	Mr. Speaker
Fabritz	Laughlin	Ryder	

The nays were, 4.

Ostby	Sheridan	Stanzel	Zipse

Absent or not voting, 11.

Alesch	Fuelling	McDermott	Porter
Durant	Jenkins	McKinnon	Strachan
Foster	Jensen	McLean	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that the vote by which House File No.

Digitized by Google

346 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 317, a bill for an act relating to unexpended appropriations of the Forty-fourth General Assembly and previous General Assemblies made to the institutions under the Board of Control, was taken up for consideration.

Burgess of Woodbury called up the amendment filed by him as chairman of the steering committee and found on page 1333 of the Journal of February 28 and moved its adoption.

Grau of Buena Vista moved to amend the Burgess amendment by striking the words and figures 'one million dollars ($1,000,000)' and inserting in lieu thereof the words and figures "seven hundred fifty thousand dollars ($750,000)".

Amendment to the amendment was lost.

A division of the question was asked.

Part I of the amendment was withdrawn.

Part II of the amendment was adopted.

Grau of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 103.

Aldrich	Dreessen	Hartman	Millhone
Alesch	Durant	Hook	Mitchell
Augustine	Elliott	Hopp	Moore of Benton
Avery	Ellsworth	Hough	Moore of Harrison
Beath	Fabritz	Hultman	Mooty
Beswick	Falvey	Humeston	Osborn
Bonnstetter	Felter	Jenkins	Paisley
Bouska	Fletcher	Jensen	Peaco
Bowers	Foster	Johnson	Peet
Brady	Frizzell	Koch	Rawlings
Bruce	Fuester	Laughlin	Reed
Burgess	Gallagher	Lichty	Rice
Casey	Garner	Lookingbill	Roe
Craven	Gissel	McCarthy	Ryder
Crouch	Gittinger	McCreery	Schlatter
Cunningham	Goode	McDermott	Schmitz
Davis	Grau	McFarlane	Schroeder
Dean	Grell	Malone	Sheridan
Dole	Hanson of Lyon	Maniece	Smith
Donlon	Hanson of Winnebago	Mercer	Snyder
Doran		Metcalf	

Digitized by Google

Sours	Strachan	Treimer	Wolf
Speidel	Swift	Weed	Yager
Stansell	Teter	Wieben	Zipse
Stanzel	Thies	Wiese	Zylstra
Stewart	Thiessen	Willis	Mr. Speaker
Stimpson			

The nays were, none.

Absent or not voting, 5.

Fuelling	McLean	Ostby	Porter
McKinnon			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

House File No. 350, a bill for an act to authorize municipalities, as an emergency measure to be financed only through the Federal Emergency Administration of Public Works, to purchase, establish, construct, reconstruct, extend, repair, maintain and operate armories, and pay for the same solely and only out of the earnings thereof; to authorize the issuance of revenue bonds payable solely and only out of the revenues from such armories to the payment of such revenue bonds, was taken up for consideration.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Felter	Lookingbill	Schlatter
Augustine	Fletcher	McCarthy	Schroeder
Avery	Foster	McCreery	Snyder
Beath	Frizzell	McDermott	Sours
Beswick	Fuester	McFarlane	Speidel
Bonnstetter	Gallagher	Malone	Stansell
Bouska	Garner	Maniece	Stanzel
Bowers	Gissel	Mercer	Stewart
Brady	Gittinger	Metcalf	Stimpson
Burgess	Goode	Millhone	Strachan
Casey	Grell	Mitchell	Swift
Craven	Hanson of Lyon	Moore of	Teter
Cunningham	Hanson of	Harrison	Thies
Davis	Winnebago	Mooty	Thiessen
Dean	Hartman	Osborn	Treimer
Dole	Hook	Ostby	Weed
Donlon	Hopp	Paisley	Wieben
Doran	Hultman	Peaco	Wiese
Dreessen	Humeston	Peet	Willis
Durant	Jenkins	Rawlings	Wolf
Elliott	Jensen	Reed	Yager
Ellsworth	Koch	Roe	Zylstra
Fabritz	Laughlin	Ryder	Mr. Speaker
Falvey	Lichty		

Digitized by Google

The nays were, 2.

Bruce	Crouch

Absent or not voting, 14.

Alesch	Johnson	Porter	Sheridan
Fuelling	McKinnon	Rice	Smith
Grau	McLean	Schmitz	Zipse
Hough	Moore of Benton		

So the bill having received a constitutional majority was declared to have passed the House.

Cunningham of Polk asked and obtained unanimous consent to have the Chief Clerk correct the title as follows:

Strike from line 4 the words "reconstruct, extend, repair,".

The title as amended was agreed to.

Senate File No. 125, a bill for an act providing for the compromise of taxes on real estate for the year 1932 and/or any prior year or years, and providing for redemption from tax sales thereof and repealing all acts or parts of acts in conflict herewith and declaring an emergency, was taken up for consideration.

Cunningham of Polk moved that action on Senate File No. 125 be deferred temporarily. Motion prevailed.

Senate File No. 227, a bill for an act to amend the law regulating the sale of securities as appears in chapter three hundred ninety-three C one (393-C1) of the Code of Iowa, 1931; to repeal paragraph "b" of section eighty-five hundred eighty-one C four (8581-c4) relating to exempt securities; to repeal paragraph "f" of section eighty-five hundred eighty-one C four (8581-c4) relating to exempt securities, and to enact a substitute therefor; to amend paragraph "f" of section eighty-five hundred eighty-one C five (8581-c5) relating to exempt transactions; to amend paragraph "h" of section eighty-five hundred eighty-one C (8581-c5) relating to exempt transactions; to repeal paragraph "i" of section eighty-five hundred eighty-one C five (8581-c5) relating to exempt transactions and to enact a substitute therefor; to amend section eighty-five hundred eighty-One C six (8581-c6) relating to registration of securities; to repeal section eighty-five hundred eighty-one C seven (8581-c7); to amend section eighty-five hundred eighty-one C eight (8581-c8) relating to registration by qualification; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to the regulation of price and commission; to amend section eighty-five hundred eighty-one C nine (8581-c9) relating to consent to service; to amend section eighty-five hun-

Digitized by Google

dred eighty-one C eleven (8581-c11) relating to registration of dealers and salesmen; to amend section eighty-five hundred eighty-one C twelve (8581-c12) relating to deposits for special examinations; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to trust funds; to amend section eighty-five hundred eighty-One C thirteen (8581-c13) relating to revocation of dealers and salesmens registration; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to examinations and insolvency; to emend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to transactions with insolvent dealers; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to hypothecation of customer's securities; to amend section eighty-five hundred eighty-one C fourteen (8581-c14) relating to bonds and conditions; to amend section eighty-five hundred eighty-one C fifteen (8581-c15) relating to burden of proof; to repeal section eighty-five hundred eighty-one C seventeen (8581-c17) relating to injunctions and to enact a substitute therefor; to amend chapter three hundred ninety-three C one (393-C1) relating to the Iowa Securities Act by inserting a section pertaining to the authority of the Secretary of State, was taken up for consideration.

Mitchell of Webster asked and obtained unanimous consent for permission to have Walter Hutchinson of the Securities department of Iowa explain the bill and amendments.

Upon unanimous consent Rice of Keokuk was excused for the balance of the day.

Mercer of Johnson offered the following amendment and moved its adoption:

Amend Senate File No. 227 by adding thereto as Section one-a (1-a) the following:

"Sec. 1-a. That section eighty-five hundred eighty-one c four (8581-c4), Code, 1931, be amended by striking the period at the end of sub-paragraph "a" and inserting a comma (,) and the following words: 'excepting securities issued by a municipal corporation the principal and interest of which is not payable by taxation'."

Fabritz of Wapello moved the previous question on the amendment. Motion prevailed.

On the question "Shall the amendment by Mercer be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 28.

Alesch	Durant	Laughlin	Ryder
Avery	Elliott	McCreery	Sheridan
Beswick	Ellsworth	McFarlane	Swift
Brady	Fletcher	Mercer	Weed
Bruce	Hartman	Millhone	Wieben
Cunningham	Humeston	Moore of Benton	Willis
Davis	Johnson	Paisley	Wolf

The nays were, 73.

Aldrich	Frizzell	Lookingbill	Schroeder
Augustine	Gallagher	McCarthy	Smith
Beath	Garner	McDermott	Snyder
Bonnstetter	Gissel	McKinnon	Speidel
Bouska	Gittinger	Malone	Stansell
Bowers	Goode	Metcalf	Stanzel
Burgess	Grau	Mitchell	Stewart
Casey	Grell	Moore of	Stimpson
Craven	Hanson of Lyon	Harrison	Strachan
Crouch	Hanson of	Mooty	Teter
Dean	Winnebago	Osborn	Thies
Dole	Hook	Ostby	Thiessen
Donlon	Hopp	Peaco	Treimer
Doran	Hough	Peet	Wiese
Dreessen	Hultman	Rawlings	Yager
Fabritz	Jenkins	Reed	Zipse
Falvey	Jensen	Roe	Zylstra
Felter	Koch	Schlatter	Mr. Speaker
Foster	Lichty	Schmitz	

Absent or not voting, 7.

Fuelling	McLean	Porter	Sours
Fuester	Maniece	Rice	

Amendment lost.

Foster of Cedar moved the previous question on part 1 of the Cunningham amendment. Motion prevailed.

On the question "Shall part 1 of the Cunningham amendment be adopted?" a roll call was demanded.

The ayes were, 11.

Beswick	Elliott	McFarlane	Sours
Burgess	Hanson of	Peet	Weed
Cunningham	Winnebago	Schlatter	Willis

The nays were, 86.

Aldrich	Dean	Foster	Hook
Augustine	Dole	Frizzell	Hopp
Avery	Donlon	Gallagher	Hough
Beath	Doran	Garner	Hultman
Bonnstetter	Dreessen	Gissel	Humeston
Bouska	Durant	Gittinger	Jenkins
Brady	Ellsworth	Goode	Jensen
Bruce	Fabritz	Grau	Johnson
Casey	Falvey	Grell	Koch
Craven	Felter	Hanson of Lyon	Laughlin
Crouch	Fletcher	Hartman	Lichty

Digitized by Google

Lookingbill	Moore of	Schmitz	Swift
McCarthy	Harrison	Schroeder	Teter
McDermott	Mooty	Sheridan	Thies
McKinnon	Osborn	Smith	Thiessen
Malone	Ostby	Snyder	Treimer
Maniece	Paisley	Speidel	Wieben
Metcalf	Peaco	Stansell	Wiese
Millhone	Rawlings	Stanzel	Yager
Mitchell	Reed	Stewart	Zipse
Moore of Benton	Roe	Stimpson	Zylstra
	Ryder	Strachan	Mr. Speaker

Absent or not voting, 11.

Alesch	Fuelling	McLean	Rice
Bowers	Fuester	Mercer	Wolf
Davis	McCreery	Porter	

Amendment lost.

McKinnon of Henry moved the previous question on part 2 of the Cunningham amendment. Motion prevailed.

On the question "Shall part 2 of the Cunningham amendment be adopted?" a roll call was demanded.

The ayes were, 32.

Alesch	Frizzell	Lichty	Snyder
Beswick	Gallagher	McFarlane	Sours
Burgess	Gissel	Maniece	Stansell
Craven	Goode	Mercer	Stanzel
Crouch	Grell	Millhone	Teter
Cunningham	Hanson of	Mooty	Weed
Davis	Winnebago	Ostby	Willis
Elliott	Humeston	Smith	Wolf
Ellsworth			

The nays were, 71.

Aldrich	Felter	McCarthy	Ryder
Augustine	Fletcher	McCreery	Schlatter
Avery	Foster	McDermott	Schmitz
Beath	Garner	McKinnon	Schroeder
Bonnstetter	Gittinger	Malone	Sheridan
Bouska	Grau	Metcalf	Speidel
Bowers	Hanson of Lyon	Mitchell	Stewart
Brady	Hartman	Moore of Benton	Stimpson
Bruce	Hook	Moore of	Strachan
Casey	Hopp	Harrison	Swift
Dean	Hough	Osborn	Thies
Dole	Hultman	Paisley	Thiessen
Donlon	Jenkins	Peaco	Treimer
Doran	Jensen	Peet	Wieben
Dreessen	Johnson	Rawlings	Wiese
Durant	Koch	Reed	Zipse
Fabritz	Laughlin	Rice	Zylstra
Falvey	Lookingbill	Roe	Mr. Speaker

Absent or not voting, 5.

Fuelling	McLean	Porter	Yager
Fuester			

Amendment lost.

Digitized by Google

Cunningham of Polk asked and obtained unanimous consent to withdraw the balance of his amendments.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 97.

Aldrich	Felter	Lookingbill	Ryder
Augustine	Foster	McCarthy	Schlatter
Avery	Frizzell	McCreery	Schmitz
Beath	Gallagher	McDermott	Schroeder
Bonnstetter	Garner	McFarlane	Sheridan
Bouska	Gissel	McKinnon	Smith
Bowers	Gittinger	Malone	Snyder
Brady	Goode	Maniece	Speidel
Bruce	Grau	Mercer	Stansell
Burgess	Grell	Metcalf	Stanzel
Casey	Hanson of Lyon	Millhone	Stewart
Craven	Hanson of Winnebago	Mitchell	Stimpson
Crouch	Hartman	Moore of Benton	Strachan
Cunningham	Hook	Moore of Harrison	Swift
Davis	Hopp	Mooty	Teter
Dean	Hough	Osborn	Thies
Dole	Hultman	Ostby	Thiessen
Donlon	Humeston	Paisley	Treimer
Doran	Jenkins	Peaco	Wieben
Dreessen	Jensen	Peet	Wiese
Durant	Johnson	Rawlings	Yager
Elliott	Koch	Reed	Zipse
Ellsworth	Laughlin	Rice	Zylstra
Fabritz	Lichty	Roe	Mr. Speaker
Falvey			

The nays were, 7.

Alesch	Fletcher	Weed	Wolf
Beswick	Sours	Willis	

Absent or not voting, 4.

Fuelling	Fuester	McLean	Porter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Mitchell of Webster moved that the vote by which Senate File No. 227 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

COPIES OF HOUSE FILE NO. 1 ORDERED PRINTED

McFarlane of Black Hawk asked and obtained unanimous consent to have 1,000 copies of House File No. 1 as finally passed and enrolled, printed in pamphlet form.

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption.

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 1 and 299.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 1 and 299.

BILLS SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 1st day of March, 1934, sent to the Governor for his approval: House Files No. 1 and 299. WM. KOCH, *Chairman.*

Report adopted.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

February 23: House Files No. 328, 321, 320, and 318.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 185, a bill for an act relating to the collection of license fees on all motor vehicle fuel used or otherwise disposed of in the state of Iowa; to define motor vehicle fuel; to impose a license fee of three cents per gallon or fraction of a gallon on all motor vehicle fuel sold or used in the state of Iowa and to make provision for payment and collection of said license fee.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 40, a bill for an act to amend the law as it appears in

Digitized by Google

license fee of three cents per gallon or fraction of a gallon on all motor vehicle fuel sold or used in the state of Iowa; to make provision for payment and collection of said license fee; to provide for the licensing of distributors of motor vehicle fuel, service station operators selling motor vehicle fuel, and conveyances used to transport motor vehicle fuel, in this state; to provide for the revocation of such licenses; to prescribe the records to be kept and reports to be made and duties to be performed by all persons so licensed; to require all carriers or other persons delivering motor vehicle fuel to persons in this state from outside the State to report to the Treasurer of State all such deliveries; to provide for refunding under certain conditions of all motor vehicle fuel license fees paid on such fuel not used in connection with the operation of motor vehicles upon the public highway and to provide for the licensing of applicants for said refunds; to prescribe the purposes and objects for which said motor vehicle fuel license fees shall be used; and to provide penalties for the violation of the provisions of this act, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 185

1. Amend House File 185, section two (2) by striking the period (.) in line thirty-four (34) and adding the following: "; provided however that any such product or substance that has a flash point less than one hundred (100) degrees Fahrenheit as determined by the Tagliabue Closed Cup Test, or has an initial boiling point of less than three hundred (300) degrees Fahrenheit as determined by the Method of the American Society of Testing Materials, or has a ninety per cent (90%) distillation point at less than four hundred seventy-five (475) degrees Fahrenheit as determined by the Method of the American Society of Testing Materials, shall be regarded as capable of operating such internal combustion engines without combination with other substances."

2. Further amend section two (2) by striking lines thirty-five (35) to forty-one (41) inclusive and substituting therefor the following:

"e. The term 'motor fuel' shall mean those motor vehicle fuels which alone and without being combined with other petroleum products or other substances are capable of successfully operating by combustion an internal combustion engine of the type used in automobiles and trucks such as gasoline or other petroleum products or other substances having similar qualities."

"f. The term 'fuel oil' shall mean those motor vehicle fuels which alone and without being combined with other petroleum products or other substances are incapable of successfully operating by combustion an internal combustion engine of the type used in automobiles and trucks such as ordinary kerosene, distillate and gas oil or other petroleum products or other substances having similar qualities."

Digitized by Google

"e. The term 'motor fuel' shall mean those motor vehicle fuels which alone and without being combined with other petroleum products or other substances are capable of successfully operating by combustion an internal combustion engine of the type used in automobiles and trucks such as gasoline or other petroleum products or other substances having similar qualities."

"f. The term 'fuel oil' shall mean those motor vehicle fuels which alone and without being combined with other petroleum products or other substances are incapable of successfully operating by combustion an internal combustion engine of the type used in automobiles and trucks such as ordinary kerosene, distillate and gas oil or other petroleum products or other substances having similar qualities."

"g. The treasurer of the state is authorized and directed to issue and have published, from time to time, regulations in conformity with the provisions of this act, which shall provide more particular descriptions and specifications of the various kinds of fuel which come within the classifications provided for in subsections (d), (e) and (f) of this section."

3. Further amend section two (2) by striking all of subsection (k) after the word "state" in line seventy (70) and substituting in lieu thereof the following: "for such purposes as shall allow the purchaser to obtain the same tax free under the provisions of this Act."

4. Further amend section two (2), subsection j., line sixty-three (63), by striking all of said subsection after the word "for", where it appears the second time, and inserting in lieu thereof the following: "such purposes as shall allow the purchaser to obtain the same tax free under the provisions of this Act."

5. Further amend section two (2) by relettering the subsections as follows: f. as h., g. as i., h. as j., i. as k., j. as l., k. as m., l. as n., m. as o., and n. as p.

6. Amend section fourteen (14), by striking the period (.) in line thirty-four (34) and adding the following: "; provided however that tax free sales of fuel oil may be made by fuel oil dealers or fuel oil distributors for the purpose of operating tractors used for agricultural purposes to persons holding refund permits issued under the provisions of this act, but in such event the purchaser must sign the exemption certificate stating the purpose for which such fuel is to be used, and indorse thereon his refund permit number."

7. Amend section twenty-four (24) by striking from lines three (3), four (4) and five (5) thereof the following phrase: "where the fuel was not sold for use either alone or in combination with other substances in an internal combustion engine", and substituting in lieu thereof the following: "where a certificate of purchase or certificate of exemption was received in connection with such sale".

8. Amend section twenty-nine (29), line forty-one (41), by striking the word "and" and inserting in lieu thereof the term "and/or".

SENATE AMENDMENTS TO HOUSE FILE 40

Amend House File 40 by striking all after the enacting clause and inserting in lieu thereof the following:

Digitized by Google

Hough	Metcalf	Roe	Strachan
Hultman	Millhone	Ryder	Swift
Humeston	Moore of Benton	Schlatter	Teter
Jenkins	Moore of	Schmitz	Thies
Jensen	Harrison	Schroeder	Thiessen
Johnson	Mooty	Sheridan	Treimer
Koch	Osborn	Smith	Weed
Laughlin	Ostby	Snyder	Wieben
Lichty	Paisley	Sours	Wiese
McCarthy	Peaco	Speidel	Wolf
McCreery	Peet	Stansell	Yager
McFarlane	Rawlings	Stanzel	Zipse
McLean	Reed	Stewart	Zylstra
Malone	Rice	Stimpson	Mr. Speaker
Maniece			

The nays were, none.

Absent or not voting, 9.

Brady	McDermott	Mercer	Porter
Fabritz	McKinnon	Mitchell	Willis
Lookingbill			

The House concurred in the Senate amendments to House File No. 185.

On request of Mercer of Johnson, unanimous consent having been given, House File No. 223, a bill for an act to create a commission of aeronautics; to prescribe the powers and duties thereof; to provide for investigations and hearings by said commission; to provide for certain law enforcement duties thereof, and for appeal from the orders of said commission, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 223

1. Amend House File 223 by striking the period (.) at the end of section one (1), inserting a comma (,) in lieu thereof and adding the following: "with the approval of two-thirds of the members of the Senate in executive session."

2. Amend section three (3) by striking from line one (1) the word "filed" and inserting in lieu thereof the word "filled".

Mr. Mercer moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 95.

Aldrich	Bonnstetter	Crouch	Dreessen
Alesch	Bouska	Cunningham	Durant
Augustine	Bowers	Dean	Elliott
Avery	Bruce	Dole	Ellsworth
Beath	Burgess	Donlon	Fabritz
Beswick	Casey	Doran	Falvey

Digitized by Google

Felter	Hultman	Moore of Harrison	Speidel
Foster	Humeston	Mooty	Stansell
Frizzell	Jenkins	Osborn	Stanzel
Fuelling	Jensen	Paisley	Stewart
Fuester	Johnson	Peaco	Stimpson
Gallagher	Koch	Peet	Strachan
Garner	Laughlin	Rawlings	Swift
Gissel	Lichty	Reed	Thies
Gittinger	McCarthy	Rice	Thiessen
Goode	McCreery	Roe	Treimer
Grau	McDermott	Ryder	Weed
Grell	McFarlane	Schlatter	Wieben
Hanson of Lyon	McLean	Schmitz	Wiese
Hanson of Winnebago	Malone	Sheridan	Willis
Hartman	Maniece	Smith	Wolf
Hook	Mercer	Snyder	Yager
Hopp	Metcalf	Sours	Zipse
Hough	Millhone		Zylstra

The nays were, 1.

Ostby

Absent or not voting, 12.

Brady	Fletcher	Mitchell	Schroeder
Craven	Lookingbill	Moore of Benton	Teter
Davis	McKinnon	Porter	Mr. Speaker

The House concurred in the Senate amendments to House File No. 223.

CONSIDERATION OF BILLS

Senate File No. 277, a bill for an act to amend Sections eighty-seven hundred thirty-seven (8737), eighty-eight hundred twenty-nine (8829), and eighty-nine hundred twenty-seven (8927) of the Code, 1931, authorizing the investment of funds by all insurance companies and associations in bonds of the Federal Home Loan Banks and bonds of Home Owners' Loan Corporation, was taken up for consideration.

Swift of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 90.

Aldrich	Bruce	Donlon	Fletcher
Alesch	Burgess	Doran	Foster
Augustine	Casey	Dreessen	Frizzell
Beath	Craven	Durant	Fuelling
Beswick	Crouch	Elliott	Fuester
Bonnstetter	Cunningham	Ellsworth	Gallagher
Bouska	Davis	Fabritz	Garner
Bowers	Dole	Falvey	Gissel

Digitized by Google

Gittinger	Lichty	Ostby	Stimpson
Goode	McCarthy	Paisley	Swift
Grau	McCreery	Peaco	Teter
Grell	McDermott	Peet	Thies
Hanson of Lyon	McFarlane	Rawlings	Thiessen
Hartman	McLean	Reed	Treimer
Hook	Malone	Roe	Weed
Hopp	Maniece	Ryder	Wieben
Hough	Mercer	Schlatter	Wiese
Hultman	Metcalf	Schmitz	Willis
Humeston	Millhone	Sheridan	Wolf
Jenkins	Moore of Benton	Speidel	Yager
Jensen	Moore of Harrison	Stansell	Zylstra
Koch	Mooty	Stanzel	Mr. Speaker
Laughlin		Stewart	

The nays were, none.

Absent or not voting, 18.

Avery	Johnson	Porter	Snyder
Brady	Lookingbill	Rice	Sours
Dean	McKinnon	Schroeder	Strachan
Felter	Mitchell	Smith	Zipse
Hanson of Winnebago	Osborn		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

EXCUSED TEMPORARILY

Fabritz of Wapello asked and obtained unanimous consent to have Brady of Pottawattamie and Mitchell of Webster excused temporarily.

CALL OF THE HOUSE

MR. SPEAKER: We the undersigned request a call of the House for Friday, March 2.

J. P. GALLAGHER.
P. H. DONLON.
L. D. TETER.
ANDREW STEWART.
J. W. FRIZZELL.

A roll call disclosed all members present except Brady of Pottawattamie, Mitchell of Webster and Porter of Delaware, who had been previously excused, and the call of the House was declared complete.

CONSIDERATION OF BILLS

Senate File No. 298, a bill for an act to amend Section five thousand six hundred thirty-five (5635), Code, 1931, relating to appointment of police matrons; and Sections five thousand six hundred ninety-four (5694), and five thousand six hundred ninety-six

Digitized by Google

(5696), Code, 1931, relating to civil service appointments and examinations, was taken up for consideration.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

McCreery of Linn moved that the House reconsider the vote by which House File No. 298 went to its third reading. Motion prevailed and the House reconsidered.

Cunningham of Polk asked and obtained unanimous consent to have House File No. 298 temporarily deferred and that it retain its place on the calendar.

Senate File No. 125, a bill for an act providing for the compromise of taxes on real estate for the year 1932 and/or any prior year or years, and providing for redemption from tax sales thereof and repealing all acts or parts of acts in conflict herewith and declaring an emergency, was taken up for consideration.

Hough of Fayette moved the previous question. Motion prevailed.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 20.

Burgess	Gittinger	McCarthy	Treimer
Cunningham	Grell	McKinnon	Weed
Elliott	Hanson of Lyon	Schmitz	Wiese
Foster	Hanson of Winnebago	Sheridan	Wolf
Frizzell		Swift	Mr. Speaker
Gallagher			

The nays were, 82.

Aldrich	Davis	Fuelling	Jenkins
Augustine	Dean	Fuester	Jensen
Avery	Dole	Garner	Johnson
Beath	Donlon	Gissel	Koch
Beswick	Doran	Goode	Lichty
Bonnstetter	Dreessen	Grau	Lookingbill
Bouska	Durant	Hartman	McCreery
Bowers	Ellsworth	Hook	McDermott
Bruce	Fabritz	Hopp	McFarlane
Casey	Falvey	Hough	McLean
Craven	Felter	Hultman	Malone
Crouch	Fletcher	Humeston	Maniece

Digitized by Google

Metcalf	Peet	Snyder	Teter
Millhone	Rawlings	Sours	Thies
Mitchell	Reed	Speidel	Thiessen
Moore of Benton	Rice	Stansell	Wieben
Mooty	Roe	Stanzell	Willis
Osborn	Ryder	Stewart	Yager
Ostby	Schlatter	Stimpson	Zipse
Paisley	Schroeder	Strachan	Zylstra
Peaco	Smith		

Absent or not voting, 6.

Alesch	Laughlin	Moore of	Porter
Brady	Mercer	Harrison	

So the bill having failed to receive a constitutional majority was declared to have failed to have passed the House.

Fuester of Ida moved that the vote by which Senate File No. 125 failed to pass the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

The House resumed consideration of Senate File No. 298.

Cunningham of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 97.

Aldrich	Fletcher	Laughlin	Ryder
Alesch	Foster	Lichty	Schlatter
Augustine	Frizzell	Lookingbill	Schmitz
Avery	Fuelling	McCarthy	Schroeder
Beath	Fuester	McCreery	Sheridan
Bonnstetter	Gallagher	McDermott	Smith
Bouska	Garner	McFarlane	Snyder
Bowers	Gissel	McKinnon	Speidel
Brady	Gittinger	McLean	Stansell
Burgess	Goode	Malone	Stewart
Casey	Grau	Mercer	Stimpson
Craven	Grell	Metcalf	Swift
Crouch	Hanson of Lyon	Millhone	Teter
Cunningham	Hanson of	Mitchell	Thies
Davis	Winnebago	Moore of Benton	Thiessen
Dean	Hartman	Moore of	Treimer
Dole	Hook	Harrison	Weed
Donlon	Hopp	Mooty	Wieben
Doran	Hough	Osborn	Wiese
Dreessen	Hultman	Ostby	Willis
Durant	Humeston	Paisley	Wolf
Elliott	Jenkins	Peaco	Yager
Ellsworth	Jensen	Peet	Zipse
Fabritz	Johnson	Reed	Mr. Speaker
Falvey	Koch	Roe	

The nays were, none.

Digitized by Google

Absent or not voting, 11.

Beswick	Maniece	Rice	Strachan
Bruce	Porter	Sours	Zylstra
Felter	Rawlings	Stanzel	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Senate File No. 322, a bill for an act to amend Section two (2), Chapter sixty-four (64), Acts of Forty-fifth (45th) General Assembly, relating to uniform cost accounting and financial record of schools, was taken up for consideration.

Gallagher of Iowa moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Fletcher	McDermott	Schmitz
Augustine	Frizzell	McFarlane	Schroeder
Avery	Fuelling	McLean	Sheridan
Beath	Gallagher	Malone	Smith
Beswick	Garner	Maniece	Snyder
Bonnstetter	Gissel	Mercer	Sours
Bouska	Gittinger	Metcalf	Stansell
Bowers	Goode	Millhone	Stanzel
Brady	Grau	Mitchell	Stimpson
Bruce	Grell	Moore of	Strachan
Burgess	Hanson of Lyon	Harrison	Swift
Casey	Hanson of	Mooty	Thies
Craven	Winnebago	Osborn	Thiessen
Crouch	Hartman	Ostby	Treimer
Cunningham	Hopp	Paisley	Weed
Dean	Hough	Peaco	Wieben
Dole	Hultman	Peet	Wiese
Donlon	Humeston	Rawlings	Willis
Doran	Jensen	Reed	Wolf
Dreessen	Johnson	Rice	Yager
Durant	Koch	Roe	Zipse
Elliott	Lichty	Ryder	Zylstra
Ellsworth	Lookingbill	Schlatter	Mr. Speaker
Fabritz	McCreery		

The nays were, 8.

Alesch	Falvey	Foster	Speidel
Davis	Felter	Fuester	Stewart

Absent or not voting, 8.

Hook	Laughlin	McKinnon	Porter
Jenkins	McCarthy	Moore of Benton	Teter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Digitized by Google

McFarlane of Black Hawk moved that the vote by which Senate File No. 322 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 42, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor, and making an appropriation therefor, levying a tax, and prescribing penalties for the violation of the provisions of this act, with report of committee recommending passage, was taken up for consideration.

Teter of Marion moved that permission be granted to withdraw all that part of the amendment filed by himself and Donlon of Palo Alto, found on pages 1262, 1263 and 1264 of the Journal of February 24, which begins on page 1263 with the words: "Amend Senate File No. 42 as amended and passed by the Senate by striking therefrom Sections 1, 2, 3, 4, 5 and 6 of the printed bill", down to and including the words: "discharging his official duty" as found on page 1264.

Motion prevailed, and the amendments were withdrawn.

Teter of Marion called up the first part of the amendment filed by him and Donlon of Palo Alto, consisting of four printed lines, found on page 1262 of the Journal of February 24 and moved its adoption.

Garner of Butler moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Teter amendment be adopted?" a roll call was demanded.

The ayes were, 50.

Alesch	Falvey	Humeston	Reed
Augustine	Felter	Jenkins	Schlatter
Avery	Fletcher	Johnson	Snyder
Beath	Foster	Laughlin	Sours
Beswick	Fuester	Lookingbill	Stanzel
Bowers	Goode	McCreery	Strachan
Bruce	Grau	McLean	Teter
Crouch	Grell	Maniece	Thies
Dean	Hanson of Winnebago	Millhone	Weed
Dole	Hartman	Moore of Harrison	Wieben
Donlon	Hook	Mooty	Willis
Doran	Hopp	Osborn	Wolf
Fabritz			Zipse

Digitized by Google

The nays were, 57.

Aldrich	Gallagher	Malone	Schroeder
Bonnstetter	Garner	Mercer	Sheridan
Bouska	Gissel	Metcalf	Smith
Brady	Gittinger	Mitchell	Speidel
Burgess	Hanson of Lyon	Moore of Benton	Stansell
Casey	Hough	Ostby	Stewart
Craven	Hultman	Paisley	Stimpson
Cunningham	Jensen	Peaco	Swift
Davis	Koch	Peet	Thiessen
Dreessen	Lichty	Rawlings	Treimer
Durant	McCarthy	Rice	Wiese
Elliott	McDermott	Roe	Yager
Ellsworth	McFarlane	Ryder	Zylstra
Frizzell	McKinnon	Schmitz	Mr. Speaker
Fuelling			

Absent or not voting, 1.

Porter

Amendment lost.

Teter of Marion called up the amendment to Sec. 13 filed by him and Donlon of Palo Alto and found on page 1367 of the Journal of March 1, and moved its adoption.

On the question "Shall the Teter amendment to Sec. 13 be adopted?" a roll call was demanded.

The ayes were, 37.

Avery	Ellsworth	Hanson of Lyon	Reed
Beath	Fabritz	Hopp	Rice
Beswick	Felter	Jenkins	Roe
Bruce	Fletcher	Lichty	Schlatter
Craven	Foster	Lookingbill	Snyder
Crouch	Fuester	McLean	Speidel
Dole	Goode	Millhone	Stanzel
Donlon	Grau	Mooty	Strachan
Doran	Grell	Peet	Teter
Durant			

The nays were, 62.

Aldrich	Garner	McFarlane	Smith
Alesch	Gissel	McKinnon	Stansell
Augustine	Gittinger	Maniece	Stewart
Bonnstetter	Goode	Mercer	Stimpson
Bouska	Grau	Metcalf	Swift
Bowers	Grell	Mitchell	Thies
Burgess	Hanson of Lyon	Moore of Benton	Thiessen
Casey	Hartman	Moore of Harrison	Treimer
Cunningham	Hopp	Osborn	Weed
Davis	Hultman	Ostby	Wieben
Dean	Humeston	Paisley	Wiese
Dreessen	Jensen	Peaco	Willis
Elliott	Johnson	Rawlings	Wolf.
Falvey	Koch	Ryder	Yager
Frizzell	Laughlin	Schmitz	Zipse
Fuelling	McCarthy	Schroeder	Zylstra
Gallagher	McCreery		Mr. Speaker

Digitized by Google

Absent or not voting, 9.

Brady	Hook	Malone	Sheridan
Hanson of Winnebago	Hough	Porter	Sours
	McDermott		

Amendment lost.

Donlon of Palo Alto called up the amendment filed by him and found on page 1278 of the Journal of February 26 and moved its adoption. Amendment adopted.

Rawlings of Monona moved that the House recess until 1:30 o'clock this afternoon.

Burgess of Woodbury moved to amend the motion by Rawlings of Monona by recessing until 2:00 o'clock this afternoon. Amendment lost.

The motion by Rawlings of Monona prevailed and the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A roll call was taken to ascertain the absentees. All the members were found to be present except Porter of Delaware, who was previously excused and the call of the House was declared complete.

The House resumed consideration of Senate File No. 42.

Teter of Marion moved that consent be given to withdraw the balance of the amendments filed by him and Donlon of Palo Alto.

On the question "Shall consent be given to withdraw the balance of the amendments filed by Teter and Donlon?" a roll call was demanded.

The ayes were, 31.

Beswick	Foster	McCarthy	Smith
Burgess	Gissel	Maniece	Stansell
Craven	Gittinger	Moore of Benton	Swift
Cunningham	Goode	Mooty	Teter
Davis	Grau	Osborn	Treimer
Donlon	Hanson of Lyon	Rice	Willis
Durant	Humeston	Roe	Zylstra
Falvey	Johnson	Ryder	

Digitized by Google

The nays were, 67.

Aldrich	Felter	Laughlin	Sheridan
Alesch	Fletcher	Lichty	Snyder
Augustine	Frizzell	Lookingbill	Sours
Avery	Fuelling	McCreery	Speidel
Beath	Fuester	McKinnon	Stanzel
Bonnstetter	Gallagher	McLean	Stewart
Bouska	Garner	Malone	Stimpson
Bowers	Grell	Metcalf	Strachan
Bruce	Hanson of	Millhone	Thies
Casey	Winnebago	Moore of	Thiessen
Crouch	Hartman	Harrison	Weed
Dean	Hopp	Paisley	Wieben
Dole	Hough	Peaco	Wiese
Doran	Hultman	Peet	Wolf
Dreessen	Jenkins	Reed	Yager
Elliott	Jensen	Schlatter	Zipse
Ellsworth	Koch	Schmitz	Mr. Speaker
Fabritz			

Absent or not voting, 10.

Brady	McFarlane	Ostby	Rawlings
Hook	Mercer	Porter	Schroeder
McDermott	Mitchell		

Motion lost.

MOTION TO RECONSIDER

Jensen of Audubon moved that the House reconsider the vote by which the Teter amendment to Sec. 34 failed to be adopted.

On the question "Shall the House reconsider the vote by which the Teter amendment to Sec. 34 failed to be adopted?" a roll call was demanded.

The ayes were, 79.

Aldrich	Falvey	McCarthy	Schlatter
Alesch	Felter	McCreery	Schmitz
Augustine	Fletcher	McKinnon	Smith
Avery	Foster	McLean	Snyder
Beath	Fuester	Maniece	Sours
Beswick	Garner	Metcalf	Stanzel
Bonnstetter	Gittinger	Millhone	Stewart
Bouska	Grau	Mitchell	Stimpson
Bowers	Grell	Moore of	Swift
Bruce	Hanson of	Harrison	Thies
Burgess	Winnebago	Mooty	Thiessen
Crouch	Hartman	Osborn	Treimer
Cunningham	Hook	Ostby	Weed
Davis	Hopp	Peaco	Wieben
Dean	Humeston	Peet	Wiese
Dole	Jenkins	Rawlings	Willis
Doran	Jensen	Reed	Wolf
Dreessen	Johnson	Rice	Yager
Elliott	Koch	Roe	Zipse
Ellsworth	Laughlin	Ryder	Mr. Speaker
Fabritz			

Digitized by Google

The nays were, 17.

Brady	Fuelling	Hultman	Mercer
Casey	Gissel	Lichty	Speidel
Craven	Hanson of Lyon	McFarlane	Stansell
Durant	Hough	Malone	Zylstra
Frizzell			

Absent or not voting, 12.

Donlon	Lookingbill	Paisley	Sheridan
Gallagher	McDermott	Porter	Strachan
Goode	Moore of Benton	Schroeder	Teter

Motion prevailed and the House reconsidered.

Avery of Clay moved the previous question on the Teter and Donlon amendment to Sec. 34. Motion prevailed.

On the question "Shall the Teter and Donlon amendment to Sec. 34 be adopted?" a roll call was demanded.

The ayes were, 55.

Alesch	Fletcher	McKinnon	Smith
Augustine	Grau	McLean	Sours
Avery	Grell	Maniece	Stanzel
Beath	Hanson of	Metcalf	Stimpson
Bouska	Winnebago	Millhone	Strachan
Bowers	Hartman	Mitchell	Teter
Bruce	Hook	Moore of	Thies
Crouch	Hopp	Harrison	Thiessen
Dean	Humeston	Mooty	Treimer
Dole	Jenkins	Osborn	Wieben
Donlon	Jensen	Peaco	Wiese
Doran	Johnson	Reed	Willis
Fabritz	Lookingbill	Schlatter	Wolf
Falvey	McCreery	Schmitz	Yager
Felter			

The nays were, 51.

Aldrich	Frizzell	Lichty	Ryder
Beswick	Fuelling	McCarthy	Schroeder
Bonnstetter	Fuester	McDermott	Sheridan
Burgess	Gallagher	McFarlane	Snyder
Casey	Garner	Malone	Speidel
Craven	Gissel	Mercer	Stansell
Cunningham	Gittinger	Moore of Benton	Stewart
Davis	Goode	Ostby	Swift
Dreessen	Hanson of Lyon	Paisley	Weed
Durant	Hough	Peet	Zipse
Elliott	Hultman	Rawlings	Zylstra
Ellsworth	Koch	Rice	Mr. Speaker
Foster	Laughlin	Roe	

Absent or not voting, 2.

Brady	Porter

Amendment adopted.

Johnson of Linn moved to amend Sec. 34 by striking the period

Digitized by Google

at the end of line 22 and substituting a comma therefore, and adding the following:

"which, if paid shall be in lieu of all other poll taxes."

Johnson of Linn asked and obtained unanimous consent to withdraw the amendment offered by him.

Johnson of Linn offered the following amendment and moved its adoption:

Amend Section 34 by striking the period at the end of line 22 and substituting a comma therefor, and adding the following: "which, if paid shall be credited on any poll taxes assessed for street, road or other purposes against the one paying the same."

Johnson of Linn asked and obtained unanimous consent to withdraw his amendment.

Rice of Keokuk moved that action be deferred on Senate File No. 42 and that the Speaker appoint a committee of five to work out amendments to Senate File No. 42 and report at 10:00 o'clock a. m. tomorrow.

Foster of Cedar moved to table the motions by Rice of Keokuk and McFarlane of Black Hawk.

Foster of Cedar withdrew his motion.

On the question "Shall action on Senate File No. 42 be deferred until 10:00 o'clock a. m. tomorrow?" a roll call was demanded.

The ayes were, 23.

Davis	Gittinger	McLean	Stansell
Durant	Goode	Ostby	Swift
Ellsworth	Grau	Peet	Willis
Foster	Lichty	Rice	Wolf
Fuelling	McFarlane	Schroeder	Zylstra
Fuester	McKinnon	Sheridan	

The nays were, 81.

Aldrich	Crouch	Garner	Johnson
Alesch	Cunningham	Gissel	Laughlin
Augustine	Dean	Grell	Lookingbill
Avery	Dole	Hanson of Lyon	McCarthy
Beath	Donlon	Hanson of Winnebago	McCreery
Beswick	Doran	Hartman	McDermott
Bonnstetter	Dreessen	Hook	Malone
Bouska	Elliott	Hopp	Maniece
Bowers	Fabritz	Hough	Mercer
Brady	Falvey	Hultman	Metcalf
Bruce	Felter	Humeston	Millhone
Burgess	Fletcher	Jenkins	Mitchell
Casey	Frizzell	Jensen	Moore of Benton
Craven	Gallagher		

Digitized by Google

Moore of Harrison	Reed	Sours	Thiessen
Mooty	Roe	Speidel	Treimer
Osborn	Ryder	Stanzel	Weed
Paisley	Schlatter	Stewart	Wiese
Peaco	Schmitz	Stimpson	Yager
Rawlings	Smith	Strachan	Zipse
	Snyder	Thies	Mr. Speaker

Absent or not voting, 4.

Koch	Porter	Teter	Wieben

Motion lost.

Malone of Cass asked and obtained unanimous consent to be excused from the call of the House for twenty minutes.

McCreery of Linn moved to reconsider the vote by which the motion by Rice of Keokuk failed to prevail. Motion prevailed.

Mercer of Johnson moved that the House adjourn until 9:30 o'clock a. m. Saturday, March 3.

On the question "Shall the House adjourn until 9:30 o'clock a. m. Saturday, March 3?" a roll call was demanded.

The ayes were, 20.

Beath	Jenkins	Moore of Harrison	Stansell
Bruce	Johnson	Ostby	Stanzel
Felter	Lichty	Paisley	Swift
Fuelling	McFarlane	Ryder	Thies
Grell	Mercer		Willis
Humeston			

The nays were, 77.

Aldrich	Falvey	Koch	Schmitz
Alesch	Fletcher	Laughlin	Schroeder
Avery	Foster	Lookingbill	Sheridan
Beswick	Frizzell	McCreery	Smith
Bonnstetter	Fuester	McKinnon	Snyder
Bouska	Gallagher	McLean	Sours
Bowers	Garner	Maniece	Speidel
Burgess	Gissel	Metcalf	Stewart
Casey	Gittinger	Millhone	Stimpson
Craven	Goode	Mitchell	Strachan
Crouch	Grau	Moore of Benton	Thiessen
Cunningham	Hanson of Lyon	Mooty	Treimer
Dean	Hanson of Winnebago	Osborn	Weed
Dole	Hartman	Peaco	Wieben
Donlon	Hook	Rawlings	Wiese
Doran	Hopp	Reed	Wolf
Dreessen	Hough	Rice	Zipse
Elliott	Hultman	Roe	Zylstra
Ellsworth	Jensen	Schlatter	Mr. Speaker
Fabritz			

Absent or not voting, 11.

Augustine	Durant	Malone	Teter
Brady	McCarthy	Peet	Yager
Davis	McDermott	Porter	

Digitized by Google

Motion lost.

On the question "Shall the House defer action on Senate File No. 42 until tomorrow morning at 10:00 o'clock, and the Speaker appoint a committee of five to work out amendments?" a roll call was demanded.

The ayes were, 71.

Avery	Frizzell	McFarlane	Smith
Beath	Fuelling	McKinnon	Sours
Beswick	Fuester	McLean	Stansell
Bouska	Garner	Maniece	Stanzel
Brady	Gissel	Metcalf	Stewart
Bruce	Gittinger	Millhone	Stimpson
Casey	Goode	Mitchell	Strachan
Craven	Grau	Moore of Benton	Swift
Davis	Hanson of Lyon	Moore of Harrison	Teter
Dean	Hartman	Mooty	Thies
Dole	Hook	Ostby	Wieben
Donlon	Humeston	Paisley	Wiese
Doran	Johnson	Peet	Willis
Durant	Koch	Rice	Wolf
Elliott	Laughlin	Ryder	Yager
Ellsworth	Lichty	Schmitz	Zipse
Felter	Lookingbill	Schroeder	Zylstra
Foster	McCreery		Mr. Speaker

The nays were, 28.

Aldrich	Fletcher	Hultman	Roe
Alesch	Gallagher	Jensen	Schlatter
Bonnstetter	Grell	Mercer	Snyder
Burgess	Hanson of Winnebago	Osborn	Speidel
Crouch	Hopp	Peaco	Thiessen
Cunningham	Hough	Rawlings	Treimer
Dreessen		Reed	Weed
Falvey			

Absent or not voting, 9.

Augustine	Jenkins	McDermott	Porter
Bowers	McCarthy	Malone	Sheridan
Fabritz			

The motion to defer action prevailed and the Speaker appointed the following as members of such committee: Donlon of Palo Alto, Teter of Marion, Goode of Davis, Rice of Keokuk, and Schroeder of Carroll.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 68, a bill for an act to make an appropriation for the use of the State Board of Conservation.

Digitized by Google

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 344, a bill for an act relating to the nature of waivers by certificate holders as provided for therein.

WALTER H. BEAM, *Assistant Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 344

Amend House File 344 by striking from line four (4) of section one (1) all after the word "of" and inserting in lieu thereof the following: "in line nine (9) of the engrossed bill".

CONSIDERATION OF SENATE AMENDMENTS

On request of Ellsworth of Hardin, unanimous consent having been given, House File No. 344, a bill for an act to amend House File Three Hundred Thirty-one (331), Acts of the Forty-fifth General Assembly in Extraordinary Session, relating to the nature of waivers by certificate holders as provided for therein, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE NO. 344

Amend House File No. 344 by striking from line four (4) of section one (1) all after the word "of" and inserting in lieu thereof the following: "in line nine (9) of the engrossed bill".

Mr. Ellsworth moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 92.

Aldrich	Dreessen	Hanson of Winnebago	Millhone
Augustine	Durant	Hartman	Mitchell
Avery	Elliott	Hook	Moore of Benton
Beath	Ellsworth	Hopp	Moore of Harrison
Beswick	Fabritz	Hough	Mooty
Bonnstetter	Falvey	Hultman	Osborn
Bouska	Fletcher	Humeston	Ostby
Bowers	Foster	Jenkins	Paisley
Brady	Frizzell	Jensen	Peaco
Burgess	Fuelling	Koch	Peet
Casey	Gallagher	Lichty	Rawlings
Craven	Garner	Lookingbill	Reed
Crouch	Gissel	McDermott	Rice
Cunningham	Gittinger	McKinnon	Roe
Dean	Goode	Maniece	Ryder
Dole	Grau	Mercer	Schlatter
Donlon	Grell	Metcalf	Schmitz
Doran	Hanson of Lyon		

Digitized by Google

Schroeder	Stanzel	Thiessen	Willis
Smith	Stewart	Treimer	Wolf
Snyder	Stimpson	Weed	Yager
Sours	Swift	Wieben	Zylstra
Speidel	Teter	Wiese	Mr. Speaker
Stansell	Thies		

The nays were, none.

Absent or not voting, 16.

Alesch	Fuester	McCreery	Porter
Bruce	Johnson	McFarlane	Sheridan
Davis	Laughlin	McLean	Strachan
Felter	McCarthy	Malone	Zipse

The House concurred in Senate amendment to House File No. 344.

REQUEST FILED

MR. SPEAKER: We, the undersigned, wish to be excused for Saturday, March 3, and from the call of the House on account of the funeral of the Honorable Fred B. Witt and wife.

ADA GARNER. ROY SOURS.
E. M. LICHTY. ARCH W. MCFARLANE.
WM. KOCH.

Sours of Floyd asked and obtained unanimous consent that the signers of the request be excused from the Call of the House for Saturday, March 3, and be granted leave of absence for that day.

CONSIDERATION OF SENATE AMENDMENTS

On request of Zylstra of Sioux, unanimous consent having been given, House File No. 40, a bill for an act to amend the law as it appears in section ninety-four hundred twenty (9420), Code, 1931, relating to interest on chattel loans up to three hundred dollars ($300.00), with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 40

Amend House File 40 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. No person, co-partnership, association, or corporation shall engage in the business of making loans of money, credit, goods, or things in action in the amount or of the value of three hundred dollars ($300.00) or less and charge, contract for, or receive on any such loan a greater

Digitized by Google

"Section 1. No person, co-partnership, association, or corporation shall engage in the business of making loans of money, credit, goods, or things in action in the amount or of the value of three hundred dollars ($300.00) or less and charge, contract for, or receive on any such loan a greater rate of interest or consideration therefor than the lender would be permitted by law to charge if he were not a licensee hereunder except as authorized by this act and without first obtaining a license from the superintendent of banking, hereinafter called the superintendent. The word "person", when used hereinafter, shall include individuals, co-partnerships, associations, and corporations unless the context requires a different meaning.

Sec. 2. Application for such license shall be in writing, under oath, and in the form prescribed by the superintendent, and shall contain the name and address (both of the residence and place of business) of the applicant, and if the applicant is a co-partnership or association, of every member thereof and if a corporation, of each officer and director thereof; also the county and municipality with street and number, if any, of the place where the business of making loans under the provisions of this act is to be conducted and such further relevant information as the superintendent may require. Such applicant at the time of making such application shall pay to the superintendent the sum of fifty dollars ($50.00) if the liquid assets of the applicant are not in excess of twenty thousand dollars ($20,000.00), and the sum of one hundred dollars ($100.00) if the liquid assets of the applicant are in excess of twenty thousand dollars ($20,000.00), as a fee for investigating the application and the additional sum of seventy-five dollars ($75.00) if the liquid assets of the applicant are not in excess of twenty thousand dollars ($20,000.00), and one hundred fifty dollars ($150.00) if the liquid assets of the applicant are in excess of twenty thousand dollars ($20,000.00), as an annual license fee and in full payment of all expenses for examinations under and for administration of this act for a period terminating on the last day of the current calendar year; provided, that if the application is filed after June thirtieth in any year such payment shall be seventy-five dollars ($75.00) as such license fee in addition to the said fee for investigation.

"Every applicant shall also prove, in form satisfactory to the superintendent, that he or it has available for the operation of such business at the place of business specified in the application, liquid assets of at least five thousand dollars ($5,000.00), or that he or it has at least the said amount actually in use in the conduct of such business at such place of business.

"Sec. 3. The applicant shall also at the same time file with the superintendent a bond to be approved by him in which the applicant shall be the obligor, with one or more sureties, in the sum of one thousand dollars ($1,000.00). The said bond shall run to the State of Iowa for the use of the state and of any person or persons who may have a cause of action against the obligor of said bond under the provisions of this act. Such bond shall be conditioned that said obligor will faithfully conform to and abide by the provisions of this act and of all rules and regulations lawfully made by the superintendent hereunder, and will pay to the state and to any such person or persons any and all moneys that may become

Digitized by Google

bond and the payment of such fees, the superintendent shall make such investigation of the facts as he may deem necessary or proper.

"If the superintendent shall determine from such application or from such investigation that the financial responsibility, experience, character, and general fitness of the applicant, and of the members thereof if the applicant be a co-partnership or association, and of the officers and directors thereof if the applicant be a corporation, are such as to warrant the belief that the business will be operated lawfully, honestly, fairly, and efficiently within the purposes of this act, and if the superintendent shall find that the applicant has available or actually in use the assets described in section two (2) of this act, he shall thereupon issue and deliver a license to the applicant to make loans in accordance with the provisions of this act at the place of business specified in the said application; if the superintendent shall not so find he shall not issue such license and he shall notify the applicant of the denial and return to the applicant the bond and the sum paid by the applicant as a license fee, retaining the one hundred dollars ($100.00) investigation fee to cover the costs of investigating the application. The superintendent shall approve or deny every application for a license hereunder within sixty (60) days from the filing of the application and the approved bond and the payment of said fees.

"If the application is denied the superintendent shall within twenty (20) days thereafter file with the banking department a written transcript of the evidence and decision and findings with respect thereto containing the reasons supporting the denial, and forthwith serve upon the applicant a copy thereof.

"Sec. 5. Such license shall state the address of the place where the business of making such loans is to be conducted and shall state fully the name of the licensee, and if the licensee is a co-partnership or association, the names of the members thereof, and if a corporation, the date and place of its incorporation. Such license shall be kept conspicuously posted in such place of business and shall not be transferable or assignable.

"Sec. 6. If the superintendent shall find at any time that the bond is insecure or exhausted or otherwise of doubtful validity or collectibility, an additional bond to be approved by him, with one or more sureties and of the character specified in section three (3) of this act, in the sum of not more than one thousand dollars ($1,000.00), shall be filed by the licensee within ten days (10) days after written demand upon the licensee by the superintendent.

"Every licensee shall have available at all times for each licensed place of business at least five thousand dollars ($5,000.00) in assets, either in liquid form or actually in use in the conduct of such business.

"Sec. 7. Not more than one place of business where such loans are made shall be maintained under the same license, but the superintendent may issue more than one license to the same licensee upon compliance, for each such additional license, with all the provisions of this act governing an original issuance of a license.

"Whenever a licensee shall change such place of business to another location he shall at once give written notice thereof to the superintendent who shall attach to the license in writing his record of the change and the

Digitized by Google

location he shall at once give written notice thereof to the superintendent who shall attach to the license in writing his record of the change and the date thereof, which shall be authority for the operation of such business under such license at such new place of business.

"Sec. 8. Every licensee shall, on or before the fifteenth day of each December, pay to the superintendent the sum of one hundrd and fifty dollars ($150.00) as an annual license fee for the next succeeding calendar year and shall at the same time file with the superintendent a new bond or renewal of the old bond in the same amount and of the same character as required by section three (3) of this act.

"Sec. 9. The superintendent may, upon at least twenty (20) days' written notice to the licensee stating the contemplated action and grounds, and upon reasonable opportunity to be heard, revoke any license issued hereunder if he shall find that:

"(a) The licensee has failed, after ten (10) days' notice of default, to pay the annual license fee or to maintain in effect the bond or bonds required under the provisions of this act or to comply with any rule or regulation of the superintendent lawfully made pursuant to and within the authority of this act; or that

"(b) The licensee has violated any provision of this act or any rule or regulation lawfully made by the superintendent under and within the authority of this act; or that

"(c) Any fact or condition exists which would clearly have warranted the superintendent in refusing originally to issue such license.

"If the superintendent shall find that probable cause for revocation of any license exists and that the enforcement of the act requires immediate suspension of such license pending investigation, he may, upon five (5) days' written notice and a hearing, suspend such license for a period not exceeding thirty (30) days.

"The superintendent may revoke or suspend only the patricular license with respect to which grounds for revocation or suspension may occur or exist, or, if he shall find that such grounds for revocation or suspension are of general application to all licensed places of busiiess, or to more than one licensed place of business, operated by such licensee, he shall revoke or suspend all of the licenses issued to such licensee or such licenses as such grounds apply to, as the case may be.

"Any licensee may surrender any license by delivering to the superintendent written notice that he thereby surrenders such license, but such surrender shall not affect such licensee's civil or criminal liability for acts committed prior to such surrender.

"No revocation or suspension or surrender of any license shall impair or affect the obligation of any pre-existing lawful contract between the licensee and any borrower.

"Every license issued hereunder shall remain in force and effect until the same shall have been surrendered, revoked, or suspended in accordance with the provisions of this act. The superintendent shall have authority on his own initiative to reinstate suspended licenses or to issue new licenses to a licensee whose license or licenses shall have been revoked if no fact or condition then exists which would have warranted the superintendent in refusing originally to issue such license under this act.

Digitized by Google

under this act, he shall forthwith file with the banking department a written transcript of the evidence and order to that effect and findings with respect thereto containing the reasons supporting the revocation or suspension, and forthwith serve upon the licensee a copy thereof.

"Sec. 10. For the purpose of discovering violations of this act or securing information lawfully required by him hereunder, the superintendent may at any time, either personally or by an individual or individuals duly designated by him, investigate the loans and business and examine the books, accounts, records, and files used therein, of every licensee and of every person engaged in the business described in section one (1) of this act, whether such person shall act or claim to act as principal or agent, or under or without the authority of this act. For that purpose the superintendent and his duly designated representative shall have and be given free access to the place of business, books, accounts, papers, records, files, safes, and vaults of all such persons. The superintendent and all individuals duly designated by him shall have authority to require the attendance of and to examine under oath all individuals whomsoever whose testimony he may require relative to such loans or such business.

"The superintendent shall make an examination of the affairs, place of business, and records of each licensed place of business at least once each year.

"Sec. 11. The licensee shall keep such books, accounts, and records as the superintendent may require in order to determine whether such licensee is complying with the provisions of this act and with the rules and regulations lawfully made by the superintendent hereunder. Every licensee shall preserve for at least two (2) years after making the last entry on any loan recorded therein all books, accounts, and records, including cards used in the card system, if any.

"Each licensee shall annually on or before the twentieth day of January file a report with the superintendent giving such relevant information as the superintendent reasonably may require concerning the business and operations during the preceding calendar year of the licensed places of business conducted by such licensee within the state of Iowa. Such report shall be made under oath and shall be in the form prescribed by the superintendent who shall make and publish annually an analysis and recapitulation of such reports.

"Sec. 12. No licensee or other person shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever, any statement or representation with regard to the rates, charges, terms, or conditions for the lending of money, credit, goods, or things in action in the amount or of the value of three hundred dollars ($300.00) or less, which is false, misleading, or deceptive. The superintendent may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

"If any licensee refers in any advertising matter to the rate of charge to be made upon loans the superintendent may require such licensee to state such rate of charge fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers.

Digitized by Google

"No licensee shall take a real estate mortgage as security for any loan made under the provisions of this act.

"No licensee shall conduct the business of making loans under the provisions of this act within any office, room, suite, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized in writing by the superintendent upon his finding that the character of such other business is such that the granting of such authority would not facilitate evasions of this act or of the rules and regulations lawfully made by him hereunder.

"No licensee shall make any loan provided for by this act under any other name or at any other place of business than that named in the license.

"No licensee shall take any confession of judgment or any power of attorney to appear or to confess judgment on behalf of a borrower. No licensee shall take any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of charge, nor any instrument in which blanks are left to be filled in after execution.

"Sec. 13. (a) It shall be the duty of the state banking board, hereinafter called the board, and it shall have power, jurisdiction, and authority, from time to time to investigate the conditions and find the facts with reference to the business of making small loans, as described in section one (1) of this act, hereinafter referred to as small loans, and after making such investigation, report in writing their findings to the next regular session of the general assembly, and upon the basis of such facts: (1) to classify small loans by a regulation according to such system of differentiation as will reasonably distinguish such classes of loans for the purposes of this act, and (2) to determine and fix by a regulation such maximum rate of interest or charges upon each such class of small loans as will induce efficiently managed commercial capital to enter such business in sufficient amounts to make available adequate credit facilities to individuals without the security or financial responsibility usually required by commercial banks.

"(b) The board may from time to time, commencing March 1, 1935, re-determine and re-fix by a regulation, in accordance with paragraph (a) above, any maximum rate of interest or charges previously fixed by it, but such changed maximum rates shall not affect pre-existing loan contracts lawfully entered into between any licensee and any borrower; all regulations which the board may make respecting rates of interest or charges shall fix and contain the effective date thereof, which shall not be earlier than thirty (30) days after notice to each licensee by mailing such notice to each licensed place of business.

"(c) Before fixing any classification of small loans or any maximum rate of interest or charges, or changing any such classification or rate under authority of this section thirteen (13), the board shall give reasonable notice of its intention to consider doing so to all licensees and a reasonable opportunity to be heard thereon and to introduce evidence with respect thereto.

"(d) Until March 1, 1935, and until such further time as a different

Digitized by Google

rate is fixed by the board, the maximum rate of interest or charges upon such class or classes of small loans shall be three per centum (3%) per month on any part of the unpaid principal balance of the loan not exceeding one hundred and fifty dollars ($150.00) plus two and one-half per centum (2½%) per month on any remainder of such unpaid principal balance.

"(e) Every licensee hereunder may lend any sum of money not exceeding three hundred dollars ($300.00) in amount and may charge, contract for, and receive thereon interest or charges at a rate not exceeding the maximum rate of interest or charges determined and fixed by the board under authority of this section thirteen (13) or by the provisions of the preceding paragraph (d).

"(f) The following provisions shall apply to any or all loans in the amount or of the value of three hundred dollars ($300.00) or less made by any licensee hereunder:

"Interest shall not be paid, deducted, or received in advance. Interest shall not be compounded and shall be computed only on unpaid principal balances. The maximum interest permitted shall be computed on the basis of the number of days actually elapsed and for the purpose of such computations a month shall be any period of thirty (30) consecutive days. No licensee shall induce or permit any borrower or borrowers to split up or divide any loan or loans for the purpose of evading any provision of this act nor shall any licensee knowingly permit any borrower, nor any husband and wife individually or together, to be indebted to him under more than one contract of loan at the same time. In addition to the rates of interest or charges herein provided for no further or other charge for examination, service, brokerage, commission, expense, fee, or bonus or other thing shall be directly or indirectly charged, contracted for, or received, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer, for filing or recording or releasing in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter. If any interest or charges in excess of these permitted by this act are charged, contracted for, or received, the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, interest, or charges whatsoever.

"Sec. 14. Every licensee shall:

"Deliver to the borrower at the time any loan is made a statement (upon which there shall be printed a copy of sub-sections thirteen (13) (a), (e), and (f) of this act) in the English language showing in clear and distinct terms the lawful maximum rate or rates of interest or charges in effect, the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the licensee, and the agreed rate of charge;

"Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made, specifying the amount applied to interest or charges and the amount applied to principal;

"Permit payment to be made in advance in any amount on any con-

Digitized by Google

"Upon repayment of the loan in full, mark indelibly every obligation and security signed by the borrower with the word "paid" or "cancelled", and release any mortgage, restore any pledge, return any note and any assignment given to the licensee by the borrower;

"Display prominently in each licensed place of business an accurate schedule, to be approved by the superintendent, of the charges currently to be made upon all loans.

"Sec. 15. No licensee shall directly or indirectly charge, contract for, or receive any interest or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit, of the amount or value of more than three hundred dollars ($300.00). The foregoing prohibition shall also apply to any licensee who permits any person as borrower or as endorser, guarantor, or surety for any borrower, or otherwise, to owe directly or contingently or both to the licensee at any time the sum of more than three hundred dollars ($300) for principal.

"Sec. 16. The payment of three hundred dollars ($300) or less in money, credit, goods, or things in action, as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions, or other compensation for services whether earned or to be earned, shall for the purposes of this act be deemed a loan secured by such assignment, and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall be deemed interest or charges upon such loan from the date of such payment to the date such compensation is payable. Such transaction shall be governed by and subject to the provisions of this act.

"Sec. 17. A valid assignment or order for the payment of future salary, wages, commission, or other compensation for services, may be given as security for a loan made by any licensee under this act, and under such assignment or order a sum not to exceed ten per centum (10%) of the borrower's salary, wages, commissions, or other compensation for services shall be collectible from the employer of the borrower by the licensee at the time of each payment to the borrower of such salary, wages, commissions, or other compensation for services, from the time that a copy of such assignment, verified by the oath of the licensee or his agent, together with a similarly verified statement of the amount unpaid upon such loan, is served upon the employer.

"No assignment of or order for payment of any salary, wages, commissions, or other compensation for services, earned or to be earned, given to secure any loan made by any licensee under this act, shall be valid unless the amount of such loan is paid to the borrower simultaneously with its execution; nor shall any such assignment or order, or any chattel mortgage or other lien on household furniture then in the possession and use of the borrower, be valid unless it is in writing, signed in person by the borrower, nor if the borrower is married unless it is signed in person by both husband and wife, provided that written assent of a spouse shall not be required when husband and wife have been living separate and apart for a period of at least five (5) months prior to the making of such assignment, order, mortgage, or lien.

Digitized by Google

separate and apart for a period of at least five (5) months prior to the making of such assignment, order, mortgage, or lien.

"Sec. 18. No person, except as authorized by this act, shall directly or indirectly charge, contract for, or receive any interest or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit of the amount or value of three hundred dollars ($300.00) or less.

"The foregoing prohibition shall apply to any person who, by any device, subterfuge, or pretense whatsoever shall charge, contract for, or receive greater interest, consideration, or charges than authorized by this act for any such loan, use, or forbearance of money, goods, or things in action or for any such loan, use, or sale of credit.

"No loan of the amount or value of three hundred dollars ($300.00) or less for which a greater rate of interest, consideration, or charges than is permitted by this act has been charged, contracted for, or received, wherever made, shall be enforced in this State and every person in anywise participating therein in this State shall be subject to the provisions of this act, provided that the foregoing shall not apply to loans legally made in any State or County which then had in effect a regulatory small loan law substantially similar in principle and purpose to this act.

"Sec. 19. Any person, co-partnership, association, or corporation and the several members, officers, directors, agents, and employees thereof, who shall violate or participate in the violation of any of the provisions of section one (1), twelve (12), thirteen (13), fourteen (14), or eighteen (18) of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

"Sec. 20. This act shall not apply to any person doing business under and as permitted by any law of this State or of the United States relating to banks, savings banks, trust companies, building and loan associations, credit unions or licensed pawnbrokers, nor shall it apply to any domestic corporation entitled to the benefits of sections sixty-nine hundred ninety-four (6694) to sixty-nine hundred ninety-six (6996) inclusive.

"Sec. 21. The superintendent is hereby authorized and empowered to make such reasonable and relevant rules and regulations as may be necessary for the execution and the enforcement of the provisions of this act, in addition hereto and not inconsistent herewith. All rules and regulations shall be filed and entered by the superintendent in the banking department in an indexed, permanent book or record, with the effective date thereof suitably indicated, and such book or record shall be a public document.

"Sec. 22. Any person having a license under chapter four hundred nineteen (419) of the code, 1931, in force when this act becomes effective, shall, notwithstanding the repeal of said chapter four hundred nineteen (419), be deemed to have a license under this act for a period expiring December thirty-first next after the said effective date, if not sooner revoked, suspended or surrendered, provided that such person shall keep

Digitized by Google

subject to revocation during such period as provided in section nine (9) of this act, except that it may not be revoked during such period upon the ground that such licensee has not the minimum amount of assets required in section six (6) of this act.

"Sec. 23. The district court in and for Polk county shall have jurisdiction in an equitable action by an aggrieved party to review any final order, demand, finding, or decision of the superintendent or the state banking board, and to grant such relief as may be warranted by the facts under the provisions of this Act. An appeal to the supreme court may be taken as in other equitable actions.

"Sec. 24. Chapter four hundred nineteen (419) of the code, 1931, is hereby repealed and all acts and parts of acts whether general, special, or local, which relate to the same subject matter as this act are hereby repealed in so far as they are inconsistent with the provisions of this act.

"Sec. 25. If any clause, sentence, section, provision, or part of this act shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not impair, affect, or invalidate the remainder of this act, which shall remain in full force and effect thereafter.

"Sec. 26. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Waterloo Daily Courier, a newspaper published in Waterloo, Iowa, and in the Grundy County Register, a newspaper published in Grundy Center, Iowa."

Mr. Zylstra moved that the House concur in the Senate amendments to House File No. 40.

POINT OF ORDER

Foster of Cedar raised the point of order that the motion to concur in the Senate amendments was not in order in that the subject matter embodied was previously rejected by the House.

The Chair holds that the point of order raised by the gentleman from Cedar is well taken in so far as it will now be impossible for the House to entertain a motion to concur in the Senate amendments to House File No. 40, in as much as such a motion would involve practically the same subject matter and, for all practical purpose, the identical language of the body of House File No. 40, as it was introduced and then rejected by an amendment striking and substituting the body of the bill as it was messaged to the Senate.

To substantiate this ruling, the Chair cited Roberts' Rules of Order Revised, page 142, which reads, "But no amendment is in order that presents to the Assembly practically a question that it

Digitized by Google

has already decided." Also, page 143, "An amendment is not in order which is identical with a question previously decided by the Assembly during that session."

The chair is also of the opinion that in order to consider the Senate amendments it will be necessary to suspend the rules, which would require a two-thirds majority vote.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File No. 95, a bill for an act relating to salaries of deputy county officials.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 323, a bill for an act relating to the compensation of members of the state board of assessment and review.

WALTER H. BEAM, *Assistant Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate File No. 103.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 103.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. No. 139, H. F. No. 163, H. F. No. 298, S. F. No. 28, bill to be introduced H F. No. 354. JAS. BURGESS, *Chairman.*

Digitized by Google

AMENDMENTS FILED

Dole of Jefferson filed the following amendment:

Amend Senate File No. 42, as amended and passed by the Senate, as follows:

1. Strike from Section Twelve (12), line six (6), the word "Sixty-five" and substitute therefor the word "seventy".

2. Strike from Section Twelve (12), lines sixteen to twenty (16 to 20), the following:

"such periods does not exceed eighteen consecutive months, or (2) has so resided for a total of twenty years, at least three of which must be continuous and immediately precede the application; provided that"

and substitute therefor the following:

"the total of such periods of absence does not exceed eighteen months and the residence for the last three years preceding the application has been continuous, but".

3. Strike from Section Twelve (12), line thirty-seven (37) the word "one" and substitute therefor the word "two".

Gissel of Buchanan filed the following amendment:

Amend Senate File No. 42 by adding at the end of Sec. 34 the following:

Provided further, that all bachelors 30 years of age and over subject to the above tax shall be subject to an additional tax of eight dollars ($8.).

Donlon of Palo Alto filed the following amendment:

Amend Senate File No. 42, Section Two (2) lines one and two (1 and 2), by striking out the words, "within the State Welfare Department."

Further amend Senate File No. 42, Section Five (5), by striking out the word "Superintendent" in line Six (6), and in line Nine (9) of said section, and substituting in each case, the word "overseer".

Speidel of Washington filed the following amendment:

Amend Senate File No. 42 by adding to Section 35 the following:

"Provided however, no payments of Old Age Pensions shall be made before January 1, 1936. The State Old Age Assistance Commission shall not grant the payment of Old Age Pensions in any county which has failed to collect the special poll tax as provided in Section 34 of this act, from at least 80 per cent of the persons subject to such tax."

Beswick of Van Buren filed the following amendment:

Amend Senate File No. 42 as amended and passed by the Senate by striking from section twelve (12), lines thirty-five (35) and thirty-six (36), the following: "age and as she was bound to support" and by inserting in lieu thereof the following: "the age of fifteen (15) years".

Hanson of Lyon and Schroeder of Carroll filed the following amendment:

Amend Senate File No. 42 by striking in Sec. 35, line 5, the word

Digitized by Google

"one-half". Also amend by striking the words "made by the legislature and one-half from the appropriation" in lines 5 and 6.

Amend by striking in Sec. 36, all after the period "." in line 3.

On the motion of Brady of Pottawattamie the House adjourned until 9:30 o'clock a. m. Saturday, March 3.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 2, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. Henry McCraven, Pastor A. M. E. Church, Des Moines.

Journal of March 2, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Maniece of Emmet for the day, on request of Bonnstetter of Kossuth; Gissel of Buchanan for the day, on request of Beath of Adams.

INTRODUCTION OF BILLS

House File No. 352, by committee on emergency legislation, a bill for an act to amend section ten thousand four hundred fifty-one (10451), Code, 1931, relating to the conveyance of real property of insane persons.

Read first and second times and referred to steering committee.

House File No. 353, by committee on emergency legislation, a bill for an act to amend section twelve thousand six hundred twenty-eight (12628), Code, 1931, relating to the sale or mortgage of real estate by guardians.

Read first and second times and referred to steering committee.

House File No. 354, by steering committee, a bill for an act to amend House File No. 1, as enacted by the Extra Session of the Forty-fifth General Assembly, and approved by the Governor on the first day of March, 1934, and now on file in the office of the Secretary of State, relating to taxation and exempt certain associations from the provisions of said Act imposing a business tax on corporations.

Read first and second times and placed on calendar.

Digitized by Google

SENATE MESSAGES CONSIDERED

Senate File No. 68, a bill for an act to make an appropriation for the use of the State Board of Conservation.

Read first and second times and referred to appropriations committee.

Senate File No. 323, a bill for an act to amend the law as it appears in Title XVI, Chapter three hundred twenty-nine-C two (329-C2), section six thousand nine hundred forty-three-e eighteen (6943-e18), Code, 1931, as amended by section twenty-three (23), chapter eighty-nine (89), laws of the Forty-fifth (45th) General Assembly, relating to the compensation of the members of the State Board of Assessment and Review.

Read first and second times and referred to steering committee.

CALL OF THE HOUSE

MR. SPEAKER: We the undersigned request a call of the House for Saturday, March 3.

J. P. GALLAGHER
P. H. DONLON
L. D. TETER
ANDREW STEWART
J. W. FRIZZELL

A roll call disclosed all members present except Crouch of Green, Moore of Benton, Sheridan of Lee, Garner of Butler, Gissel of Buchanan, Koch of Bremer, Lichty of Black Hawk, McFarlane of Black Hawk, Maniece of Emmet, Porter of Delaware and Sours of Floyd.

Garner of Butler, Gissel of Buchanan, Koch of Bremer, Lichty of Black Hawk, McFarlane of Black Hawk, Maniece of Emmet, Porter of Delaware, and Sours of Floyd were previously excused.

Gallagher of Iowa moved that the remaining absentees be temporarily excused. Motion prevailed.

CONSIDERATION ON SENATE FILE NO. 42

Rice of Keokuk asked and obtained unanimous consent to defer action on Senate File No. 42, until Monday morning.

SUSPENSION OF RULES

Rice of Keokuk moved that the rules be suspended and that the House consider the Senate amendments to House File No. 40.

Digitized by Google

On the question "Shall the rules be suspended?" a roll call was demanded.

The ayes were, 86.

Aldrich	Ellsworth	McDermott	Schroeder
Alesch	Fabritz	McKinnon	Smith
Augustine	Falvey	McLean	Snyder
Avery	Felter	Mercer	Speidel
Beath	Fletcher	Metcalf	Stanzel
Beswick	Frizzell	Millhone	Stewart
Bonnstetter	Fuelling	Mitchell	Stimpson
Bouska	Fuester	Mooreof Benton	Strachan
Bowers	Goode	Moore of Harrison	Swift
Brady	Grau	Mooty	Teter
Bruce	Hanson of Lyon	Osborn	Thies
Casey	Hanson of Winnebago	Ostby	Thiessen
Craven	Hook	Paisley	Treimer
Cunningham	Hopp	Peaco	Weed
Davis	Hultman	Rawlings	Wieben
Dean	Humeston	Reed	Wiese
Dole	Jenkins	Rice	Willis
Donlon	Jensen	Roe	Wolf
Doran	Johnson	Ryder	Yager
Dreessen	Laughlin	Schlatter	Zipse
Durant	McCarthy	Schmitz	Zylstra
Elliott			Mr. Speaker

The nays were, 10.

Crouch	Gittinger	Hough	Malone
Foster	Grell	Lookingbill	Peet
Gallagher	Hartman		

Absent or not voting, 12.

Burgess	Koch	McFarlane	Sheridan
Garner	Lichty	Maniece	Sours
Gissel	McCreery	Porter	Stansell

Motion prevailed.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE FILE NO. 40

Foster of Cedar called up the amendment to the Senate amendments to House File No. 40 filed by him and found on page 1367 of the Journal of March 1, and moved its adoption.

Read of Mahaska moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Foster amendment to Senate amendments to House File No. 40 be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 34.

Alesch	Falvey	Hook	Roe
Bonnstetter	Foster	Hough	Schmitz
Bowers	Gallagher	Humeston	Smith
Brady	Gittinger	McLean	Stewart
Burgess	Goode	Malone	Thies
Crouch	Hanson of Lyon	Metcalf	Wiese
Dole	Hanson of Winnebago	Moore of Harrison	Willis
Donlon	Hartman	Osborn	Yager
Elliott			Mr. Speaker

The nays were, 65.

Aldrich	Felter	McDermott	Sheridan
Augustine	Fletcher	McKinnon	Snyder
Avery	Frizzell	Mercer	Speidel
Beath	Fuelling	Millhone	Stansell
Beswick	Fuester	Mitchell	Stanzel
Bouska	Grau	Mooty	Stimpson
Bruce	Grell	Ostby	Strachan
Casey	Hopp	Paisley	Swift
Craven	Hultman	Peaco	Teter
Cunningham	Jenkins	Peet	Thiessen
Davis	Jensen	Rawlings	Treimer
Dean	Johnson	Reed	Weed
Doran	Laughlin	Rice	Wieben
Dreessen	Lookingbill	Ryder	Wolf
Durant	McCarthy	Schlatter	Zipse
Ellsworth	McCreery	Schroeder	Zylstra
Fabritz			

Absent or not voting, 9.

Garner	Lichty	Maniece	Porter
Gissel	McFarlane	Moore of Benton	Sours
Koch			

Amendment lost.

Johnson of Linn asked and obtained unanimous consent to withdraw his amendment to the Senate amendments to House File No. 40.

Lookingbill moved that the floor of the House be cleared of all persons except members and clerks.

On the question "Shall the floor of the House be cleared of all persons except members and clerks?" a roll call was demanded.

The ayes were, 7.

Craven	Felter	Hough	Smith
Davis	Hartman	Lookingbill	

The nays were, 78.

Aldrich	Bouska	Crouch	Doran
Augustine	Bowers	Cunningham	Dreessen
Avery	Brady	Dean	Durant
Beath	Burgess	Dole	Elliott
Beswick	Casey	Donlon	Ellsworth

Digitized by Google

Fletcher	Jensen	Ostby	Strachan
Foster	Johnson	Peaco	Swift
Frizzell	Laughlin	Rawlings	Teter
Fuelling	McCarthy	Reed	Thies
Gallagher	McCreery	Rice	Thiessen
Gittinger	McKinnon	Ryder	Treimer
Goode	McLean	Schlatter	Weed
Grau	Mercer	Schmitz	Wieben
Hanson of Lyon	Metcalf	Schroeder	Wiese
Hanson of Winnebago	Millhone	Sheridan	Willis
	Mitchell	Snyder	Wolf
Hopp	Moore of Harrison	Speidel	Yager
Hultman		Stansell	Zipse
Humeston	Mooty	Stanzel	Zylstra
Jenkins	Osborn	Stewart	Mr. Speaker

Absent or not voting, 23.

Alesch	Garner	McDermott	Peet
Bonnstetter	Gissel	McFarlane	Porter
Bruce	Grell	Malone	Roe
Fabritz	Hook	Maniece	Sours
Falvey	Koch	Moore of Benton	Stimpson
Fuester	Lichty	Paisley	

Motion lost.

Zylstra of Sioux offered the following amendment and moved its adoption:

Amend the Senate amendments to House File 40, section eighteen (18), by striking the word "Country" in line nineteen (19) and inserting in lieu thereof the word "County".

Amendment adopted.

Stanzel of Sac asked and obtained unanimous consent to be excused for twenty minutes.

Zylstra of Sioux moved that the House reconsider the vote by which his amendment to Sec. 18 was adopted. Motion prevailed and the House reconsidered.

Zylstra of Sioux asked and obtained unanimous consent to withdraw his amendment to Sec. 18.

Zylstra of Sioux offered the following amendment and moved its adoption:

Amend House File No. 40 as amended and passed by the Senate by striking out the words and figures "one hundred dollars ($100.00)" as the same appears in line nineteen (19) sec. four (4), of the printed bill as it passed the Senate.

Amendment adopted.

Digitized by Google

Zylstra of Sioux offered the following amendment and moved its adoption:

Amend House File No. 40 as amended by the Senate by striking the words and figures "of one hundred and fifty dollars ($150.00)" as the same appears in line two (2) and three (3) of Sec. 8 following the word "sum" as the same apears in the printed bill as it passed the Senate and substitute therefor the following: "as provided in Sec. two (2) of this act."

Amendment adopted.

The Speaker called Stewart of Calhoun to the chair at 11:06 a. m.

Zylstra of Sioux offered the following amendment and moved its adoption:

Amend House File Forty (40) by adding thereto, Section Twenty-two-a (22-a) to be inserted in the Bill following Section Twenty-two (22), the same to be as follows:

Section 22-a. That the Superintendent of Banking is hereby authorized to employ such competent help as he deems necessary to carry out and perform the provisions of this act, and is hereby authorized and empowered to pay such persons so employed from the license fees and investigation fees referred to in Section Two (2) of this Act.

Amendment adopted.

Speaker Miller returned to the chair at 11:10 a. m.

Dole of Jefferson moved to amend Sec. 13 by striking the word "plus" in line 38 and inserting in lieu thereof the word "and".

Also amend by striking the last two words in line 38 and all of line 39 and substituting in lieu thereof: "part of the loan in excess of one hundred fifty dollars ($150)".

Amendment adopted.

Zylstra of Sioux offered the following amendment and moved its adoption:

Amend the title of House File No. 40 (as amended and passed by the Senate) by substituting therefor the following:

A bill for an act to define, license, supervise, and regulate the business of making loans in the amount or of the value of three hundred dollars ($300) or less at a greater rate of interest or charge than the lender would be permitted by law to charge if not licensed hereunder; to prescribe maximum rates of interest or charges therefor and methods of determining the same from time to time; to provide for the classification of such loans for the purposes of this act; to enlarge the powers of the superintendent of banking and the state banking board; to regulate assignments of wages or salaries when given as security for any such

Digitized by Google

loan or as consideration for a payment of three hundred dollars ($300) or less; to provide penalties; to repeal chapter four hundred nineteen (419) of the code, 1931, and to enact a substitute therefor; and to repeal all acts and parts of acts, whether general, special, or local, which relate to the same subject matter as this act, in so far as they are inconsistent with this act.

Amendment adopted.

Zylstra of Sioux moved that the House concur in the Senate amendments to House File No. 40, as amended by the House.

On the question "Shall the House concur?"

The ayes were, 95.

Aldrich	Fabritz	McCarthy	Schmitz
Alesch	Falvey	McCreery	Schroeder
Augustine	Felter	McDermott	Sheridan
Avery	Fletcher	McKinnon	Smith
Beath	Foster	McLean	Snyder
Beswick	Frizzell	Malone	Speidel
Bonnstetter	Fuelling	Mercer	Stansell
Bouska	Fuester	Metcalf	Stanzel
Bowers	Gittinger	Millhone	Stewart
Brady	Goode	Mitchell	Stimpson
Bruce	Grau	Moore of	Strachan
Burgess	Grell	Harrison	Swift
Casey	Hanson of Lyon	Mooty	Teter
Craven	Hanson of	Osborn	Thies
Crouch	Winnebago	Ostby	Thiessen
Cunningham	Hook	Paisley	Treimer
Davis	Hopp	Peaco	Weed
Dean	Hough	Peet	Wieben
Dole	Hultman	Rawlings	Willis
Donlon	Humeston	Reed	Wolf
Doran	Jenkins	Rice	Yager
Dreessen	Jensen	Roe	Zipse
Durant	Johnson	Ryder	Zylstra
Elliott	Laughlin	Schlatter	Mr. Speaker
Ellsworth	Lookingbill		

The nays were, 3.

Gallagher	Hartman	Wiese

Absent or not voting, 9.

Garner	Lichty	Maniece	Porter
Gissel	McFarlane	Moore of Benton	Sours
Koch			

The House concurred in the Senate amendments to House File No. 40, as amended by the House.

Rice of Keokuk asked and obtained unanimous consent to have the Chief Clerk message House File No. 40 to the Senate immediately.

Digitized by Google

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 135, a bill for an act relating to the annual license fees paid by restaurants, providing for inspection of same; also the creation of a separate fund and limiting the purpose of said fund.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 151, a bill for an act to provide an appropriation to defray the expenses of the Supreme Court and the judges thereof during the biennium from July 1, 1933 to June 30, 1935.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 155, a bill for an act to provide for the licensing of certain buyers and agents of such buyers of livestock, requiring written livestock market reports and other information from such buyers and agents to the State Secretary of Agriculture, and providing penalties for the violation of the Act.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 216, a bill for an act to provide for the issuing of a permit to pipe line companies engaged in the business of owning, operating or controlling lines for the transportation or transmission of gas, gasoline, oils, or motor fuels and/or inflammable fluids within or through this state; providing for construction and annual inspection fees.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 216

1. Amend House File 216, section eleven (11), line four (4), by adding after the period (.) in said line, the following: "Provided, however, that before any permit shall be granted to any pipe line company proposing to engage in intrastate commerce, the commission shall, after a public hearing as provided in this chapter, determine whether the services proposed to be rendered will promote the public convenience and necessity, and an affirmative finding to such effect shall be a condition precedent to the granting of such permit."

2. Amend section eighteen (18), line six (6), by adding after the period (.) in said line, the following: "The provisions of this chapter shall not be retroactive as against existing rights of property owners where pipe lines have been constructed or are in the process of construction."

3. Amend by striking from section twenty-four (24), lines fourteen (14) to twenty (20) inclusive and inserting in lieu thereof the following:

"Nothing in this chapter shall authorize the construction of a pipeline longitudinally on, over or under any railroad right of way or public highway, or at other than an approximate right angle to such railroad track

Digitized by Google

or public highway without the consent of such railroad company, the highway commission or board of supervisors, as the case may be, nor shall any provision of this chapter authorize or give the right of condemnation or eminent domain for such purposes."

REPORT OF COMMITTEE TO WORK OUT AMENDMENTS TO SENATE FILE NO. 42

MR. SPEAKER: We, the undersigned members of your committee appointed "to work out amendments" to Senate File No. 42, beg leave to report that we have had same under consideration and we recommend that the following amendments to said Senate File No. 42 be adopted, to-wit:

By striking from lines 1 and 2 of Sec. 2 of the printed bill the words "within the State Welfare Department".

Also strike from line 3 of said Sec. 2 the quotation mark (") and the word "State.

Also strike the quotation marks (") immediately following the word "Commission" in line 4 of said Sec. 2.

Also insert between the word "state" and the word "who" in line 5 of said Sec. 2 the words ", no more than two of whom shall belong to the same political party,".

Also strike from line 4 of Sec. 3 of the printed bill the figures, "$3300.00" and substitute in lieu thereof the words "three thousand dollars".

Also insert a period (.) immediately after the word "salaries" in line 8 of said Sec. 3, and strike all that part of said section following said inserted period (.).

Also insert between the comma (,) and the word "of" in line 3 of Sec. 5 of the printed bill the words "no more than two of whom shall belong to the same political party,".

Also strike from lines 4 and 5 of Sec. 6 of the printed bill the following: ", after appropriations have been duly made as herein provided,".

Also strike the word "relief" in line 30 of Sec. 12 of the printed bill and substitute in lieu thereof the word "assistance".

Also strike the word "relief" in line 4 of Sec. 13 of the printed bill, and substitute in lieu thereof the word "assistance".

Also strike the word "relief" in line 10 of Sec. 14 of the printed bill, and substitute in lieu thereof the word "assistance".

Also insert between the word "and" and the word "the" in line 8 of Sec. 15 of the printed bill the word "neither".

Also strike the word "or" in said line 8 of Sec. 15, and substitute in lieu thereof the words "nor the".

Also strike the word "not" in line 9 of said Sec. 15.

Also strike the word "commission" in line 18 of Sec. 16 of the printed bill, and substitute in lieu thereof the words "State of Iowa".

Also strike from line 28 of Sec. 16 of the printed bill the words "one-half of".

Also strike from line 29 of said Sec. 16 the word "general" and substitute in lieu thereof the words "old age pension".

Also insert a period (.) immediately after the word "state" in line 29 of Sec. 16, and strike the remainder of said line 29 and also strike all of line 30 of said Sec. 16.

Digitized by Google

Also strike all of lines 10, 11, 12 and 13 of Sec. 24 of the printed bill, and substitute in lieu thereof the following: "estate, and the amount so recovered shall be transferred to the old age pension fund of the state."

Also strike the word "Relief" in line 2 of Sec. 27 of the printed bill, and substitute in lieu thereof the word "Assistance".

Also strike from line 4 of said Sec. 27 the word "relief" and substitute in lieu thereof the word "assistance".

Also strike one letter "l" from the word "cancelled" in line 10 of Sec. 30 of the printed bill.

Also strike all of lines 16, 17 and 18 of Sec. 31 of the printed bill, and substitute in lieu thereof the following: "punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail for not more than ninety days, or both."

Also strike from line 5 of Sec. 32 of the printed bill the words "sentenced to pay" and substitute in lieu thereof the words "punished by".

Also strike all of lines 6 and 7 of said Sec. 32, and substitute in lieu thereof the following: "hundred dollars, or by imprisonment in the county jail not exceeding ninety days,".

Also strike the word "State" from line 16 of Sec. 34 of the printed bill; also strike from line 17 of Sec. 34 the words "State Old Age Assistance".

Also strike one letter "l" from the word "cancelled" in line 10 of Sec. 37 of the printed bill.

Also insert between the word "report" in line 3 and the word "for" in line four (4) of Sec. 37 of the printed bill the words "to the Governor".

Also change the period (.) in line 22 of Sec. 18 to a comma (,) and add immediately thereafter the following:

"subject to review by certiorari on the petition of the applicant, or of any taxpayer."

Also insert between the word "state" and the word "of" in line 20 of Sec. 34 of the printed bill, the following:

"and who are citizens of the United States and".

Also strike the word "superintendent" in line 6 and in line 9 of Sec. 5 of the printed bill, and substitute in each of said lines the word "overseer".

Also change the period (.) at the end of line ten of Sec. 2 of the printed bill to a semi-colon (;) and add the following: "provided, however, that the members first so appointed shall be subject to the approval of the executive council."

Also by striking the words "thirty dollars" in line 7 of Sec. 10 of the printed bill and substituting in lieu thereof the words "twenty-five dollars."

Also by striking the word "commission" from line 19 of Sec. 16 of the printed bill and substitute in lieu thereof the word "board".

Also change the period in line 6 of Sec. 22 of the printed bill to a semicolon (;), and add the following:

"provided, however, that no old age assistance payments shall be made before July 1, 1935."

Also strike from Sec. 34 of the printed bill all that part thereof following the period (.) in line one (1) down to and including line fourteen (14).

Also further amend by striking all of Secs. 35 and 36 of the printed bill.

Digitized by Google

Also by changing the period (.) in line twenty-five (25)of Sec. 34 of the printed bill to a semi-colon (;), and adding the following:

"provided, however, that said tax, if paid, shall be credited on any poll taxes assessed for street, road, or other purposes against the person paying same. Any person, firm, association or corporation including municipal corporations and special charter cities, having in their employ continuously for a period of thirty days or more any resident of this state and who is a citizen of the United States, and to whom this act applies and who has not paid the tax provided for in this section, shall deduct said tax from the earnings of such employee and deliver to such employee a receipt for said collection and remit same to the treasurer of state, together with a report showing the amount and name of the person from whom collected; and the treasurer of state shall credit said tax as other taxes provided for in this section and act, and report to the county treasurer of the county from which such remittance was received, giving the name of the employee and the amount of such tax collected; and when said report has been received by the county treasurer, he shall credit such person on his books with said payment. Any employer failing to collect and so report said tax shall be liable therefor."

Also insert immediately after the period (.) in line 31 of Sec. 34 of the printed bill, the following:

"All taxes collected under the provisions of this section and act shall be deposited to the credit of the old age pension fund, and shall be kept separate from the general fund of the state. On receipt of written order from the commission, the state comptroller shall draw warrants, and/or warrant checks against the old age pension fund for any and all old age assistance payments and other expenditures provided for in this act."

Also insert between the word "be" and the word "collected" in line 23 of Sec. 34 of the printed bill, the words, "levied and".

Also by inserting as Sec. 35. Each assessor shall at the time of listing property for assessment list and return to the county auditor the names and post office addresses of all persons subject to the tax provided for in this act; and the county auditor shall certify said list to the county treasurer with the annual tax list.

We also recommend that the amendment by Beswick of Van Buren, which appears on page 1398 of the Journal of the House of Friday, March 2, 1934, be adopted.

Also renumber the sections.

Respectfully submitted,

P. H. DONLON
L. D. TETER
DEWEY E. GOODE
C. L. RICE
JOHN H. SCHROEDER

RESIGNATION OF COMMITTEE CLERK

March 3, 1934.

I hereby tender my resignation as Committee Clerk for Representatives Wm. Koch and Wm. Sheridan, to take effect Monday, March 5, 1934.

CHARLOTTE DIEKMANN.

On the motion of Grau of Buena Vista the House adjourned until 10 o'clock a. m., Monday, March 5.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 5, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. J. H. Freedline, Pastor M. E. Church, Brooklyn, Iowa.

Journal of March 3, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Craven of Jasper for the day, on request of Hopp of Mills.

SENATE MESSAGES CONSIDERED

Senate File No. 155, a bill for an act to provide for the licensing of certain buyers and agents of such buyers of livestock, requiring written livestock market reports and other information from such buyers and agents to the State Secretary of Agriculture, and providing penalties for the violation of the act.

Read first and second times and referred to steering committee.

HOUSE FILE NO. 139 REREFERRED TO STEERING COMMITTEE

Ellsworth of Hardin asked and obtained unanimous consent to rerefer House File No. 139 to steering committee.

MOTION TO RECEDE FROM HOUSE AMENDMENT TO SENATE FILE NO. 95

Brady of Pottawattamie moved that the House recede from its amendment to Senate File No. 95.

Hanson of Winnebago moved the previous question.

On the question "Shall the House recede from its amendment to Senate File No. 95?" a roll call was demanded.

Digitized by Google

The ayes were, 25.

Brady	Fuelling	Mercer	Strachan
Bruce	Gallagher	Moore of	Swift
Crouch	Grell	Harrison	Wiese
Cunningham	Hanson of Lyon	Peaco	Willis
Elliott	Hultman	Peet	Wolf
Fabritz	McDermott	Ryder	Mr. Speaker
Foster	McFarlane		

The nays were, 72.

Aldrich	Felter	Laughlin	Schroeder
Augustine	Fletcher	Lookingbill	Smith
Avery	Frizzell	McCreery	Snyder
Beath	Fuester	McKinnon	Sours
Beswick	Garner	McLean	Speidel
Bonnstetter	Gissel	Malone	Stansell
Bouska	Gittinger	Maniece	Stanzel
Bowers	Goode	Metcalf	Stewart
Burgess	Grau	Mooty	Stimpson
Casey	Hanson of	Osborn	Teter
Davis	Winnebago	Ostby	Thies
Dean	Hook	Paisley	Thiessen
Dole	Hopp	Rawlings	Treimer
Donlon	Hough	Reed	Weed
Doran	Humeston	Rice	Wieben
Dreessen	Jensen	Roe	Yager
Durant	Johnson	Schlatter	Zipse
Ellsworth	Koch	Schmitz	Zylstra
Falvey			

Absent or not voting, 11.

Alesch	Jenkins	Millhone	Porter
Craven	Lichty	Mitchell	Sheridan
Hartman	McCarthy	Moore of Benton	

The motion lost and the House insisted on its amendments.

CONFERENCE COMMITTEE ON SENATE FILE NO. 95

As members of the conference committee on Senate File No. 95 the Speaker appointed the following: Brady of Pottawattamie, Hanson of Lyon, Mercer of Johnson and Fuelling of Clayton.

MOTION TO RECONSIDER CALLED UP

Foster of Cedar called up the motion to reconsider the vote by which House Concurrent Resolution No. 14 was adopted and filed by Mercer of Johnson and found on page 1277 of the Journal of February 26. Motion prevailed.

Bonnstetter of Kossuth moved to amend House Concurrent Resolution No. 14 by striking therefrom the words and figures "Wednesday, February 28, 1934" and inserting in lieu thereof the words and figures "Thursday, March 8, 1934".

Digitized by Google

Avery of Clay offered as a substitute for the Bonnstetter amendment the following:

Strike the words and figures "Wednesday, February 28, 1934" and insert in lieu thereof the words and figures "Saturday, March 10, 1934."

Avery of Clay asked and obtained unanimous consent to withdraw his substitute.

Fabritz of Wapello offered as a substitute for the Bonnstetter amendment the following:

"Strike the words and figures "Wednesday, February 28, 1934" and insert in lieu thereof the words and figures "Friday, March 9, 1934."

McKinnon of Henry moved the previous question on the substitute motion. Motion prevailed.

On the question "Shall the Fabritz amendment be substituted for the Bonnstetter amendment?" a roll call was demanded.

The ayes were, 57.

Augustine	Fuelling	Moore of	Snyder
Avery	Fuester	Harrison	Speidel
Beswick	Grell	Mooty	Stansell
Bouska	Hanson of Lyon	Osborn	Stanzel
Bowers	Hanson of	Ostby	Stewart
Brady	Winnebago	Paisley	Strachan
Bruce	Humeston	Peaco	Swift
Crouch	Laughlin	Peet	Treimer
Cunningham	Lookingbill	Rawlings	Wiese
Dreessen	McCarthy	Reed	Willis
Elliott	McDermott	Rice	Wolf
Ellsworth	McKinnon	Ryder	Zipse
Fabritz	McLean	Schmitz	Zylstra
Falvey	Maniece	Schroeder	Mr. Speaker
Felter	Metcalf	Smith	

The nays were, 43.

Aldrich	Fletcher	Hough	Moore of Benton
Alesch	Foster	Hultman	Roe
Beath	Frizzell	Jensen	Schlatter
Bonnstetter	Gallagher	Johnson	Sours
Burgess	Garner	Koch	Stimpson
Casey	Gissel	McCreery	Thies
Davis	Gittinger	McFarlane	Thiessen
Dean	Goode	Malone	Weed
Dole	Grau	Mercer	Wieben
Doran	Hook	Millhone	Yager
Durant	Hopp	Mitchell	

Absent or not voting, 8.

Craven	Hartman	Lichty	Sheridan
Donlon	Jenkins	Porter	Teter

Substitution was made.

The substitute amendment was adopted.

Digitized by Google

On the question "Shall Concurrent Resolution No. 14 as amended be adopted?" a roll call was demanded.

The ayes were, 96.

Aldrich	Felter	McCreery	Schmitz
Alesch	Fletcher	McFarlane	Schroeder
Augustine	Foster	McKinnon	Smith
Avery	Ffizzell	McLean	Snyder
Beath	Fuelling	Malone	Sours
Beswick	Fuester	Maniece	Speidel
Bonnstetter	Garner	Mercer	Stansell
Bouska	Gissel	Metcalf	Stanzel
Bowers	Gittinger	Millhone	Stewart
Brady	Goode	Mitchell	Stimpson
Bruce	Grau	Moore of Benton	Strachan
Casey	Grell	Moore of	Swift
Crouch	Hanson of Lyon	Harrison	Teter
Cunningham	Hanson of	Mooty	Thies
Davis	Winnebago	Osborn	Treimer
Dean	Hopp	Ostby	Weed
Dole	Hough	Paisley	Wieben
Donlon	Hultman	Peaco	Wiese
Doran	Humeston	Peet	Willis
Dreessen	Jensen	Rawlings	Wolf
Durant	Johnson	Reed	Yager
Elliott	Koch	Rice	Zipse
Ellsworth	Laughlin	Roe	Zylstra
Fabritz	Lookingbill	Ryder	Mr. Speaker
Falvey	McCarthy		

The nays were, 5.

Burgess	Hook	Schlatter	Thiessen
Gallagher			

Absent or not voting, 7.

Craven	Jenkins	McDermott	Sheridan
Hartman	Lichty	Porter	

House Concurrent Resolution No. 14 adopted.

Bonnstetter of Kossuth moved that the vote by which House Concurrent Resolution No. 14 was adopted be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

ADDITIONAL COPIES ORDERED PRINTED

Wiese of Scott asked and obtained unanimous consent to have 1,800 copies of House File No. 292 as enrolled printed in pamphlet form.

CONSIDERATION OF SENATE AMENDMENTS

On request of Mitchell of Webster, unanimous consent having been given, House File No. 216, a bill for an act to provide for the issuing of a permit to pipe line companies engaged in the business

Digitized by Google

of owning, operating or controlling lines for the transportation or transmission of gas, gasoline, oils, or motor fuels and/or inflammable fluids within or through this state; providing an annual inspection fee therefor; providing for the regulation of the construction, location and inspection of pipe lines; providing for the right of eminent domain and regulating the use of such right; providing that the board of railroad commissioners shall have supervision over pipe lines, and providing for the fixing of property security and responsibility by pipe line companies for the protection of persons sustaining damage by them; fixing jurisdiction in the district court of the county where any controversy arises involving said pipe lines, and providing a method of service of notice of suit against pipe line companies; and providing for injunction and penalty for violation of same; and repealing chapter three hundred eighty-three-D one (383-D1), code, 1931, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 216

1. Amend House File 216, section eleven (11), line four (4), by adding after the period (.) in said line, the following: "Provided, however, that before any permit shall be granted to any pipe line company proposing to engage in intrastate commerce, the commission shall, after a public hearing as provided in this chapter, determine whether the services proposed to be rendered will promote the public convenience and necessity, and an affirmative finding to such effect shall be a condition precedent to the granting of such permit."

2. Amend section eighteen (18), line six (6), by adding after the period (.) in said line, the following: "The provisions of this chapter shall not be retroactive as against existing rights of property owners where pipe lines have been constructed or are in the process of construction."

3. Amend by striking from section twenty-four (24), lines fourteen (14) to twenty (20) inclusive and inserting in lieu thereof the following: "Nothing in this chapter shall authorize the construction of a pipeline longitudinally on, over or under any railroad right of way or public highway, or at other than an approximate right angle to such railroad track or public highway without the consent of such railroad company, the highway commission or board of supervisors, as the case may be, nor shall any provision of this chapter authorize or give the right of condemnation or eminent domain for such purposes."

Mr. Mitchell moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

Digitized by Google

The ayes were, 87.

Aldrich	Falvey	Lookingbill	Schmitz
Alesch	Felter	McCarthy	Schroeder
Augustine	Fletcher	McCreery	Sheridan
Avery	Foster	McDermott	Smith
Beath	Frizzell	McFarlane	Snyder
Beswick	Fuelling	Malone	Sours
Bonnstetter	Fuester	Maniece	Speidel
Bouska	Gallagher	Mercer	Stansell
Bowers	Garner	Metcalf	Stanzel
Bruce	Gissel	Millhone	Stimpson
Burgess	Gittinger	Mitchell	Strachan
Casey	Goode	Moore of Benton	Swift
Crouch	Grau	Moore of Harrison	Teter
Davis	Grell	Mooty	Thiessen
Dean	Hanson of Lyon	Osborn	Treimer
Dole	Hanson of Winnebago	Peaco	Weed
Donlon	Hook	Reed	Wieben
Doran	Hopp	Rice	Wiese
Dreessen	Hultman	Roe	Willis
Durant	Johnson	Ryder	Wolf
Elliott	Koch	Schlatter	Yager
Ellsworth			Mr. Speaker
Fabritz			

The nays were, 4.

Humeston	Jensen	McKinnon	McLean

Absent or not voting, 17.

Brady	Jenkins	Paisley	Stewart
Craven	Laughlin	Peet	Thies
Cunningham	Lichty	Porter	Zipse
Hartman	Ostby	Rawlings	Zylstra
Hough			

House concurred in Senate amendment to House File No. 216.

CONSIDERATION OF BILLS

Senate File No. 42, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor, and making an appropriation therefor, levying a tax, and prescribing penalties for the violation of the provisions of this act, was taken up for consideration.

Rice of Keokuk called up the report of the committee to work out amendments to Senate File No. 42, as found on pages 1407, 1408, 1409 and 1410 of the Journal of March 3, and moved the adoption of the amendments. A division was asked for.

Rice of Keokuk moved the adoption of the following committee amendments to section 2:

By striking from lines 1 and 2 of Sec. 2 of the printed bill the words "within the State Welfare Department".

Digitized by Google

Also strike from line 3 of said Sec. 2 the quotation mark (") and the word "State.

Also strike the quotation marks (") immediately following the word "Commission" in line 4 of said Sec. 2.

Also insert between the word "state" and the word "who" in line 5 of said Sec. 2 the words : ", no more than two of whom shall belong to the same political party,".

Also change the period (.) at the end of line ten of Sec. 2 of the printed bill to a semi-colon (;) and add the following: "provided, however, that the members first so appointed shall be subject to the approval of the executive council."

Amendments adopted.

Rice of Keokuk moved the adoption of the following committee amendments to section 3:

Also strike from line 4 of Sec. 3 of the printed bill the figures, "$3300.00" and substitute in lieu thereof the words "three thousand dollars".

Also insert a period (.) immediately after the word "salaries" in line 8 of said Sec. 3, and strike all that part of said section following said inserted period (.).

Amendments adopted.

Dole of Jefferson moved to amend line 2, section 3, as follows:

Strike therefrom the words: "an old age assistance" and insert in lieu therefor the word "a".

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendments to Section 5:

Also insert between the comma (,) and the word "of" in line 3 of Sec. 5 of the printed bill the words "no more than two of whom shall belong to the same political party,".

Also strike the word "superintendent" in line 6 and in line 9 of Sec. 5 of the printed bill, and substitute in each of said lines the word "overseer".

Amendments adopted.

Rice of Keokuk moved the adoption of the following committee amendment to Section 6:

Also strike from lines 4 and 5 of Sec. 6 of the printed bill the following: ", after appropriations have been duly made as herein provided,".

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 10:

Digitized by Google

Also by striking the words "thirty dollars" in line 7 of Sec. 10 of the printed bill and substituting in lieu thereof the words "twenty-five dollars."

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 12:

Also strike the word "relief" in line 30 of Sec. 12 of the printed bill and substitute in lieu thereof the word "assistance".

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 13:

Also strike the word "relief" in line 4 of Sec. 13 of the printed bill, and substitute in lieu thereof the word "assistance".

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 14:

Also strike the word "relief" in line 10 of Sec. 14 of the printed bill, and substitute in lieu thereof the word "assistance".

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendments to section 15:

Also insert between the word "and" and the word "the" in line 8 of Sec. 15 of the printed bill the word "neither".

Also strike the word "or" in said line 8 of Sec. 15, and substitute in lieu thereof the words "nor the".

Also strike the word "not" in line 9 of said Sec. 15.

Amendments adopted.

Rice of Keokuk moved the adoption of the following committee amendments to section 16:

Also strike the word "commission" in line 18 of Sec. 16 of the printed bill, and substitute in lieu thereof the words "State of Iowa".

Also strike from line 28 of Sec. 16 of the printed bill the words "one-half of".

Also strike from line 29 of said Sec. 16 the word "general" and substitute in lieu thereof the words "old age pension".

Also insert a period (.) immediately after the word "state" in line 29 of Sec. 16, and strike the remainder of said line 29 and also strike all of line 30 of said Sec. 16.

Also by striking the word "commission" from line 19 of Sec. 16 of the printed bill and substitute in lieu thereof the word "board".

Digitized by Google

Amendments adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 18:

Also change the period (.) in line 22 of Sec. 18 to a comma (,) and add immediately thereafter the following:

"subject to review by certiorari on the petition of the applicant, or of any taxpayer."

Teter of Marion moved that action on the amendment to section 18 be deferred. Motion prevailed.

Rice of Keokuk moved the adoption of the following committee amendment to section 22:

Also change the period in line 6 of Sec. 22 of the printed bill to a semicolon (;) and add the following:

"provided, however, that no old age assistance payments shall be made before July 1, 1935."

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 24:

Also strike all of lines 10, 11, 12 and 13 of Sec. 24 of the printed bill, and substitute in lieu thereof the following: "estate, and the amount so recovered shall be transferred to the old age pension fund of the state."

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendments to section 27:

Also strike the word "Relief" in line 2 of Sec. 27 of the printed bill, and substitute in lieu thereof the word "Assistance".

Also strike from line 4 of said Sec. 27 the word "relief" and substitute in lieu thereof the word "assistance".

Amendments adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 30:

Also strike one letter "l" from the word "cancelled" in line 10 of Sec. 30 of the printed bill.

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendments to sections 31 and 32:

Also strike all of lines 16, 17 and 18 of Sec. 31 of the printed bill, and substitute in lieu thereof the following: "punished by a fine not exceed-

Digitized by Google

ing one hundred dollars, or by imprisonment in the county jail for not more than ninety days, or both."

Also strike from line 5 of Sec. 32 of the printed bill the words "sentenced to pay" and substitute in lieu thereof the words "punished by".

Also strike all of lines 6 and 7 of said Sec. 32, and substitute in lieu thereof the following: "hundred dollars, or by imprisonment in the county jail not exceeding ninety days,".

Teter of Marion moved to amend the amendments offered by the committee to Sec. 31, line 18, by striking the word and figures: "ninety (90)" and insert the word and figures: "thirty (30)"; further amend Sec. 32, line 7, by striking the word and figures "ninety (90)" and insert in lieu thereof the word and figures "thirty (30)". Amendments to the amendments adopted.

The committee amendments as amended were adopted.

On the motion of Brady of Pottawattamie the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

The House resumed consideration of the committee amendments to Senate File No. 42.

Rice of Keokuk moved the adoption of the following committee amendments to section 34:

Also strike from Sec. 34 of the printed bill all that part thereof following the period (.) in line one (1) down to and including line fourteen (14).

Also strike the word "State" from line 16 of Sec. 34 of the printed bill; also strike from line 17 of Sec. 34 the words "State Old Age Assistance".

Also insert between the word "state" and the word "of" in line 20 of Sec. 34 of the printed bill, the following:

"and who are citizens of the United States and".

Also insert between the word "be" and the word "collected" in line 23 of Sec. 34 of the printed bill, the words, "levied and".

Amendments adopted.

Rice of Keokuk moved the adoption of the following committee amendment to Section 34:

Also by changing the period (.) in line twenty-five (25) of Sec. 34 of the printed bill to a semi-colon (;), and adding the following:

"provided, however, that said tax, if paid, shall be credited on any poll taxes assessed for street, road, or other purposes against the person

Digitized by Google

paying same. Any person, firm, association or corporation including municipal corporations and special charter cities, having in their employ continuously for a period of thirty days or more any resident of this state and who is a citizen of the United States, and to whom this act applies and who has not paid the tax provided for in this section, shall deduct said tax from the earnings of such employee and deliver to such employee a receipt for said collection and remit same to the treasurer of state, together with a report showing the amount and name of the person from whom collected; and the treasurer of state shall credit said tax as other taxes provided for in this section and act, and report to the county treasurer of the county from which such remittance was received, giving the name of the employee and the amount of such tax collected; and when said report has been received by the county treasurer, he shall credit such person on his books with said payment. Any employer failing to collect and so report said tax shall be liable therefor."

Reed of Mahaska offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment offered to Section Thirty-four (34), line 25 by striking from lines one (1), two (2), and three (3) of paragraph two (2) the following:

"Provided, however, that said tax, if paid, shall be credited on any poll taxes assessed for street, road, or other purposes against the persons paying same".

Foster of Cedar moved the previous question on the Reed amendment to the committee amendment. Motion prevailed.

On the question "Shall the Reed amendment to the committee amendment to section 34 be adopted?" a roll call was demanded.

The ayes were, 19.

Avery	Dole	Lichty	Smith
Beath	Durant	McFarlane	Speidel
Crouch	Elliott	McLean	Stewart
Cunningham	Felter	Malone	Zylstra
Davis	Hanson of Lyon	Reed	

The nays were, 78.

Aldrich	Fabritz	Hook	Millhone
Alesch	Falvey	Hopp	Moore of Benton
Beswick	Fletcher	Hough	Moore of Harrison
Bonnstetter	Foster	Hultman	Mooty
Bouska	Frizzell	Humeston	Osborn
Bowers	Fuelling	Jenkins	Ostby
Brady	Fuester	Jensen	Paisley
Bruce	Gallagher	Johnson	Peaco
Burgess	Gissel	Koch	Rice
Casey	Gittinger	Lookingbill	Roe
Dean	Goode	McCarthy	Ryder
Donlon	Grau	McCreery	Schlatter
Doran	Hanson of Winnebago	Maniece	Schmitz
Dreessen	Hartman	Mercer	Schroeder
Ellsworth		Metcalf	

Digitized by Google

Sheridan	Stimpson	Thiessen	Willis
Snyder	Strachan	Treimer	Wolf
Sours	Swift	Weed	Yager
Stansell	Teter	Wieben	Zipse
Stanzel	Thies	Wiese	Mr. Speaker

Absent or not voting, 11.

Augustine	Grell	McKinnon	Porter
Craven	Laughlin	Mitchell	Rawlings
Garner	McDermott	Peet	

Amendment to the amendment lost.

Rice of Keokuk moved that part I of the committee amendment to section 34, now under consideration, and being the first four lines, and ending with the words "paying same." in the fifth line, be adopted. Amendment adopted.

Rice of Keokuk moved the adoption of part II of the committee amendment to section 34, now under consideration and starting with the word: "Any" in line 5, and ending with the word: "therefor" as it appears at the end of the paragraph.

Rawlings of Monona moved the previous question on the adoption of part II of the committee amendment to section 34. Motion prevailed.

On the question "Shall part II of the committee amendment to section 34 be adopted?" a roll call was demanded.

The ayes were, 80.

Aldrich	Falvey	McCreery	Schmitz
Alesch	Fletcher	McKinnon	Schroeder
Augustine	Frizzell	Malone	Sheridan
Avery	Fuester	Maniece	Snyder
Beath	Gallagher	Mercer	Sours
Beswick	Gissel	Metcalf	Speidel
Bonnstetter	Goode	Millhone	Stansell
Bouska	Hanson of Winnebago	Mitchell	Stewart
Bruce	Hartman	Moore of Harrison	Strachan
Burgess	Hook	Mooty	Swift
Casey	Hopp	Osborn	Teter
Crouch	Hough	Paisley	Thies
Cunningham	Hultman	Peet	Treimer
Dean	Humeston	Rawlings	Weed
Dole	Jenkins	Reed	Wieben
Donlon	Jensen	Rice	Willis
Doran	Johnson	Roe	Wolf
Dreessen	Koch	Ryder	Yager
Durant	Lookingbill	Schlatter	Zylstra
Elliott	McCarthy		Mr. Speaker
Fabritz			

Digitized by Google

The nays were, 19.

Bowers	Foster	Lichty	Peaco
Brady	Fuelling	McFarlane	Thiessen
Davis	Gittinger	McLean	Wiese
Ellsworth	Grau	Moore of Benton	Zipse
Felter	Hanson of Lyon	Ostby	

Absent or not voting, 9.

Craven	Laughlin	Porter	Stanzel
Garner	McDermott	Smith	Stimpson
Grell			

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 34:

Also insert immediately after the period (.) in line 31 of Sec. 34 of the printed bill, the following:

"All taxes collected under the provisions of this section and act shall be deposited to the credit of the old age pension fund, and shall be kept separate from the general fund of the state. On receipt of written order from the commission, the state comptroller shall draw warrants, and/or warrant checks against the old age pension fund for any and all old age assistance payments and other expenditures provided for in this act."

Amendment adopted.

Beswick of Van Buren called up the amendment filed by him and found on page 1398 of the Journal of March 2 and moved its adoption. Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment:

Also further amend by striking all of Secs. 35 and 36 of the printed bill.

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment:

Also by inserting as Sec. 35. Each assessor shall at the time of listing property for assessment list and return to the county auditor the names and post office addresses of all persons subject to the tax provided for in this act; and the county auditor shall certify said list to the county treasurer with the annual tax list.

Amendment adopted.

Rice of Keokuk moved the adoption of the following committee amendment to section 37:

Also insert between the word "report" in line 3 and the word "for" in line four (4) of Sec. 37 of the printed bill the words "to the Governor".

Digitized by Google

Also strike one letter "l" from the word "cancelled" in line 10 of Sec. 37 of the printed bill.

Amendments adopted.

Teter of Marion asked and obtained unanimous consent to withdraw the committee amendments to section 18.

Teter of Marion offered the following amendment to section 18 and moved its adoption:

Amend Sec. 18 of the printed bill of Senate File 42, as amended and passed by the Senate, by changing the comma at the end of line 21 of said section to a period (.), and by striking the remainder of said section down to and including line 26, and by substituting in lieu of that part thereof so stricken, the following:

"An applicant whose application for assistance has been rejected may within thirty days appeal from the decision of the commission to the district court of the county in which the application was filed by serving a ten days' notice of such appeal upon the superintendent or upon any member of the commission, in the manner required for service of an original notice. Upon service of such notice, the commission shall furnish the applicant a copy of the application, a copy of all supporting papers, a transcript of the testimony and a copy of its decision. The court shall hear and determine said application on its merits. Upon the allowance of any such application, any taxpayer of the county in which said application was filed may appeal to the district court of such county by serving notice as hereinabove provided, and upon service of said notice the commission shall furnish such taxpayer with a copy of said application, a copy of all supporting papers, a transcript of the testimony and a copy of its decision. The district court may either affirm or reverse the decision of the commission appealed from, and enter such order as may be proper; and said order and judgment of the district court shall be final. An applicant whose application for assistance has been rejected may not reapply for assistance until the expiration of twelve months from the date of the previous application."

Amendment adopted.

Goode of Davis offered the following amendment and moved its adoption:

Amend Section 15 of Senate File No. 42 by striking all of line eleven (11) after the period (.), also lines 12, 13 and 14 and insert in lieu thereof the following: "The proceeds of such claim shall be paid into the Old Age Pension Fund."

Amendment adopted.

Teter of Marion, Donlon of Palo Alto, Goode of Davis and Rice of Keokuk offered the following amendment and moved its adoption:

Digitized by Google

Amend Senate File 42, as amended and passed by the Senate, by changing the period at the end of line 6 of Sec. 20 to a semi-colon (;) and adding the following:

"and, on written order of the commission, the state comptroller shall issue and forward warrant, or warrant check, to such recipient in payment of each installment."

Amendment adopted.

Foster of Cedar and Schroeder of Carroll offered the following amendment and moved its adoption:

Amend Senate File No. 42 as amended and passed by the Senate as follows:

Insert as Section 41 the following:

"Section 41. Limitation of assistance granted under the provisions of this act to persons receiving aid in the several counties of the state. The amount of assistance granted under the provisions of this act to the residents of any one county shall be in the same proportion as the total amount of taxes collected under the provisions of this act in said county is to the total amount collected in the state."

Strachan of Humboldt moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Foster and Schroeder amendment be adopted?" a roll call was demanded.

The ayes were, 38.

Alesch	Hanson of Lyon	Millhone	Sours
Beath	Hanson of	Mooty	Speidel
Beswick	Winnebago	Osborn	Stanzel
Bonnstetter	Hook	Ostby	Strachan
Dreessen	Hopp	Peet	Thiessen
Felter	Hultman	Rawlings	Wieben
Fletcher	Humeston	Roe	Wolf
Foster	Koch	Ryder	Zipse
Fuester	Laughlin	Schlatter	Zylstra
Gissel	McDermott	Schroeder	

The nays were, 61.

Aldrich	Elliott	McCarthy	Schmitz
Augustine	Ellsworth	McCreery	Sheridan
Avery	Fabritz	McFarlane	Smith
Bouska	Falvey	McLean	Snyder
Bowers	Frizzell	Malone	Stansell
Brady	Fuelling	Maniece	Stewart
Bruce	Gallagher	Mercer	Stimpson
Casey	Gittinger	Metcalf	Swift
Crouch	Goode	Mitchell	Teter
Cunningham	Grau	Moore of	Thies
Davis	Hartman	Harrison	Treimer
Dean	Hough	Paisley	Weed
Dole	Jensen	Peaco	Wiese
Donlon	Johnson	Reed	Willis
Doran	Lichty	Rice	Yager
Durant	Lookingbill		

Digitized by Google

Absent or not voting, 9.

Burgess	Grell	McKinnon	Porter
Craven	Jenkins	Moore of Benton	Mr. Speaker
Garner			

Amendment lost.

Gissel of Buchanan called up the amendment filed by him and found on page 1398 of the Journal of March 2 and moved its adoption.

Gissel of Buchanan asked and obtained unanimous consent to withdraw his amendment.

McCreery of Linn offered the following amendment and moved its adoption:

Amend Senate File No. 42 by striking the period (.) at the end of section ten (10) and adding the following:

"for one member in a family and $15.00 for each additional member in the same family who is eligible for assistance and living in the same house."

Also, strike section eleven (11).

A division of the question was demanded.

McCreery of Linn asked and obtained unanimous consent to withdraw part I of his amendment.

On the question "Shall part II of the McCreery amendment be adopted?" a roll call was demanded.

The ayes were, 33.

Alesch	Frizzell	McCreery	Schlatter
Avery	Fuelling	McFarlane	Speidel
Beath	Gissel	McKinnon	Stanzel
Bonnstetter	Goode	Millhone	Thiessen
Dole	Hook	Moore of Harrison	Weed
Doran	Hopp	Reed	Wieben
Falvey	Hough	Roe	Yager
Felter	Hultman		Mr. Speaker
Fletcher	Laughlin		

The nays were, 55.

Aldrich	Donlon	Humeston	Osborn
Beswick	Dreessen	Jensen	Ostby
Bouska	Elliott	Koch	Peaco
Brady	Ellsworth	Lichty	Peet
Bruce	Fabritz	Lookingbill	Rice
Burgess	Foster	McCarthy	Ryder
Casey	Gallagher	McLean	Schmitz
Crouch	Gittinger	Mercer	Schroeder
Cunningham	Hanson of Winnebago	Metcalf	Smith
Davis	Hartman	Mitchell	Snyder
Dean		Mooty	Sours

Digitized by Google

Stansell	Swift	Treimer	Wolf
Stimpson	Teter	Wiese	Zipse
Strachan	Thies	Willis	Zylstra

Absent or not voting, 20.

Augustine	Garner	Johnson	Paisley
Bowers	Grau	McDermott	Porter
Craven	Grell	Malone	Rawlings
Durant	Hanson of Lyon	Maniece	Sheridan
Fuester	Jenkins	Moore of Benton	Stewart

Amendment lost.

Rice of Keokuk offered the following amendment and moved its adoption:

Amend Senate File No. 42 as amended by inserting in line 3 of Sec. 40 after the word "commission" a comma, and adding the following words: "out of any funds not otherwise appropriated".

Amendment adopted.

Zylstra of Sioux offered the following amendment and moved its adoption:

Amend Senate File No. 42, as amended and passed by the Senate, by inserting immediately following the last line of Sec. 34, the following as Sec. 34-a:

"For the purpose of affording emergency relief under the provisions of this act prior to July 1, 1935 and commencing November 1, 1934, there is hereby levied on all persons pursuant to Sec. 34, a tax of One Dollar ($1.00), payable on or before July 1, 1934."

Amend the amendment to Sec. 22, line 6, as adopted, by changing the period (.) immediately following the figures "1935" and adding thereto the words "except as provided in Sub-Section 34-a of this act."

Rawlings of Monona moved that action on the Zylstra amendment be deferred, until a committee of five to be appointed by the Speaker, and report a satisfactory amendment. Motion lost.

Millhone of Page moved the previous question on the Zylstra amendment. Motion prevailed.

On the question "Shall the Zylstra amendment be adopted?" a roll call was demanded.

The ayes were, 44.

Aldrich	Burgess	Durant	Jensen
Alesch	Crouch	Elliott	Koch
Beswick	Cunningham	Fabritz	Lookingbill
Bonnstetter	Davis	Falvey	McCarthy
Bouska	Dean	Fuester	McDermott
Brady	Dreessen	Gallagher	McKinnon

Digitized by Google

Malone	Ostby	Ryder	Thiessen
Maniece	Peaco	Schroeder	Yager
Mercer	Rawlings	Stewart	Zipse
Metcalf	Reed	Swift	Zylstra
Mitchell	Rice	Teter	Mr. Speaker

The nays were, 59.

Augustine	Gittinger	Lichty	Smith
Avery	Goode	McCreery	Snyder
Beath	Grau	McFarlane	Sours
Bowers	Hanson of Lyon	McLean	Speidel
Bruce	Hanson of Winnebago	Millhone	Stansell
Casey	Hartman	Moore of Harrison	Stanzel
Dole	Hook	Mooty	Stimpson
Donlon	Hopp	Osborn	Strachan
Doran	Hough	Paisley	Thies
Ellsworth	Hultman	Peet	Treimer
Felter	Humeston	Roe	Weed
Fletcher	Jenkins	Schlatter	Wieben
Foster	Johnson	Schmitz	Wiese
Frizzell	Laughlin	Sheridan	Willis
Fuelling			Wolf
Gissel			

Absent or not voting, 5.

Craven	Grell	Moore of Benton	Porter
Garner			

Amendment lost.

Dole of Jefferson called up the amendments filed by him and found on page 1398 of the Journal of March 2 and moved their adoption.

A division of the question was demanded.

Mooty of Grundy moved that the House adjourn until 9:30 o'clock Tuesday, March 6.

Crouch of Greene moved to amend the Mooty motion by recessing until 7:00 p. m. today.

On the question "Shall the Crouch amendment to the Mooty motion to adjourn be adopted?" a roll call was demanded.

The ayes were, 25.

Aldrich	Fletcher	McKinnon	Roe
Bonnstetter	Gallagher	Mercer	Sours
Brady	Hanson of Lyon	Moore of Benton	Stimpson
Crouch	Hook	Ostby	Teter
Dean	Hultman	Peaco	Thiessen
Durant	Koch	Reed	Mr. Speaker
Falvey			

The nays were, 76.

Alesch	Beath	Bowers	Casey
Augustine	Beswick	Bruce	Cunningham
Avery	Rouska	Burgess	Davis

Digitized by Google

Dole	Hopp	Millhone	Snyder
Donlon	Hough	Mitchell	Speidel
Doran	Humeston	Moore of	Stansell
Dreessen	Jenkins	Harrison	Stanzel
Elliott	Jensen	Mooty	Stewart
Ellsworth	Johnson	Osborn	Strachan
Fabritz	Laughlin	Paisley	Swift
Felter	Lichty	Peet	Thies
Frizzell	Lookingbill	Rawlings	Treimer
Fuelling	McCarthy	Rice	Weed
Gissel	McCreery	Ryder	Wieben
Gittinger	McDermott	Schlatter	Wiese
Goode	McFarlane	Schmitz	Willis
Grau	McLean	Schroeder	Wolf
Hanson of	Malone	Sheridan	Yager
Winnebago	Maniece	Smith	Zipse
Hartman	Metcalf		

Absent or not voting, 7.

Craven	Fuester	Grell	Zylstra
Foster	Garner	Porter	

Amendment lost.

On the question "Shall the motion by Mooty of Grundy to adjourn until 9:30 o'clock tomorrow prevail?" a roll call was demanded.

The ayes were, 27.

Alesch	Gallagher	Malone	Stewart
Beath	Gittinger	Mitchell	Swift
Cunningham	Jenkins	Mooty	Weed
Dean	Laughlin	Ostby	Wieben
Fabritz	Lookingbill	Paisley	Willis
Felter	McDermott	Peet	Wolf
Frizzell	McLean	Ryder	

The nays were, 67.

Aldrich	Elliott	Johnson	Schlatter
Augustine	Ellsworth	Koch	Schmitz
Avery	Falvey	Lichty	Schroeder
Beswick	Fletcher	McCreery	Sheridan
Bonnstetter	Fuelling	McFarlane	Smith
Bouska	Goode	Maniece	Snyder
Bowers	Grau	Mercer	Sours
Brady	Hanson of Lyon	Metcalf	Speidel
Bruce	Hanson of	Millhone	Stanzel
Burgess	Winnebago	Moore of	Stimpson
Casey	Hartman	Harrison	Teter
Crouch	Hook	Osborn	Thies
Davis	Hopp	Peaco	Thiessen
Dole	Hough	Rawlings	Treimer
Donlon	Hultman	Reed	Yager
Doran	Humeston	Rice	Zipse
Dreessen	Jensen	Roe	Mr. Speaker
Durant			

Digitized by Google

Absent or not voting, 14.

Craven	Gissel	Moore of Benton	Strachan
Foster	Grell	Porter	Wiese
Fuester	McCarthy	Stansell	Zylstra
Garner	McKinnon		

Motion lost.

On the question "Shall part I of the Dole amendments to Senate File No. 42 be adopted?" a roll call was demanded.

The ayes were, 16.

Augustine	Dole	Gittinger	Mooty
Beath	Ellsworth	Hough	Stansell
Beswick	Fletcher	Jenkins	Stanzel
Casey	Frizzell	McCreery	Weed

The nays were, 77.

Aldrich	Fuelling	McLean	Schlatter
Alesch	Gallagher	Malone	Schmitz
Avery	Goode	Maniece	Schroeder
Bonnstetter	Grau	Mercer	Sheridan
Bouska	Hanson of Lyon	Metcalf	Smith
Bowers	Hanson of Winnebago	Millhone	Snyder
Brady	Hartman	Mitchell	Sours
Bruce	Hook	Moore of Benton	Speidel
Burgess	Hopp	Moore of Harrison	Stewart
Crouch	Hultman	Osborn	Swift
Cunningham	Humeston	Ostby	Teter
Davis	Jensen	Paisley	Thies
Dean	Koch	Peaco	Thiessen
Donlon	Laughlin	Peet	Treimer
Doran	Lichty	Rawlings	Wieben
Dreessen	Lookingbill	Reed	Willis
Durant	McCarthy	Rice	Wolf
Elliott	McDermott	Roe	Yager
Fabritz	McFarlane	Ryder	Zipse
Falvey			

Absent or not voting, 15.

Craven	Garner	McKinnon	Wiese
Felter	Gissel	Porter	Zylstra
Foster	Grell	Stimpson	Mr. Speaker
Fuester	Johnson	Strachan	

Amendment lost.

McCreery of Linn moved the previous question on the main bill and all pending amendments. Motion prevailed.

Avery of Clay moved to reconsider the vote by which the previous question prevailed. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Digitized by Google

Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 324, a bill for an act to amend Section Seven Thousand three (7003), Code, 1931, relating to the taxation of Bank Stock.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 343, a bill for an act to amend section 9183, Code, 1931, and to permit savings banks to invest in bonds of the Home Owners Loan Corporation.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 257, a bill for an act to amend sections 7420-a9, 7420-b1, and 7420-a18, Code, 1931, relating to proof, certification, amount and manner of filing claims against the State Sinking Fund.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 231, a bill for an act to legalize all depositors agreements entered into by any county, town, city, township or school district.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 284, a bill for an act to amend section 7420-6d, Code, 1931, relating to the rate of interest on public deposits.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 278, a bill for an act to amend chapter 352-a1, Code, 1931, relating to limitation of claims now filed or hereafter filed against the State Sinking Fund for public deposits.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 140, a bill for an act relating to place of payment of public bonds and interest thereon.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 333, a bill for an act to amend Section one (1), Chapter One Hundred Seventy-eight (178) of the Acts of the Forty-fifth General Assembly, regular session to aid in advancement by the Reconstruction Finance Corporation, or any other Federal governmental agency.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 295, a bill for an act to repeal and amend certain sections of the Code, 1931, relating to the redemption of land sold for failure to pay drainage assessments, and relating to drainage refunding bonds.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 350, a bill for an act to authorize municipalities as an emergency measure, to be financed only through the Federal Emergency Administration to purchase, establish, construct, maintain and operate armories; and to authorize the issuance of revenue bonds.

Digitized by Google

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 269, a bill for an act relating to the time, place and manner of weighing bread.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 311, a bill for an act to legalize warrants issued by the Council of the Town of Wyoming, County of Jones and State of Iowa, issued against its Waterworks Fund.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 318, a bill for an act relating to street improvements and sewers in cities under Commission form of government; granting authority to the court to amend any schedule of assessments.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 319, a bill for an act relating to street improvements, sewers and special assessments, gas, water and other connections, and providing for the installation of said connections by cities and towns if the owner fails to make said connections, as provided in said section.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 347, a bill for an act to authorize and empower the Finance Committee of the Iowa State Board of Education to compromise and settle obligations growing out of notes and mortgages taken by said committee.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 146, a bill for an act giving the operator of a hospital in this State a lien upon all causes of action for damages accruing to a patient therein, or to the legal representatives of such patient, for the reasonable charges for hospital care necessitated by the injuries giving rise to such causes of action.

Also: That the Senate has concurred in the House amendments to the Senate amendments to the following bill in which the concurrence of the Senate was asked:

House File No. 40, a bill for an act to define, license, supervise, and regulate the business of making loans in the amount or of the value of three hundred dollars ($300) or less at a greater rate of interest or charge than the lender would be permitted by law to charge if not licensed hereunder.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 203, a bill for an act relating to the powers and duties of the Iowa state fair board.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 308, a bill for an act to make an appropriation to W. F. Bellamy.

Also: That the President of the Senate has appointed as members of

Digitized by Google

the conference committee on the part of the Senate on Senate File No. 95, Senators Hopkins, Husted, Irwin and Tripp.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 304, a bill for an act relating to the levy to pay interest and principal on lawful bonded indebtedness.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENTS TO HOUSE FILE 269

1. Amend House File 269 by striking all of section one (1) and renumbering "Sec. 2" as "Sec. 1", "Sec. 3" as "Sec. 2", "Sec. 4" as "Sec. 3", and inserting, as "Sec. 4", the following:

"Sec. 4. Section thirty-two hundred forty-four-b one (3244-b1) Code, 1931, is amended by striking from line seven (7) thereof the words 'one-half pound' and inserting in lieu thereof the words 'three-quarters pound'."

2. Further amend by striking all of section five (5) and inserting in lieu thereof the following:

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Northwood Anchor, a newspaper published at Northwood, Iowa, and in the Cedar Falls Daily Record, a newspaper published at Cedar Falls, Iowa."

SENATE AMENDMENTS TO HOUSE FILE 146

1. Amend House File 146, section one (1), line twenty-nine (29), by striking the words "County Clerk" and inserting in lieu thereof the words "clerk of the district court".

2. Amend section two (2), line one (1), by striking the words "County Clerk" and inserting in lieu thereof the words "clerk of the district court".

SENATE AMENDMENT TO HOUSE FILE 304

Amend House File 304 by striking out section one (1) and inserting in lieu thereof the following:

"Section 1. Section forty-four hundred three (4403), code, 1931, is amended by changing the period (.) following the word 'corporation' in line sixteen (16) to a semi-colon (;) and adding the following: 'provided that the foregoing tax limitation shall not operate to restrict or prevent a school district in the issuance of refunding bonds.'"

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

March 1: House Files No. 1 and 299.

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 249, 258, 261, 276, 278, 279, 287, 288, 289, 290, 291, 292, 296, 303, 304, 305, 306, 307, 309, 310 and 314; House File No. 350.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 249, 258, 261, 278, 276, 279, 287, 288, 289, 290, 291, 292, 296, 303, 304, 305, 306, 307, 309, 310 and 314, House File No. 350.

BILLS SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 5th day of March, 1934, sent to the Governor for his approval: House File No. 350. WM. KOCH, *Chairman.*

Report adopted.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. No. 18 and 323.

Bill to be introduced H. F. No. 355. JAS. BURGESS, *Chairman.*

MOTION TO RECONSIDER FILED

MR. SPEAKER: I move to reconsider the vote by which the Zylstra amendment as Sec. 34-a to Senate File No. 42 failed to be adopted.

LA MAR FOSTER.

AMENDMENT FILED

Fabritz of Wapello filed the following amendment:

Amend the committee amendment to line 6 of Sec. 22 of S. F. No. 42 by striking the words and figures "July 1, 1935" and substituting therefore the words and figures: "April 1, 1935".

On motion of Strachan of Humboldt the House adjourned until 9:30 o'clock a. m. Tuesday, March 6.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 6, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. John R. Richey, Church of the Open Bible, Des Moines, Iowa.

Journal of March 5, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Garner of Butler for the forenoon, on request of Stewart of Calhoun.

CONSIDERATION OF SENATE AMENDMENTS

On request of Swift of Dubuque unanimous consent having been given, House File No. 313, a bill for an act to amend Section ninety-three hundred forty-b1 (9340-b1), Code, 1931, as amended, pertaining to investments of building and loan associations and to authorize such associations to accept bonds of Home Owners' Loan Corporation in payment or exchange for notes and mortgages, with Senate amendment, was taken up and the amendment read and considered.

SENATE AMENDMENT TO HOUSE FILE NO. 313

Amend House File 313 by inserting the period (.) after the word "assets" in line nine (9), Section one (1), and striking the words and punctuation, "at par value."

Mr. Swift moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 83.

Aldrich	Bowers	Davis	Dreessen
Avery	Bruce	Dean	Durant
Beath	Burgess	Dole	Ellsworth
Beswick	Casey	Donlon	Fabritz
Bonnstetter	Cunningham	Doran	Falvey

Digitized by Google

Felter	Hopp	Metcalf	Snyder
Fletcher	Hough	Millhone	Sours
Foster	Hultman	Mitchell	Speidel
Frizzell	Humeston	Moore of Harrson	Stanzel
Fuelling	Jenkins	Mooty	Stimpson
Fuester	Jensen	Ostby	Strachan
Gallagher	Johnson	Paisley	Swift
Gissel	Koch	Peaco	Teter
Gittinger	Laughlin	Reed	Thies
Goode	Lichty	Roe	Thiessen
Grau	Lookingbill	Ryder	Weed
Grell	McDermott	Schlatter	Wieben
Hanson of Lyon	McFarlane	Schmitz	Wolf
Hanson of Winnebago	Malone	Schroeder	Yager
Hartman	Maniece	Smith	Zylstra
Hook	Mercer		Mr. Speaker

The nays were, none.

Absent or not voting, 25.

Alesch	Garner	Osborn	Stansell
Augustine	McCarthy	Peet	Stewart
Bouska	McCreery	Porter	Treimer
Brady	McKinnon	Rawlings	Wiese
Craven	McLean	Rice	Willis
Crouch	Moore of Benton	Sheridan	Zipse
Elliott			

The House concurred in Senate amendment to House File No. 313.

INTRODUCTION OF BILLS

House File No. 355, by steering committee, a bill for an act to provide for the public welfare through the recognition of the economic emergency existing in the state and nation; to declare the policy of the state of Iowa to be that of cooperating with and assisting the national government in promoting an increase in the consumption of industrial and agricultural products by increasing purchasing power; to reduce and relieve unemployment, and otherwise to rehabilitate industry and conserve the national resources; to govern the letting of contracts for the construction, alteration, and repair of public works and the purchasing of materials and supplies for public use; to use the state and local officers and employees of the state of Iowa to enforce the act of congress entitled "An act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes", approved June 16, 1933 and commonly known as the "National Industrial Recovery Act"; and to provide penalties for the violation thereof.

Read first and second times and placed on calendar.

Digitized by Google

SENATE MESSAGES CONSIDERED

Senate File No. 203, a bill for an act to amend section twenty-eight hundred eighty-six (2886), Code, 1931, relating to the powers and duties of the Iowa state fair board.

Read first and second times and referred to steering committee.

Senate File No. 308, a bill for an act to make an appropriation to W. F. Bellamy.

Read first and second times and referred to committee on appropriations.

Senate File No. 311, a bill for an act to legalize warrants issued by the Council of the Town of Wyoming, County of Jones and State of Iowa, issued against its Waterworks Fund and the proceedings taken authorizing the retirement of said warrants and for the levy of taxes to pay the same.

Read first and second times and referred to steering committee.

Senate File No. 318, a bill for an act to amend section sixty-six hundred ten-c thirty-seven (6610-c37) of the Code of Iowa, 1931, relating to street improvements and sewers in cities under the commission form of government, granting authority to the court to amend any schedule of assessments by postponing the due date of any installment which falls due before the acceptance of the work to a date following the due date of the last installment in the original schedule of assessments.

Read first and second times and referred to steering committee.

Senate File No. 319, a bill for an act to amend section fifty-nine hundred eighty-one (5981) Code of Iowa, 1931, relating to street improvements, sewers and special assessments, gas, water and other connections, and providing for the installation of said connections by cities and towns if the owner fails to make said connections, as provided in said section.

Read first and second times and referred to steering committee.

CONSIDERATION OF SENATE AMENDMENTS

On request of Hook of Taylor unanimous consent having been given, House File No. 304, a bill for an act to amend section forty-four hundred three (4403), Code, 1931, relating to the levy to pay

Digitized by Google

interest and principal on lawful bonded indebtedness, with Senate amendment, was taken up and the amendment read and considered.

SENATE AMENDMENT TO HOUSE FILE 304

Amend House File 304 by striking out section one (1) and inserting in lieu thereof the following:

"Section 1. Section forty-four hundred three (4403), code, 1931, is amended by changing the period (.) following the word 'corporation' in line sixteen (16) to a semi-colon (;) and adding the following: 'provided that the foregoing tax limitation shall not operate to restrict or prevent a school district in the issuance of refunding bonds.'"

Mr. Hook moved that the House refuse to concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 3.

Alesch	Avery	Bruce

The nays were, 85.

Aldrich	Frizzell	Lookingbill	Schlatter
Beath	Fuester	McCreery	Schmitz
Beswick	Gallagher	McFarlane	Schroeder
Bonnstetter	Gissel	McKinnon	Smith
Bowers	Gittinger	McLean	Snyder
Brady	Goode	Malone	Speidel
Burgess	Grau	Maniece	Stanzel
Casey	Grell	Mercer	Stewart
Craven	Hanson of Winnebago	Metcalf	Strachan
Cunningham	Hartman	Millhone	Swift
Davis	Hook	Mitchell	Thiessen
Dean	Hopp	Moore of Harrison	Treimer
Dole	Hough	Mooty	Weed
Donlon	Hultman	Osborn	Wieben
Doran	Humeston	Paisley	Wiese
Dreessen	Jenkins	Peaco	Willis
Durant	Jensen	Peet	Wolf
Ellsworth	Johnson	Reed	Yager
Fabritz	Koch	Rice	Zipse
Felter	Laughlin	Roe	Zylstra
Fletcher	Lichty	Ryder	Mr. Speaker
Foster			

Absent or not voting, 20.

Augustine	Fuelling	Moore of Benton	Sours
Bouska	Garner	Ostby	Stansell
Crouch	Hanson of Lyon	Porter	Stimpson
Elliott	McCarthy	Rawlings	Teter
Falvey	McDermott	Sheridan	Thies

The House refused to concur in the Senate amendments to House File No. 304.

Digitized by Google

MEMORIAL SESSION PROVIDED

McFarlane of Black Hawk moved that at the close of the session tomorrow afternoon, the House recess until 7:30 o'clock tomorrow evening for the purpose of a Memorial Session. Motion prevailed.

Mercer of Johnson and McCreery of Linn offered the following resolution:

HOUSE CONCURRENT RESOLUTION NO. 17

Whereas, There seems to be a pronounced sentiment in this house that legislation should be enacted providing for a highway patrol and

Whereas, It is deemed necessary that this matter should be a subject of special study, now, therefore

Be It Resolved, by the House, the Senate concurring, That a committee of four (4) be appointed, two (2) members from the House to be named by the Speaker of the House and two (2) from the Senate to be named by the President of the Senate, to act without remuneration as a committee to study highway patrol, motor vehicle and traffic regulations and to make a report to the 46th General Assembly submitting recommendations and preparing bills providing for legislation on these matters.

Such committee while in performance of their duties shall receive their actual necessary expenses as determind by the Comptroller which shall be paid from the maintenance fund of the Motor Vehicle Department.

Mercer of Johnson moved that the rules be suspended and consent be given for the immediate consideration of the resolution.

On the question "Shall House Concurrent Resolution No. 17 be considered at this time?" a roll call was demanded.

The ayes were, 36.

Bouska	Hanson of Lyon	Mercer	Snyder
Brady	Hanson of Winnebago	Metcalf	Speidel
Casey	Jenkins	Millhone	Stanzel
Crouch	Johnson	Moore of Benton	Strachan
Dole	Koch	Moore of Harrison	Swift
Doran	Lichty	Osborn	Treimer
Ellsworth	Lookingbill	Paisley	Wiese
Fletcher	McCreery	Ryder	Willis
Grau	McFarlane		Yager
Grell			

The nays were, 63.

Aldrich	Cunningham	Foster	Hough
Alesch	Davis	Frizzell	Hultman
Avery	Dean	Fuester	Humeston
Beath	Donlon	Gallagher	Jensen
Beswick	Dreessen	Gissel	Laughlin
Bonnstetter	Durant	Gittinger	McCarthy
Bowers	Elliott	Goode	McDermott
Bruce	Fabritz	Hartman	McKinnon
Burgess	Falvey	Hook	McLean
Craven	Felter	Hopp	Malone

Digitized by Google

Mitchell	Reed	Sours	Weed
Mooty	Roe	Stewart	Wieben
Ostby	Schlatter	Stimpson	Wolf
Peaco	Schmitz	Teter	Zipse
Peet	Schroeder	Thies	Zylstra
Rawlings	Smith	Thiessen	

Absent or not voting, 9.

Augustine	Maniece	Rice	Stansell
Fuelling	Porter	Sheridan	Mr. Speaker
Garner			

Motion lost and House Concurrent Resolution No. 17 was laid over under Rule 34.

CALL OF THE HOUSE ON SENATE FILE NO. 42

We the undersigned respectfully request a Call of the House on Senate File No. 42.

C. E. LOOKINGBILL
C. E. MALONE
E. H. FABRITZ
S. B. DURANT
WM. THIES

A roll call showed all members present except Garner of Butler and Porter of Delaware, both of whom had been previously excused, and the Call of the House was declared complete.

CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 42, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor, and making an appropriation therefor, levying a tax, and prescribing penalties for the violation of the provisions of this act.

Dole of Jefferson called up part II of the amendments filed by him and found on page 1398 of the Journal of March 2 and moved its adoption. Amendment adopted.

Dole of Jefferson called up part III of the amendment filed by him and found on page 1398 of the Journal of March 2 and moved its adoption.

On the question "Shall part III of the Dole amendment be adopted?" a roll call was demanded.

Digitized by Google

The ayes were, 56.

Augustine	Fuelling	Lichty	Sheridan
Avery	Gissel	Lookingbill	Smith
Beath	Grau	McDermott	Snyder
Beswick	Hanson of Lyon	McFarlane	Sours
Bonnstetter	Hartman	McLean	Speidel
Bowers	Hook	Malone	Stansell
Casey	Hopp	Maniece	Stanzel
Dean	Hough	Metcalf	Stewart
Dole	Hultman	Millhone	Stimpson
Doran	Humeston	Moore of Harrison	Thies
Elliott	Jenkins	Mooty	Treimer
Ellsworth	Johnson	Reed	Weed
Felter	Koch	Schlatter	Willis
Fletcher	Laughlin		Wolf
Frizzell			

The nays were, 34.

Aldrich	Falvey	Jensen	Swift
Alesch	Foster	McCarthy	Teter
Bouska	Fuester	McKinnon	Thiessen
Bruce	Gallagher	Mitchell	Wieben
Burgess	Gittinger	Osthy	Wiese
Craven	Goode	Paisley	Yager
Cunningham	Grell	Peet	Zipse
Donlon	Hanson of Winnebago	Ryder	Zylstra
Fabritz		Schmitz	

Absent or not voting, 18.

Brady	Garner	Peaco	Roe
Crouch	McCreery	Porter	Schroeder
Davis	Mercer	Rawlings	Strachan
Dreessen	Moore of Benton	Rice	Mr. Speaker
Durant	Osborn		

Amendment adopted.

Dole of Jefferson asked and obtained unanimous consent to add the letter "s" to the word "year" in Sec. 12, paragraph "g" line 37.

Speidel of Washington called up the amendments filed by him and found on page 1398 of the Journal of March 2 and moved their adoption.

A division of the question was demanded.

Speidel of Washington asked and obtained unanimous consent to withdraw the first part of his amendment, which included the first sentence.

Speidel of Washington offered the following amendment, in lieu of the withdrawn amendment, and moved its adoption:

Amend Sec. 22 as amended by striking from the last line "July 1, 1931" and insert in lieu thereof "January 1, 1936".

Digitized by Google

On the question "Shall the Speidel amendment to Sec. 22 be adopted?" a roll call was demanded.

The ayes were, 28.

Avery	Felter	Hook	Millhone
Beath	Fletcher	Hultman	Paisley
Beswick	Fuelling	Jenkins	Roe
Bonnstetter	Fuester	Lookingbill	Snyder
Craven	Gissel	McCreery	Speidel
Doran	Gittinger	McDermott	Stanzel
Ellsworth	Hanson of Lyon	Maniece	Strachan

The nays were, 66.

Alesch	Foster	McLean	Smith
Bouska	Frizzell	Malone	Sours
Bowers	Gallagher	Metcalf	Stansell
Bruce	Goode	Moore of Benton	Stewart
Burgess	Hanson of	Mooty	Stimpson
Casey	Winnebago	Osborn	Swft
Crouch	Hartman	Ostby	Thies
Cunningham	Hopp	Peaco	Thiessen
Davis	Hough	Peet	Treimer
Dean	Humeston	Rawlings	Weed
Dole	Jensen	Reed	Wieben
Donlon	Johnson	Rice	Wiese
Dreessen	Koch	Ryder	Willis
Durant	Laughlin	Schlatter	Wolf
Elliott	Lichty	Schmitz	Zipse
Fabritz	McCarthy	Schroeder	Mr. Speaker
Falvey	McKinnon	Sheridan	

Absent or not voting, 14.

Aldrich	Grau	Mitchell	Teter
Augustine	Grell	Moore of	Yager
Brady	McFarlane	Harrison	Zylstra
Garner	Mercer	Porter	

Amendment lost.

Speidel of Washington called up part II of the amendment filed by him, found on page 1398 of the Journal of March 2, amending Sec. 35, and being the second sentence of the paragraph, and moved its adoption. Amendment lost.

Hanson of Lyon asked and obtained unanimous consent to withdraw the amendment filed by him and Schroeder of Carroll and found on page 1398 of the Journal of March 2.

Fabritz of Wapello called up the amendment filed by him and found on page 1434 of the Journal of March 3 and asked and obtained unanimous consent to defer action on the amendment until just before the final vote on the bill.

Foster of Cedar asked and obtained unanimous consent to with-

Digitized by Google

draw the amendment filed by him and found on page 1294 of the Journal of February 27.

Teter of Marion asked and obtained unanimous consent to withdraw the amendment filed by him and Donlon of Palo Alto and found on pages 1367 and 1368 of the Journal of March 1, also the last part of the amendment filed by him and found on page 1264 of the Journal of February 24.

Donlon of Palo Alto asked and obtained unanimous consent to withdraw the amendment filed by him and found on page 1398 of the Journal of March 2.

Schroeder of Carroll, Dreessen of Crawford, Sours of Floyd and Hanson of Lyon offered the following amendment and moved its adoption:

Amend Senate File No. 42 by inserting immediately after section thirty-seven (37) of the printed bill the following:

"Sec. 37-a. There shall be kept on file in the State Comptroller's office an itemized record of all receipts and disbursements showing the money received from each county and the assistance granted to each county. A summary of the said record shall be compiled and published at the end of the tax year."

Jensen of Audubon moved the previous question on the amendment. Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 66.

Aldrich	Felter	Lookingbill	Schroeder
Beath	Fletcher	McCarthy	Smith
Beswick	Foster	McDermott	Snyder
Bonnstetter	Fuester	McKinnon	Sours
Bouska	Gissel	McLean	Speidel
Bowers	Goode	Maniece	Stanzel
Bruce	Grau	Mercer	Stewart
Burgess	Hanson of Lyon	Millhone	Strachan
Casey	Hanson of Winnebago	Osborn	Swift
Craven	Hopp	Ostby	Thiessen
Crouch	Hultman	Paisley	Wieben
Davis	Humeston	Peet	Willis
Dean	Jenkins	Rawlings	Wolf
Dole	Jensen	Rice	Yager
Donlon	Koch	Roe	Zipse
Dreessen	Laughlin	Ryder	Mr. Speaker
Durant		Schmitz	

The nays were, 26.

Augustine	Elliott	Frizzell	Grell
Avery	Ellsworth	Fuelling	Hartman
Doran	Falvey	Gittinger	Hough

Digitized by Google

Johnson	Moore of	Reed	Treimer
McCreery	Harrison	Schlatter	Weed
Malone	Mooty	Stimpson	Wiese
Metcalf	Peaco	Thies	

Absent or not voting, 16.

Alesch	Gallagher	McFarlane	Sheridan
Brady	Garner	Mitchell	Stansell
Cunningham	Hook	Moore of Benton	Teter
Fabritz	Lichty	Porter	Zylstra

Amendment adopted.

Willis of Dallas offered the following amendment and moved its adoption:

Amend Section 34, by striking from line 21, the word "upwards" and inserting in lieu thereof the words "up to and including sixty-four (64) years of age".

The Speaker called Cunningham of Polk to the chair at 11:29 o'clock a. m.

Jensen of Audubon moved the previous question on the amendment. Motion prevailed.

On the question "Shall the Willis amendment be adopted?" a roll call was demanded.

The ayes were, 31.

Beswick	Grau	Maniece	Schroeder
Brady	Hanson of Lyon	Mercer	Sheridan
Davis	Hultman	Millhone	Snyder
Dreessen	Humeston	Moore of	Stanzel
Durant	Koch	Harrison	Stimpson
Felter	Laughlin	Ostby	Strachan
Foster	McCarthy	Paisley	Willis
Frizzell	McFarlane	Peet	Wolf

The nays were, 64.

Aldrich	Fabritz	Lichty	Smith
Alesch	Falvey	Lookingbill	Sours
Avery	Fletcher	McKinnon	Speidel
Beath	Fuelling	McLean	Stansell
Bouska	Fuester	Malone	Stewart
Bowers	Gallagher	Metcalf	Swift
Bruce	Gittinger	Mooty	Teter
Burgess	Goode	Osborn	Thies
Casey	Grell	Peaco	Thiessen
Crouch	Hanson of	Rawlings	Treimer
Cunningham	Winnebago	Reed	Weed
Dean	Hartman	Rice	Wieben
Dole	Hopp	Roe	Wiese
Donlon	Hough	Ryder	Yager
Doran	Jensen	Schlatter	Zipse
Elliott	Johnson	Schmitz	Zylstra
Ellsworth			

Digitized by Google

Absent or not voting, 12.

Augustine	Gissel	McCreery	Moore of Benton
Bonnstetter	Hook	McDermott	Porter
Craven	Jenkins	Mitchell	Mr. Speaker
Garner			

Amendment lost.

Johnson of Linn offered the following amendment and moved its adoption:

Amend Senate File No. 42 as follows:

1. Amend sub-section (d) of section twelve (sec. 12) by striking therefrom the word "resides" and substituting therefor the following: "has a domicile".

2. Amend section twelve (sec. 12) by striking from line eleven (11) the words "so resided" and substituting therefor the following: "had such domicile".

Crouch of Greene moved the previous question on the main bill and all amendments.

Reed of Mahaska offered a substitute for the Crouch motion, moving the previous question on the amendment only. Substitution was made and the motion prevailed.

The Johnson amendment was adopted.

On the motion of Fabritz of Wapello the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

A roll call revealed the presence of all members except: Laughlin of Fremont, Porter of Delaware and Wieben of Tama. Porter of Delaware was previously excused.

Grau of Buena Vista moved that Laughlin be excused from the Call of the House. Motion prevailed.

Hanson of Winnebago moved that Wieben of Tama be temporarily excused. Motion prevailed.

CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 42.

Digitized by Google

Teter of Marion offered the following amendments and moved their adoption:

Amend Senate File No. 42, as amended and passed by the Senate, as follows:

1. Strike from sec. 34 of the printed bill all of line 23, as amended, and all of line 24 and that part of line 25 preceding the period (said period being by amendment adopted changed to a semi-colon), and substitute in lieu of said part so stricken the following:

"From the list certified to the county treasurer under the provisions of Sec. 35 of this act, it shall be the duty of such county treasurer to place the names of all persons subject to said tax on the tax list, and the said annual tax levied by the provisions of this section and act shall be collected in 1935, and each year thereafter, by the county treasurer at the same time as property taxes and subject to the same penalties, and the county treasurer shall make remittance thereof to the treasurer of state who shall credit same to the old age pension fund;"

2. Also amend Sec. 35 by inserting between the word "auditor" and the word "the" in line 2 the following: "on or before March 15, 1935, and each year thereafter,".

3. Further amend said Senate File 42 by striking from the last line of Sec. 35 the following words, "with the annual tax list" and substituting in lieu thereof the following "on or before April 1, 1935, and each year thereafter".

Wieben of Tama appeared on the floor of the House, and the Call of the House was declared complete.

The Teter amendment was adopted.

MOTION TO RECONSIDER

Foster of Cedar called up his motion to reconsider the vote by which the Zylstra amendment as Sec. 34-a to Senate File No. 42 failed to be adopted, filed by him and found on page 1434 of the Journal of March 5.

Alesch of Plymouth moved the previous question on the motion to reconsider. Motion prevailed.

On the question "Shall the Foster motion to reconsider prevail?" a roll call was demanded.

The ayes were, 61.

Aldrich	Craven	Fabritz	Hartman
Alesch	Cunningham	Falvey	Hopp
Augustine	Davis	Foster	Jensen
Bonnstetter	Dean	Fuester	Koch
Bouska	Donlon	Gallagher	Lookingbill
Brady	Dreessen	Garner	McCarthy
Burgess	Elliott	Grell	McDermott

Digitized by Google

McKinnon	Osborn	Schmitz	Teter
Malone	Ostby	Schroeder	Thiessen
Maniece	Paisley	Sheridan	Wiese
Mercer	Peaco	Smith	Wolf
Metcalf	Rawlings	Snyder	Yager
Mitchell	Reed	Stewart	Zipse
Moore of Benton	Rice	Stimpson	Zylstra
Moore of Harrison	Ryder	Swift	Mr. Speaker
	Schlatter		

The nays were, 43.

Avery	Fletcher	Hough	Peet
Beath	Frizzell	Hultman	Sours
Beswick	Fuelling	Humeston	Speidel
Bowers	Gissel	Jenkins	Stansell
Bruce	Gittinger	Johnson	Stanzel
Casey	Goode	Lichty	Strachan
Dole	Grau	McCreery	Thies
Doran	Hanson of Lyon	McFarlane	Treimer
Durant	Hanson of Winnebago	McLean	Weed
Ellsworth	Hook	Millhone	Wieben
Felter		Mooty	Willis

Absent or not voting, 4.

Crouch	Laughlin	Porter	Roe

Motion prevailed and the House reconsidered.

Zylstra of Sioux offered the following amendment and moved its adoption:

Amend the Zylstra amendment to Sec. 34, as it appears on page 1427 of the Journal of March 5, by striking the first paragraph thereof and substituting the following:

Sec. 34-a. For the purpose of affording old age assistance commencing November 1, 1934, under the provisions of this act, prior to July 1, 1935, there is hereby levied on all persons pursuant to Sec. 34, a tax of One Dollar ($1.00), payable on or before July 1, 1934. The Board of Assessment and Review is hereby directed to instruct the auditors of the several counties of the state to have the assessors submit lists of all persons over twenty-one (21) years of age, subject to this tax in their respective districts and the said auditor to pass these lists on to the treasurer of such counties for collection.

On the question "Shall the Zylstra amendment to the Zylstra amendment be adopted?" a roll call was demanded.

The ayes were, 66.

Aldrich	Cunningham	Fuester	Lichty
Alesch	Davis	Gallagher	McCarthy
Augustine	Dean	Garner	McKinnon
Bonnstetter	Donlon	Grell	Malone
Bouska	Dreessen	Hartman	Maniece
Brady	Elliott	Hopp	Metcalf
Burgess	Fabritz	Humeston	Mitchell
Craven	Falvey	Jensen	Moore of Benton
Crouch	Foster	Koch	Mooty

Digitized by Google

Osborn	Roe	Stanzel	Wiese
Ostby	Ryder	Stewart	Willis
Paisley	Schlatter	Stimpson	Wolf
Peaco	Schmitz	Swift	Yager
Peet	Schroeder	Teter	Zipse
Rawlings	Sheridan	Thiessen	Zylstra
Reed	Smith	Treimer	Mr. Speaker
Rice	Snyder		

The nays were, 86.

Avery	Felter	Hanson of Winnebago	McLean
Beath	Fletcher	Hook	Millhone
Beswick	Frizzell	Hough	Moore of Harrison
Bowers	Fuelling	Hultman	Speidel
Bruce	Gissel	Jenkins	Stansell
Dole	Gittinger	Johnson	Strachan
Doran	Goode	McCreery	Thies
Durant	Grau	McDermott	Weed
Ellsworth	Hanson of Lyon	McFarlane	Wieben

Absent or not voting, 6.

Casey	Lookingbill	Porter	Sours
Laughlin	Mercer		

Amendment to the amendment adopted.

On the question "Shall the Zylstra amendment as amended be adopted?" a roll call was demanded.

The ayes were, 71.

Aldrich	Fabritz	McKinnon	Schlatter
Alesch	Falvey	Malone	Schmitz
Augustine	Foster	Maniece	Schroeder
Beswick	Fuelling	Mercer	Sheridan
Bonnstetter	Fuester	Metcalf	Smith
Bouska	Gallagher	Mitchell	Snyder
Brady	Garner	Moore of Harrison	Stewart
Bruce	Grell	Mooty	Stimpson
Burgess	Hartman	Osborn	Swift
Craven	Hook	Ostby	Teter
Crouch	Hopp	Paisley	Thiessen
Cunningham	Humeston	Peaco	Wiese
Davis	Jensen	Peet	Willis
Dean	Koch	Rawlings	Wolf
Donlon	Lichty	Reed	Yager
Dreessen	Lookingbill	Rice	Zipse
Elliott	McCarthy	Ryder	Zylstra
Ellsworth	McFarlane		Mr. Speaker

The nays were, 33.

Avery	Frizzell	Hultman	Sours
Beath	Gissel	Jenkins	Speidel
Bowers	Gittinger	Johnson	Stansell
Casey	Goode	McCreery	Strachan
Dole	Grau	McLean	Thies
Doran	Hanson of Lyon	Millhone	Treimer
Durant	Hanson of Winnebago	Moore of Benton	Weed
Felter	Hough	Roe	Wieben
Fletcher			

Digitized by Google

Absent or not voting, 4.

Laughlin	McDermott	Porter	Stanzel

Amendment as amended adopted.

McKinnon of Henry offered the following amendment and moved its adoption:

Amend Senate File No. 42 by adding thereto the following section:

Sec. 42. This act being deemed of immediate importance shall be in full force and effect after its publication in the Mount Pleasant News, a newspaper published at Mount Pleasant, Iowa, and the Burlington Hawkeye Gazette, a newspaper published at Burlington, Iowa.

Amendment adopted.

Fabritz of Wapello asked and obtained unanimous consent to withdraw his amendment which was under consideration this morning.

Rice of Keokuk asked and obtained unanimous consent to have the Chief Clerk renumber the sections of the bill as amended.

Donlon of Palo Alto moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 100.

Aldrich	Foster	McCreery	Schlatter
Alesch	Fuelling	McDermott	Schmitz
Augustine	Fuester	McFarlane	Schroeder
Avery	Gallagher	McKinnon	Sheridan
Beswick	Garner	McLean	Smith
Bonnstetter	Gittinger	Malone	Snyder
Bouska	Goode	Maniece	Sours
Bowers	Grau	Mercer	Speidel
Brady	Grell	Metcalf	Stansell
Bruce	Hanson of Lyon	Millhone	Stanzel
Burgess	Hanson of Winnebago	Mitchell	Stewart
Casey	Hartman	Moore of Benton	Stimpson
Craven	Hook	Moore of Harrison	Swift
Crouch	Hopp	Mooty	Teter
Cunningham	Hough	Osborn	Thies
Davis	Hultman	Ostby	Thiessen
Dean	Humeston	Paisley	Treimer
Dole	Jenkins	Peaco	Wieben
Donlon	Jensen	Peet	Wiese
Doran	Johnson	Rawlings	Willis
Dreessen	Koch	Reed	Wolf
Durant	Laughlin	Rice	Yager
Elliott	Lichty	Roe	Zipse
Ellsworth	Lookingbill	Ryder	Zylstra
Fabritz	McCarthy		Mr. Speaker
Falvey			

Digitized by Google

The nays were, 7.

Beath	Fletcher	Gissel	Weed
Felter	Frizzell	Strachan	

Absent or not voting, 1.

Porter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Rice of Keokuk moved that the vote by which Senate File No. 42 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 163, a bill for an act authorizing cities and towns maintaining police or fire departments to provide for indemnifying their police or fire department employees against liability or loss because of any claim for bodily injuries, death or property damage made against such employees and resulting from their operation of motor vehicles while in the performance of their duties and authorizing said cities and towns to defend such employees in actions brought against them on account of any such claims or to compromise any such claims made against such employees and in case of judgment pay the same, was taken up for consideration.

Johnson of Linn moved to amend House File No. 163 by striking lines 10, 11, 12 and 13 of Sec. 1, and changing the comma at the end of line 9 to a period.

Bonnstetter of Kossuth moved the previous question on the amendment and the bill. Motion prevailed.

On the question "Shall the Johnson amendment be adopted?" a roll call was demanded.

The ayes were, 61.

Augustine	Fletcher	Lookingbill	Snyder
Avery	Frizzell	McCreery	Sours
Beath	Goode	McDermott	Speidel
Beswick	Grell	McKinnon	Stanzel
Bonnstetter	Hanson of Lyon	McLean	Strachan
Bowers	Hanson of Winnebago	Malone	Teter
Bruce	Hartman	Maniece	Thies
Burgess	Hook	Millhone	Thiessen
Casey	Hopp	Mooty	Treimer
Craven	Hough	Osborn	Wieben
Dole	Jenkins	Paisley	Wiese
Doran	Jensen	Rawlings	Yager
Dreessen	Johnson	Roe	Zipse
Durant	Koch	Schroeder	Zylstra
Ellsworth	Lichty	Smith	Mr. Speaker
Felter			

Digitized by Google

The nays were, 18.

Alesch	Garner	Mitchell	Swift
Bouska	Gissel	Peaco	Weed
Cunningham	Gittinger	Reed	Willis
Elliott	Hultman	Stewart	Wolf
Gallagher	Humeston		

Absent or not voting, 29.

Aldrich	Foster	Metcalf	Rice
Brady	Fuelling	Moore of Benton	Ryder
Crouch	Fuester	Moore of Harrison	Schlatter
Davis	Grau	Ostby	Schmitz
Dean	Laughlin	Peet	Sheridan
Donlon	McCarthy	Porter	Stansell
Fabritz	McFarlane		Stimpson
Falvey	Mercer		

Amendment adopted.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Ellsworth	Lookingbill	Schmitz
Alesch	Fabritz	McDermott	Schroeder
Augustine	Falvey	McFarlane	Snyder
Beath	Felter	McKinnon	Sours
Beswick	Fletcher	McLean	Speidel
Bonnstetter	Frizzell	Malone	Stewart
Bouska	Fuelling	Maniece	Swift
Bowers	Gallagher	Metcalf	Thies
Bruce	Garner	Mitchell	Thiessen
Burgess	Gittinger	Moore of Benton	Treimer
Casey	Hanson of Winnebago	Moore of Harrison	Weed
Craven	Hartman	Mooty	Wieben
Crouch	Hopp	Osborn	Wiese
Cunningham	Hough	Peaco	Willis
Dean	Hultman	Rawlings	Wolf
Doran	Humeston	Reed	Yager
Dreessen	Koch	Roe	Zylstra
Durant	Lichty	Ryder	Mr. Speaker
Elliott			

The nays were, 12.

Avery	Grell	Jensen	Smith
Gissel	Hanson of Lyon	Johnson	Stansell
Goode	Hook	McCreery	Zipse

Absent or not voting, 23.

Brady	Grau	Ostby	Sheridan
Davis	Jenkins	Paisley	Stansell
Dole	Laughlin	Peet	Stimpson
Donlon	McCarthy	Porter	Strachan
Foster	Mercer	Rice	Teter
Fuester	Millhone	Schlatter	

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House.

Mitchell of Webster asked and obtained unanimous consent to have the Chief Clerk correct the title as follows:

Amend the title by striking from line nine (9), ten (10), and eleven (11) the following: "or to compromise any such claims made against such employees and in case of judgment pay the same".

Title as amended agreed to.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House File No. 142; Senate Files No. 243 and 311.

Bills to be introduced: House Files No. 356 and 357.

JAS. BURGESS, *Chairman.*

CONSIDERATION OF BILLS

Senate File No. 311, a bill for an act to legalize warrants issued by the Council of the Town of Wyoming, County of Jones and State of Iowa, issued against its Waterworks Fund and the proceedings taken authorizing the retirement of said warrants and for the levy of taxes to pay the same was taken up for consideration.

Stimpson of Jones asked and obtained unanimous consent to suspend the rules prohibiting the reading of a bill the second and third time on the same day.

Stimpson of Jones moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Aldrich	Davis	Fuelling	Hough
Alesch	Dean	Gallagher	Hultman
Avery	Dole	Garner	Humeston
Beath	Doran	Gissel	Jenkins
Bonnstetter	Dreessen	Gittinger	Jensen
Bouska	Durant	Goode	Johnson
Bowers	Elliott	Grell	Koch
Bruce	Ellsworth	Hanson of Lyon	Lichty
Burgess	Fabritz	Hanson of Winnebago	Lookingbill
Casey	Falvey	Hartman	McCreery
Craven	Felter	Hook	McFarlane
Crouch	Fletcher	Hopp	McKinnon
Cunningham	Frizzell		McLean

Digitized by Google

Malone	Paisley	Snyder	Thiessen
Maniece	Peaco	Sours	Treimer
Metcalf	Rawlings	Speidel	Weed
Millhone	Reed	Stanzel	Wieben
Mitchell	Rice	Stewart	Wiese
Moore of Benton	Roe	Stimpson	Wolf
Moore of Harrison	Ryder	Strachan	Yager
	Schmitz	Swift	Zipse
Mooty	Schroeder	Teter	Zylstra
Osborn	Smith	Thies	

The nays were, none.

Absent or not voting, 19.

Augustine	Fuester	Mercer	Sheridan
Beswick	Grau	Ostby	Stansell
Brady	Laughlin	Peet	Willis
Donlon	McCarthy	Porter	Mr. Speaker
Foster	McDermott	Schlatter	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Stimpson of Jones moved that the vote by which Senate File No. 311 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 14, setting the time for the extraordinary session of the Forty-fifth General Assembly to adjourn, sine die, at 12 o'clock noon, Wednesday, March 14, 1934. BYRON G. ALLEN, *Secretary*.

SENATE CONCURRENT RESOLUTION NO. 14

Be It Resolved by the Senate, the House of Representatives concurring, That the Forty-fifth General Assembly in Extraordinary Session adjourn, sine die, at 12 o'clock noon, Wednesday, March 14th, 1934.

JOHN N. CALHOUN	LAFE HILL
FRANK C. BYERS	GEO. M. HOPKINS
GEO. A. WILSON	ORA E. HUSTED
WM. S. BEARDSLEY	FRED W. NELSON
G. W. PATTERSON	CHAS. D. BOOTH
EDW. J. WENNER	O. P. BENNETT
WILLIAM CARDEN	E. R. HICKLIN
CLAUDE STANLEY	RICHARD V. LEO
HOMER HUSH	WM. H. KLEMME
W. R. RITCHIE	CAROLYN C. PENDRAY
LEO ELTHON	MIKE G. FISCH

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 292.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 292.

BILL SENT TO THE GOVERNOR

Koch of Bremer, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 6th day of March, 1934, sent to the Governor for his approval: House File No. 292. WM. KOCH, *Chairman.*

Report adopted.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 95

MR. PRESIDENT AND MR. SPEAKER: We the undersigned members of the Conference Committee appointed to consider the difference between the Senate and the House on Senate File 95, being a bill for an act to amend Section thirty-three (33), Chapter eighty-nine (89), acts of the Forty-fifth General Assembly, relating to salaries of deputy county officials, begs leave to report that it has had same under consideration and recommends that the House recede from their amendments and that the bill, as passed by the Senate, be amended as follows:

Strike the words, figures and punctuation "'seventy-five (75)'" in line five (5) and insert in lieu thereof the words, figures and punctuation "'seventy (70)'".

GEO. M. HOPKINS	J. F. BRADY
ORA E. HUSTED	A. C. HANSON
H. L. IRWIN	L. S. MERCER
MIKE G. FISCH	OTTO FUELLING
On the part of the Senate.	*On the part of the House.*

On the motion of Bonnstetter of Kossuth the House adjourned until 9:30 o'clock a. m. Wednesday, March 7.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 7, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Philip L. Shutt, Lay-reader, St. James Episcopal Church, Independence, Iowa.

Journal of March 6, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Koch of Bremer, indefinitely, on request of Reed of Mahaska.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Aldrich, from the business men of Wright county; Ellsworth, from the business men of Hardin county. Referred to the committee on tax revision.

Favoring an increase in hunting and fishing licenses. Willis of Dallas, from the members of the Perry Chapter of the Isaak Walton League of America. Referred to committee on fish and game.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 17

Mercer of Johnson called up House Concurrent Resolution No. 17 as found on page 1439 of the Journal of March 6, and moved its adoption.

Zipse of Chickasaw moved the resolution be laid on the table.

On the question "Shall the resolution be laid on the table?" a roll call was demanded.

The ayes, were, 48.

Aldrich	Craven	Foster	Goode
Alesch	Davis	Frizzell	Grell
Avery	Dreessen	Fuester	Hanson of Lyon
Bonnstetter	Durant	Garner	Hook
Bowers	Felter	Gittinger	Hough

Digitized by Google

Jensen	Mooty	Schroeder	Thiessen
Lookingbill	Ostby	Sheridan	Weed
McCarthy	Peet	Smith	Wiese
McKinnon	Rawlings	Stanzel	Yager
McLean	Reed	Stewart	Zipse
Malone	Roe	Stimpson	Zylstra
Metcalf	Schlatter	Teter	Mr. Speaker

The nays were, 52.

Augustine	Fletcher	Lichty	Rice
Beath	Fuelling	McCreery	Ryder
Beswick	Gallagher	McDermott	Schmitz
Bouska	Gissel	McFarlane	Snyder
Brady	Grau	Maniece	Sours
Bruce	Hanson of	Mercer	Speidel
Burgess	Winnebago	Millhone	Strachan
Casey	Hartman	Mitchell	Swift
Dean	Hopp	Moore of Benton	Thies
Dole	Hultman	Moore of	Treimer
Doran	Humeston	Harrison	Wieben
Elliott	Jenkins	Osborn	Willis
Ellsworth	Johnson	Paisley	Wolf
Falvey	Laughlin		

Absent or not voting, 8.

Crouch	Donlon	Koch	Porter
Cunningham	Fabritz	Peaco	Stansell

Motion to lay on table lost.

Dole of Jefferson moved the previous question in the resolution. Motion prevailed.

On the question "Shall House Concurrent Resolution No. 17 be adopted?" a roll call was demanded.

The ayes were, 47.

Avery	Fuelling	McFarlane	Speidel
Beath	Gissel	Maniece	Stanzel
Bouska	Grau	Mercer	Stimpson
Bowers	Grell	Millhone	Strachan
Bruce	Hopp	Mitchell	Swift
Burgess	Hultman	Moore of Benton	Treimer
Dean	Humeston	Osborn	Wieben
Dole	Jenkins	Paisley	Weise
Doran	Johnson	Rice	Willis
Elliott	Laughlin	Ryder	Wolf
Ellsworth	Lichty	Schmitz	Mr. Speaker
Fletcher	McCreery	Snyder	

The nays were, 53.

Aldrich	Davis	Frizzell	Hartman
Alesch	Dreessen	Fuester	Hook
Augustine	Donlon	Garner	Hough
Beswick	Durant	Gittinger	Jensen
Bonnstetter	Fabritz	Goode	Lookingbill
Brady	Falvey	Hanson of Lyon	McCarthy
Craven	Felter	Hanson of	McDermott
Crouch	Foster	Winnebago	McKinnon

Digitized by Google

McLean	Ostby	Schroeder	Thiessen
Malone	Peet	Smith	Weed
Metcalf	Rawlings	Sours	Yager
Moore of Harrison	Reed	Stewart	Zipse
Mooty	Roe	Teter	Zylstra
	Schlatter	Thies	

Absent or not voting, 8.

Casey	Gallagher	Peaco	Sheridan
Cunningham	Koch	Porter	Stansell

Resolution lost.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 14

McFarlane of Black Hawk called up Senate Concurrent Resolution No. 14 and moved its adoption.

McFarlane of Black Hawk moved to amend the resolution as follows:

Strike from said resolution the words and figures: "Wednesday, March 14th, 1934", and insert in lieu thereof the words and figures: "Saturday, March 10th, 1934".

Fabritz of Wapello moved that action on Senate Concurrent Resolution No. 14 and amendment be deferred.

Hanson of Lyon moved the previous question on the motion by Fabritz of Wapello.

On the question "Shall action on Senate Concurrent Resolution No. 14 and amendment be deferred?" a roll call was demanded.

The ayes were, 50.

Aldrich	Foster	McCarthy	Schroeder
Augustine	Fuester	McKinnon	Sheridan
Beswick	Gallagher	Metcalf	Smith
Bouska	Garner	Mitchell	Stansell
Brady	Gissel	Moore of Benton	Stewart
Bruce	Gittinger	Osborn	Stimpson
Burgess	Grell	Ostby	Swift
Crouch	Hanson of Winnebago	Peet	Teter
Davis	Hopp	Rawlings	Thiessen
Donlon	Humeston	Reed	Wieben
Dreessen	Jensen	Rice	Wolf
Fabritz	Laughlin	Ryder	Mr. Speaker
Falvey		Schmitz	

The nays were, 53.

Alesch	Casey	Durant	Frizzell
Avery	Craven	Elliott	Fuelling
Beath	Dean	Ellsworth	Goode
Bonnstetter	Dole	Felter	Grau
Bowers	Doran	Fletcher	Hanson of Lyon

Digitized by Google

Hartman	McDermott	Mooty	Thies
Hook	McFarlane	Paisley	Treimer
Hough	McLean	Roe	Weed
Hultman	Malone	Schlatter	Wiese
Jenkins	Maniece	Snyder	Willis
Johnson	Mercer	Sours	Yager
Lichty	Millhone	Speidel	Zipse
Lookingbill	Moore of Harrison	Strachan	Zylstra
McCreery			

Absent or not voting, 5.

Cunningham	Peaco	Porter	Stanzel
Koch			

Motion to defer action lost.

Hough of Fayette moved the previous question on the amendment. Motion prevailed.

On the question "Shall the McFarlane amendment be adopted?" a roll call was demanded.

The ayes were, 53.

Aldrich	Felter	Hultman	Roe
Avery	Fletcher	Jenkins	Schlatter
Beath	Foster	Johnson	Snyder
Beswick	Frizzell	Lichty	Sours
Bonnstetter	Fuelling	Lookingbill	Speidel
Bowers	Gissel	McCreery	Strachan
Brady	Gittinger	McFarlane	Teter
Crouch	Goode	McLean	Thies
Dean	Grau	Malone	Weed
Dole	Hanson of Lyon	Maniece	Wieben
Doran	Hanson of Winnebago	Mercer	Wiese
Durant	Hook	Millhone	Willis
Elliott	Hough	Mooty	Yager
Ellsworth			

The nays were, 49.

Alesch	Gallagher	Moore of Harrison	Sheridan
Augustine	Garner	Osborn	Smith
Bouska	Grell	Ostby	Stansell
Bruce	Hartman	Paisley	Stewart
Burgess	Hopp	Peet	Stimpson
Casey	Humeston	Rawlings	Swift
Craven	Jensen	Reed	Thiessen
Davis	Laughlin	Rice	Treimer
Donlon	McCarthy	Ryder	Wolf
Dreessen	McDermott	Schmitz	Zipse
Fabritz	McKinnon	Schroeder	Zylstra
Falvey	Metcalf		Mr. Speaker
Fuester	Mitchell		

Absent or not voting, 6.

Cunningham	Moore of Benton	Porter	Stanzel
Koch	Peaco		

Amendment adopted.

Digitized by Google

On the question "Shall Senate Concurrent Resolution No. 14 as amended be adopted?" a roll call was demanded.

The ayes were, 67.

Aldrich	Felter	Lichty	Schmitz
Avery	Fletcher	Lookingbill	Smith
Beath	Foster	McCreery	Snyder
Beswick	Frizzell	McDermott	Sours
Bonnstetter	Fuelling	McFarlane	Speidel
Bouska	Gittinger	McLean	Strachan
Bowers	Goode	Malone	Teter
Brady	Grau	Maniece	Thies
Casey	Hanson of Lyon	Mercer	Thiessen
Craven	Hanson of Winnebago	Millhone	Treimer
Dean	Hartman	Moore of Harrison	Weed
Dole	Hook	Mooty	Wieben
Donlon	Hough	Paisley	Wiese
Doran	Hultman	Peet	Willis
Durant	Jenkins	Roe	Wolf
Elliott	Johnson	Schlatter	Yager
Ellsworth			Zipse
Fabritz			

The nays were, 32.

Alesch	Garner	Metcalf	Schroeder
Augustine	Gissel	Mitchell	Sheridan
Bruce	Grell	Osborn	Stansell
Burgess	Hopp	Ostby	Stewart
Davis	Humeston	Rawlings	Stimpson
Dreessen	Jensen	Reed	Swift
Fuester	Laughlin	Rice	Zylstra
Gallagher	McKinnon	Ryder	Mr. Speaker

Absent or not voting, 9.

Crouch	Koch	Moore of Benton	Porter
Cunningham	McCarthy	Peaco	Stanzel
Falvey			

Senate concurrent resolution No. 14 was adopted as amended.

McFarlane of Black Hawk moved that the vote by which Senate Concurrent Resolution No. 14 was adopted be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10

Avery of Clay called up Senate Concurrent Resolution No. 10 as found on page 1249 and 1250 of the Journal of February 23 and moved its adoption.

Foster of Cedar moved that the resolution be laid on the table.

On the question "Shall Senate Concurrent Resolution No. 10 be laid on the table?" a roll call was demanded.

Digitized by Google

The ayes were, 81.

Aldrich	Frizzell	Lichty	Schmitz
Augustine	Fuelling	Lookingbill	Schroeder
Beath	Fuester	McCarthy	Smith
Bouska	Gallagher	McFarlane	Sours
Bowers	Garner	McLean	Speidel
Brady	Gissel	Malone	Stanzel
Bruce	Gittinger	Maniece	Stewart
Burgess	Goode	Mercer	Stimpson
Casey	Grau	Metcalf	Teter
Craven	Grell	Millhone	Thies
Davis	Hanson of Lyon	Mooty	Thiessen
Dole	Hartman	Osborn	Treimer
Donlon	Hook	Ostby	Weed
Doran	Hopp	Paisley	Wieben
Dreessen	Hough	Peet	Wiese
Durant	Hultman	Rawlings	Wolf
Elliott	Humeston	Reed	Yager
Ellsworth	Jenkins	Roe	Zipse
Felter	Jensen	Ryder	Zylstra
Fletcher	Johnson	Schlatter	Mr Speaker
Foster			

The nays were, 6.

Alesch	Beswick	Hanson of Winnebago	McDermott
Avery	Crouch		

Absent or not voting, 21.

Bonnstetter	Laughlin	Moore of Harrison	Sheridan
Cunningham	McCreery	Peaco	Snyder
Dean	McKinnon	Porter	Stansell
Fabritz	Mitchell	Rice	Strachan
Falvey	Moore of Benton		Swift
Koch			Willis

Senate concurrent resolution No. 10 was laid on the table.

REPORTS OF COMMITTEES

Bonnstetter of Kossuth, from the committee on appropriations submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 68, a bill for an act to make an appropriation for the use of the State Board of Conservation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the bill be amended and when so amended that the bill be voted out to the House without recommendation.

Amend Senate File sixty-eight (68) by adding at the end of section one (1) therefor, the following:

"It is expressly provided, however, that the money hereby appropriated shall be expended only for the purchase of material and the purchase and/or rental of machinery to be used in the improvement of conservation areas now owned and no part thereof shall be used for the purchase of real estate."

A. H. BONNSTETTER, *Chairman.*

Digitized by Google

Report adopted.

Also:

Your committee on appropriations to whom was referred Senate File No. 308, a bill for an act to make an appropriation to W. F. Bellamy, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

BILLS INTRODUCED

House File No. 356, by steering committee, a bill for an act to amend Section Five Thousand One Hundred Five-a Forty-one (5105-a41), Code, 1931, as amended by Chapter Eighty-seven (87), Acts of the Forty-fifth (45th) General Assembly, regulating the taxation of motor vehicles.

Read first and second times and placed on calendar.

House File No. 357, by steering committee, a bill for an act exempting mortgages executed after January first, nineteen hundred thirty-four (January 1, 1934) from the provisions of chapters one hundred seventy-nine (179) and one hundred eighty-two (182), Acts of the Forty-fifth General Assembly.

Read first and second times and placed on calendar.

CONSIDERATION OF SENATE AMENDMENTS

On request of Craven of Jasper, unanimous consent having been given, House File No. 146, a bill for an act giving the operator of a hospital in this State a lien upon all causes of action for damages securing to a patient therein, or to the legal representatives of such patient, for the reasonable charges for hospital care necessitated by the injuries giving rise to such causes of action, with Senate amendments, were taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 146

1. Amend House File 146, section one (1), line twenty-nine (29), by striking the words "County Clerk" and inserting in lieu thereof the words "clerk of the district court".

2. Amend section two (2), line one (1), by striking the words "County Clerk" and inserting in lieu thereof the words "clerk of the dsitrict court".

Digitized by Google

Mr. Craven moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 91.

Aldrich	Fabritz	Johnson	Schroeder
Alesch	Felter	Lichty	Sheridan
Augustine	Fletcher	Lookingbill	Smith
Beath	Foster	McCarthy	Snyder
Beswick	Frizzell	McDermott	Sours
Bouska	Fuelling	McFarlane	Speidel
Bowers	Fuester	McLean	Stanzel
Brady	Gallagher	Malone	Stewart
Bruce	Garner	Mercer	Stimpson
Burgess	Gissel	Metcalf	Strachan
Casey	Gittinger	Millhone	Teter
Craven	Goode	Mitchell	Thies
Crouch	Grau	Mooty	Thiessen
Cunningham	Hanson of Lyon	Osborn	Treimer
Davis	Hanson of	Ostby	Weed
Dean	Winnebago	Paisley	Wieben
Dole	Hartman	Peet	Wiese
Donlon	Hook	Rawlings	Willis
Doran	Hopp	Reed	Wolf
Dreessen	Hough	Roe	Yager
Durant	Humeston	Ryder	Zipse
Elliott	Jenkins	Schlatter	Zylstra
Ellsworth	Jensen	Schmitz	Mr. Speaker

The nays were, 2.

Avery	Moore of Benton

Absent or not voting; 15.

Bonnstetter	Koch	Maniece	Porter
Falvey	Laughlin	Moore of	Rice
Grell	McCreery	Harrison	Stansell
Hultman	McKinnon	Peaco	Swift

So the House concurred in the Senate amendments to House File No. 146.

CONSIDERATION OF BILLS

House File No. 298, a bill for an act requiring the filing of schedules of rates and rules by insurance companies, associations and inter-insurance exchanges, prohibiting rebating and discrimination, and providing penalties for the violation thereof, was taken up for consideration.

The Speaker called Mitchell of Webster to the chair at 11:30 o'clock a. m.

Treimer of O'Brien called up the amendment filed by him and

Digitized by Google

found on page 742 of the Journal of January 13 and moved its adoption. Amendment adopted.

Treimer of O'Brien called up the amendment filed by him and found on page 977 of the Journal of January 30 and moved its adoption. Amendment adopted.

Yager of Dickinson moved that House File No. 298 be laid on the table.

On the question "Shall House File No. 298 be laid on the table?" a roll call was demanded.

The ayes were, 39.

Aldrich	Felter	Hartman	Schlatter
Alesch	Fletcher	Hook	Schroeder
Beath	Frizzell	Hopp	Smith
Beswick	Fuelling	Hough	Stansell
Bowers	Fuester	Humeston	Weed
Craven	Garner	Jensen	Wieben
Crouch	Gittinger	Johnson	Willis
Dole	Goode	Lookingbill	Yager
Dreessen	Grell	McDermott	Zipse
Falvey	Hanson of Lyon	Mooty	

The nays were, 41.

Augustine	Ellsworth	Metcalf	Sours
Avery	Fabritz	Millhone	Speidel
Bouska	Gallagher	Osborn	Stanzel
Brady	Gissel	Paisley	Stewart
Bruce	Hanson of	Peet	Strachan
Burgess	Winnebago	Rawlings	Swift
Cunningham	Hultman	Reed	Thies
Davis	Lichty	Ryder	Thiessen
Donlon	McCreery	Schmitz	Treimer
Doran	McLean	Snyder	Wolf
Elliott	Mercer		

Absent or not voting, 28.

Bonnstetter	Laughlin	Moore of Benton	Roe
Casey	McCarthy	Moore of	Sheridan
Dean	McFarlane	Harrison	Stimpson
Durant	McKinnon	Ostby	Teter
Foster	Malone	Peaco	Wiese
Grau	Maniece	Porter	Zylstra
Jenkins	Mitchell	Rice	Mr. Speaker
Koch			

Motion to lay on the table lost.

Fabritz of Wapello moved the previous question. Motion prevailed.

Treimer of O'Brien moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 58.

Augustine	Gissel	Metcalf	Sours
Avery	Grau	Millhone	Speidel
Bonnstetter	Hanson of Lyon	Mitchell	Stanzel
Bouska	Hanson of	Moore of Benton	Stewart
Bowers	Winnebago	Moore of	Stimpson
Brady	Hultman	Harrison	Strachan
Bruce	Jenkins	Osborn	Swift
Burgess	Johnson	Ostby	Thies
Craven	Lichty	Paisley	Thiessen
Cunningham	McCarthy	Peet	Treimer
Davis	McCreery	Rawlings	Wieben
Durant	McFarlane	Reed	Wiese
Elliott	Malone	Roe	Willis
Fabritz	Maniece	Ryder	Wolf
Gallagher	Mercer	Schmitz	Zylstra

The nays were, 40.

Aldrich	Ellsworth	Goode	McLean
Alesch	Falvey	Grell	Mooty
Beath	Felter	Hartman	Schlatter
Beswick	Fletcher	Hook	Schroeder
Casey	Foster	Hopp	Smith
Crouch	Frizzell	Hough	Stansell
Dole	Fuelling	Humeston	Teter
Donlon	Fuester	Jensen	Weed
Doran	Garner	Lookingbill	Yager
Dreessen	Gittinger	McDermott	Zipse

Absent or not voting, 10.

Dean	McKinnon	Rice	Snyder
Koch	Peaco	Sheridan	Mr. Speaker
Laughlin	Porter		

So the bill having received a constitutional majority was declared to have pessed the House and the title agreed to.

Treimer of O'Brien moved the vote by which House File No. 298 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

On the motion of Brady of Pottawattamie the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

Senate File No. 28, a bill for an act regarding section four (4), article one (1) of the Constitution of Iowa, and providing penalties for violation thereof, was taken up for consideration.

Digitized by Google

The Speaker called Fabritz of Wapello to the chair at 2:06 o'clock p. m.

The Speaker returned to the chair at 2:11 o'clock p. m.

Jensen of Audubon moved the previous question. Motion prevailed.

Aldrich of Wright moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 64.

Aldrich	Fabritz	McKinnon	Ryder
Alesch	Falvey	McLean	Schlatter
Augustine	Fuelling	Malone	Schmitz
Bonnstetter	Gallagher	Maniece	Schroeder
Bouska	Garner	Mercer	Sheridan
Brady	Gittinger	Metcalf	Smith
Bruce	Grau	Mitchell	Stimpson
Casey	Grell	Moore of Benton	Swift
Craven	Hough	Moore of Harrsion	Teter
Crouch	Humeston	Mooty	Thiessen
Davis	Johnson	Ostby	Wiese
Dean	Lichty	Paisley	Willis
Donlon	Lookingbill	Rawlings	Wolf
Dreessen	McCarthy	Reed	Yager
Durant	McDermott	Roe	Zipse
Ellsworth	McFarlane		Zylstra
			Mr. Speaker

The nays were, 33.

Avery	Frizzell	Hultman	Sours
Beath	Fuester	Jenkins	Speidel
Beswick	Gissel	Jensen	Stanzel
Bowers	Goode	McCreery	Strachan
Burgess	Hanson of Lyon	Millhone	Thies
Cunningham	Hanson of Winnebago	Osborn	Treimer
Dole	Hartman	Peet	Weed
Felter	Hopp	Rice	Wieben
Fletcher			

Absent or not voting, 11.

Doran	Hook	Peaco	Stansell
Elliott	Koch	Porter	Stewart
Foster	Laughlin	Snyder	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Aldrich of Wright moved that the vote by which Senate File No. 28 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Digitized by Google

Senate File No. 18, a bill for an act to require the use of certain safety equipment on Motor Vehicles, was taken up for consideration.

Read of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Avery	Fuelling	McDermott	Schlatter
Beath	Gallagher	McFarlane	Schmitz
Beswick	Garner	McKinnon	Sheridan
Bouska	Gissel	McLean	Smith
Brady	Gittinger	Malone	Snyder
Bruce	Grell	Maniece	Speidel
Burgess	Hanson of Lyon	Mercer	Stanzel
Casey	Hanson of	Metcalf	Stewart
Craven	Winnebago	Mitchell	Stimpson
Cunningham	Hartman	Moore of Benton	Strachan
Davis	Hopp	Moore of	Swift
Dean	Hough	Harrison	Thies
Dole	Hultman	Mooty	Thiessen
Donlon	Humeston	Osborn	Treimer
Durant	Jenkins	Paisley	Wieben
Elliott	Jensen	Peet	Wiese
Ellsworth	Johnson	Rawlings	Willis
Fabritz	Lichty	Reed	Wolf
Felter	Lookingbill	Rice	Yager
Fletcher	McCarthy	Ryder	Zylstra
Frizzell	McCreery		

The nays were, 9.

Bonnstetter	Fuester	Grau	Weed
Bowers	Goode	Ostby	Zipse
Dreessen			

Absent or not voting, 19.

Aldrich	Falvey	Millhone	Sours
Alesch	Foster	Peaco	Stansell
Augustine	Hook	Porter	Teter
Crouch	Koch	Roe	Mr. Speaker
Doran	Laughlin	Schroeder	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Reed of Mahaska moved that the vote by which Senate File No. 18 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 323, a bill for an act to amend the law as it appears in Title XVI, Chapter three hundred twenty-nine-C two (329-C2), section six thousand nine hundred forty-three-c eighteen

Digitized by Google

(6943-c18), Code, 1931, as amended by section twenty-three (23), chapter eighty-nine (89), laws of the Forty-fifth (45th) General Assembly, relating to the compensation of the members of the State Board of Assessment and Review, was taken up for consideration.

Malone of Cass moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 49.

Aldrich	Falvey	Lookingbill	Schroeder
Augustine	Fuelling	McCarthy	Sheridan
Bouska	Gallagher	McDermott	Snyder
Brady	Garner	McFarlane	Speidel
Burgess	Grau	Malone	Stewart
Casey	Grell	Mercer	Swift
Crouch	Hartman	Metcalf	Treimer
Cunningham	Hopp	Mitchell	Wiese
Dean	Humeston	Paisley	Willis
Dole	Jensen	Peet	Wolf
Elliott	Johnson	Ryder	Zylstra
Ellsworth	Lichty	Schmitz	Mr. Speaker
Fabritz			

The nays were, 47.

Avery	Gissel	Maniece	Schlatter
Beath	Gittinger	Millhone	Smith
Beswick	Goode	Moore of Benton	Sours
Bonnstetter	Hanson of Lyon	Moore of	Stanzel
Bowers	Hanson of	Harrison	Stimpson
Bruce	Winnebago	Mooty	Strachan
Davis	Hook	Osborn	Teter
Dreessen	Hough	Ostby	Thies
Durant	Hultman	Rawlings	Thiessen
Felter	Jenkins	Reed	Weed
Fletcher	McKinnon	Rice	Wieben
Foster	McLean	Roe	Yager
Frizzell			

Absent or not voting, 12.

Alesch	Doran	Laughlin	Porter
Craven	Fuester	McCreery	Stansell
Donlon	Koch	Peaco	Zipse

So the bill having failed to receive a constitutional majority was declared to have failed to have passed the House.

House File No. 355, a bill for an act to provide for the public welfare through the recognition of the economic emergency existing in the state and nation; to declare the policy of the state of

Digitized by Google

Iowa to be that of cooperating with and assisting the national government in promoting an increase in the consumption of industrial and agricultural products by increasing purchasing power; to reduce and relieve unemployment, and otherwise to rehabilitate industry and conserve the national resources; to govern the letting of contracts for the construction, alteration, and repair of public works and the purchasing of materials and supplies for public use; to use the state and local officers and employees of the state of Iowa to enforce the act of congress entitled "An act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes", approved June 16, 1933 and commonly known as the "National Industrial Recovery Act"; and to provide penalties for the violation thereof, was taken up for consideration.

Mitchell of Webster offered the following amendments and moved its adoption:

Amend House File No. 355 by adding thereto as Section eight (8)-A the following:

"Nothing in this act shall be construed to impose any greater restrictions or penalties on intra-state business than the restrictions and penalties imposed by the National Administration of the National Industrial Recovery Act. It is the purpose of this act to effectuate and carry out the National Administration's National Industrial Recovery Act program, in so far as it may apply to intra-state business."

Amendment adopted.

Zylstra of Sioux moved to amend Sec. 1 by striking from line 1, the words "production of" and inserting in lieu thereof the word "producing". Amendment adopted.

Zylstra of Sioux offered the following amendments and moved their adoption:

Amend Sec. 5, lines 6 and 7, by striking therefrom the following: ", whether or not in a transaction in or affecting interstate or foreign commerce,".

Also amend Sec. 6, lines 6 and 7, by striking therefrom the following: ", whether or not such business is in or affects interstate or foreign commerce,".

Also amend Sec. 7, by striking from lines 12 and 13, the following: ", whether or not in a transaction in or affecting interstate or foreign commerce,".

Also amend Sec. 10, line 16, by changing the comma (,) to a period (.) following the word "thereunder" and strike the remainder of the section.

Also amend Sec. 15, by changing the semicolon (;) to a period (.) in

Digitized by Google

line 2 following the word "corporation" and striking the remainder of said section.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 178, a bill for an act relating to the practice of cosmetology (including manicuring), and providing penalties for the violations of the laws of Iowa and the rules of the department of health relating to cosmetology.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 289, a bill for an act relative to provisions of bonds of certain mutual insurance companies.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 317, a bill for an act relating to unexpended appropriations of the Forty-fourth General Assembly and previous General Assemblies made to the institutions under the Board of Control.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 349, a bill for an act relating to the salaries of county treasurers in certain counties.

Also: That the Senate has concurred in House amendments in which the concurrence of the Senate was asked:

Senate File No. 42, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 66, a bill for an act relating to preference for coal and other domestic products and provisions, and providing for the purchase and use thereof by the state and certain municipal corporations or political subdivisions thereof, and providing penalties for failing to give such preference in the purchase and use of domestic coal for fuel.

Also: That the Senate has adopted the conference committee report and concurred in the amendments proposed therein on the following bill in which the concurrence of the House is asked:

Senate File No. 95, a bill for an act relating to the salaries of deputy county officials.

Also: That the Senate insists on its amendments to the following bill:

House File No. 304, a bill for an act relating to the levy to pay interest and principal on lawful bonded indebtedness, and asks for the appointment of a conference committee. The Senate has named as the conferees Senators Hill, Stanley, Beatty and Beardsley.

Digitized by Google

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 15, relating to the employment of officers and employees after the final adjournment of the extraordinary session of the Forty-fifth General Assembly. BYRON G. ALLEN, *Secretary.*

SENATE CONCURRENT RESOLUTION 15

Be It Resolved by the Senate, the House concurring, That the Secretary of the Senate and the Chief Clerk of the House be required to remain at the Capitol and perform their respectve duties for so long a time as may be necessary following the final adjournment of the Forty-fifth General Assembly, in extraordinary session, and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices, and also for the packing of the supplies of members for shipment to their homes.

The Secretary of the Senate and the Chief Clerk of the House are hereby authorized to correct the Journals of the Senate and House, respectively, for the last day of the session.

Each of said officers and employees shall receive the same compensation per day for such extra service performed as they now receive, to be paid upon certification by the President and Secretary of the Senate, and the Speaker and Chief Clerk of the House.

RESIGNATION OF PAGE

I hereby tender my resignation as Page in the House of Representatives, to take effect March 8, 1934. JAMES H. BOWEN.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 304

The Speaker appointed the following members on the part of the House as the conference committee on House File No. 304: Felter of Warren, Foster of Cedar, Hook of Taylor, and Yager of Dickinson.

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: S. F. No. 265; H. F. No. 352 and 353.

JAS. BURGESS, *Chairman.*

MOTIONS FILED

MR. SPEAKER: I move that the House consider no bills excepting appropriations bills, unfinished business, Senate File 68, House File 329, and House File 355, and that the steering committee be discharged.

DEWEY E. GOODE.

Digitized by Google

MR. SPEAKER: We, the undersigned, are interested in Senate File No. 3 and believe that it should be considered by this House before adjournment. We therefore move that this bill be placed on the calendar.

J. P. GALLAGHER.
B. B. DORAN.
MARION BRUCE.
VICTOR FELTER.
A. R. WEED.
PAUL L. MILLHONE.
L. C. BOWERS.
H. H. AVERY.
L. H. WIESE.
R. G. MOORE
E. A. JOHNSON
GEORGE C. STANZEL
JOHN JENKINS.
O. N. HULTMAN.
I. M. REED.
J. W. FRIZZELL.
EARL M. DEAN.
J. H. THIESSEN.
A. H. BONNSTETTER.
GUSTAVE ALESCH.
GEO. S. SCHLATTER.
JOHN H. SCHROEDER.
W. J. DREESSEN.
ED. RAWLINGS.
JAS. G. CASEY.
SAM SWIFT.
LAMAR FOSTER.
J. D. BOUSKA.
F. G. SNYDER.
OVE T. ROE.
ROY SOURS.
S. B. DURANT.
A. C. HANSON.
J. E. CRAVEN.
H. N. HANSON.
W. D. TREIMER.
W. A. YAGER.
F. H. BEATH.
WM. THIES.
E. E. WIEBEN.
PAUL I. D. OSTBY.
E. P. LAUGHLIN.
JOHN F. BRADY.
JOHN SPEIDEL.
T. F. SCHMITZ.
CHARLES J. ZYLSTRA.
S. B. CROUCH.
CHRISTIAN GRELL.
F. D. AUGUSTINE.
THOMAS STIMPSON.
R. E. LEE ALDRICH.
DON V. MCLEAN.
C. L. MCKINNON.
T. G. JENSEN.
W. H. STRACHAN.

CALL OF THE HOUSE FILED

We, the undersigned, hereby request a Call of the House on the vote on House File No. 355.

E. J. MANIECE.
E. H. FABRITZ.
THOMAS STIMPSON.
A. H. BONNSTETTER.
F. J. MCCARTHY.

On the motion of McFarlane of Black Hawk the House recessed until 7:30 o'clock this evening, which was in accord with motion previously adopted.

EVENING SESSION

The House reconvened, Speaker pro tem Donlon in the chair.

Digitized by Google

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 297, a bill for an act to authorize cities and towns, including those cities under special charter, and under the city manager form of government, to procure and pay the premiums on insurance for the benefit of members of volunteer fire departments and their dependents.

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 336, a bill for an act relating to the manufacture, sale and distribution of beer; defining beer; providing for the regulation of the manufacture, sale and distribution of beer.

BYRON G. ALLEN, *Secretary*.

SENATE AMENDMENTS TO HOUSE FILE 336

1. Amend the title of House File 336 by inserting after the word "to" in line one (1) thereof the following: "amend sections nineteen hundred and twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty (2130) and twenty-one hundred thirty-six (2136) of the code of Iowa, 1931, all relating to intoxicating liquors, and to"; also amend the title by striking the word "therefore" where it appears following the word "permits" and inserting in lieu thereof the word "therefor".

2. Amend by inserting as section one (1) the following:

"Section 1. That section one thousand nine hundred twenty-three (1923) of the code of Iowa, 1931, be and the same is hereby amended by striking the period (.) after the word 'whatever' in line six (6) thereof and inserting in lieu the following: "provided, however, that the words 'liquor' or 'intoxicating liquor' wherever used in title six of the code of Iowa, 1931, shall not be construed to include beer, ale, porter, stout, or any other malt liquor containing not more than four per centum (4%) of alcohol by weight."

3. Amend by inserting as section two (2) the following:

"Sec. 2. That section twenty hundred seventy-two (2072) of the code of Iowa, 1931, is hereby amended by striking out the words 'except malt liquors' appearing in the fourth (4th) line thereof."

4. Amend by inserting as section three (3) the following:

"Sec. 3. That section twenty-one hundred thirty (2130) of the code of Iowa, 1931, is hereby amended by striking out the words 'not including malt liquors' appearing in the fifth (5th) line thereof."

5. Amend by inserting as section four (4) the following:

"Sec. 4. That section twenty-one hundred thirty-six (2136) of the code of Iowa, 1931, is hereby amended by striking out all of the last paragraph of subsection twelve (12) thereof."

6. Amend by inserting after the word "manufacture" in the original section one (1), line two (2), the words "for sale".

Digitized by Google

7. Amend the original section two (2) by capitalizing the first letter of the words defined in subsections b to i, inclusive.

8. Further amend the original section two (2), subsection i, by adding the following paragraph:

"No beer shall be sold in this state after July 1, 1934, unless made from sixty-six and two-thirds per cent (66 2/3%) or more of barley malt."

9. Amend the original section four (4), line nine (9), by inserting a comma (,) after the word "stated" by adding thereafter the following: "or in the event the place of business of the permit holder is conducted in a disorderly manner".

10. Further amend the original section four (4), line ten (10), by inserting a comma (,) after the word "provided" and inserting the following: "or in the event the place of business of the permit holder is conducted in a disorderly manner".

11. Further amend the original section four (4), by striking the words after the comma (,) in line eleven (11), "outside the limits of cities and incorporated towns".

12. Amend section seven (7), line thirteen (13), by striking the word "leasee" and inserting in lieu thereof the word "lessee".

13. Amend section eight (8), subsection one (1), division f, as follows: Add after the period at the end of said subsection, the following sentence: "Provided, however, such area limitation shall not apply to permits in force on March 5, 1934, nor to renewals or transfers thereof, nor to permits in places located within areas now or hereafter zoned as business districts."

13a. Amend section eight (8), line fourteen (14), by striking the word "leasee" and inserting in lieu thereof the word "lessee".

14. Amend section nine (9), line fourteen (14), by striking the word "leasee" and inserting in lieu thereof the word "lessee".

15. Amend section twenty (20), lines four (4) and five (5), by striking the words "on the premises or" and inserting in lieu thereof the words "used in the storage, handling, serving or dispensing of beer or food within the".

16. Amend section twenty-one (21) by inserting after the period (.) in line nine (9) thereof the following: "For a golf or country club, as defined in section fifteen (15), subsection a, the license may be granted for a period of six months, for which the license fee shall be fifty dollars ($50.00)".

17. Further amend section twenty-one (21), by striking from line twenty-three (23) thereof the figure "13" and inserting in lieu thereof the following: "seventeen (17)".

18. Amend section twenty-three (23) by striking from line ten (10) the words "and the date and amount of each purchase" and inserting in lieu thereof the following: "and such other information as the treasurer of state may require".

19. Amend section twenty-four (24), by striking the words "books of accounts", wherever the same appear in said section, and inserting in lieu thereof the words "books of account".

20. Amend by striking all of section twenty-eight (28).

21. Amend section twenty-nine (29) by striking from lines five (5)

Digitized by Google

and six (6) thereof the following words, figures and punctuation "twenty-two (22)" and inserting in lieu thereof the following: "twenty-six (26)"; also by striking from line nine (9) thereof the figure "13" and inserting in lieu thereof the following: "seventeen (17).

22. Amend by striking section thirty (30) and inserting in lieu thereof the following:

"Sec. 30. The revenues obtained from permit fees and the barrel tax collected under the provisions of this act shall be distributed as follows:

"a. In all counties in which there is a city having a population of more than ten thousand (10,000), permit fees collected under the provisions of this act by any municipality shall be retained by such municipality and allocated to its general fund; in all other counties fifty per cent of the permit fees collected under the provisions of this act by any municipality shall be retained by it and allocated to its general fund, and fifty per cent shall be paid to the county treasurer and accrue to the general fund of such county.

"b. All license fees and taxes collected by the treasurer of state of the state of Iowa shall accrue to the state sinking fund for public deposits as created in chapter three hundred fifty-two-A one (352-A1) of the 1931 code of Iowa."

23. Amend section thirty-two (32), line two (2), by inserting after the word "manufactures" the words "for sale".

24. Amend by striking section thirty-three (33) and inserting in lieu thereof the following:

"Sec. 33. All bottles, kegs, barrels or other original containers in which beer is sold in this state shall bear a label on the outside thereof stating as follows: 'This beer does not contain more than four per centum (4%) of alcohol by weight.' The label on any bottle, keg, barrel or other container, in which beer is offered for sale in this state, representing the alcoholic content of such beer as being in excess of four per centum (4%) by weight shall be conclusive evidence as to the alcoholic content of the beer contained therein."

25. Amend section thirty-six (36) by inserting after the word "to" in line four (4) thereof the following: "amend sections nineteen hundred and twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty (2130) and twenty-one hundred thirty-six (2136) of the code of Iowa, 1931, all relating to intoxicating liquors, and to".

26. Amend by renumbering the sections as follows: 1 as 5, 2 as 6, 3 as 7, 4 as 8, 5 as 9, 6 as 10, 7 as 11, 8 as 12, 9 as 13, 10 as 14, 11 as 15, 12 as 16, 13 as 17, 14 as 18, 15 as 19, 16 as 20, 17 as 21, 18 as 22, 19 as 23, 20 as 24, 21 as 25, 22 as 26, 23 as 27, 24 as 28, 25 as 29, 26 as 30, 27 as 31, 29 as 32, 30 as 33, 31 as 34, 32 as 35, 33 as 36, 34 as 37, 35 as 38, 36 as 39, 37 as 40, 38 as 41, 39 as 42.

Memorial resolutions were presented, read, and by rising vote, unanimously adopted, commemorating the lives and public services of the following deceased members of the General Assembly of Iowa: Thomas F. Griffin, William E. Hager, Timothy P. Harrington, Bruce R. Mills, Henry N. Newell, Clifford B. Paul, Frank

Digitized by Google

S. Payne, Boyd F. Read, Dallas D. Rorick, Willis Hall Thorniley, G. S. Tolliver, Harry Otis Weaver and Fred B. Witt.

On motion by McCreery of Linn, the members of the House stood silently for one minute, facing the east, in memory of the departed members.

MOTION TO RECONSIDER FILED

MR. SPEAKER: I move to reconsider the vote by which Senate File No. 323 failed to pass the House. W. J. DREESSEN.

On the motion of Aldrich of Wright the House adjourned until 10:00 o'clock a. m., Thursday, March 8.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 8, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. E. G. Williams, Pastor Westminster United Presbyterian Church, Des Moines, Iowa.

Journal of March 7, corrected and approved.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 15

Mitchell of Webster called up Senate Concurrent Resolution No. 15 found on page 1470 of the Journal of March 7, and moved its adoption.

Resolution adopted.

SENATE MESSAGES CONSIDERED

Senate File No. 66, a bill for an act to amend section eleven hundred seventy-one-b-one (1171-b1) of the code, 1931, as amended by Senate File 168, Acts of the Forty-fifth General Assembly in Extraordinary Session, relating to preference for coal and other domestic products and provisions and providing for the purchase and use thereof by the state and certain municipal corporations or political subdivisions thereof, and providing penalties for failing to give such preference in the purchase and use of domestic coal for fuel; and to repeal section eleven hundred seventy-one-b-two (1171-b2) of the Code, 1931, as amended by Senate File 168, Acts of the Forty-fifth General Assembly in Extraordinary Session, and to enact a substitute therefor, relating to advertising for bids and proposals for coal and other domestic products and provisions to be purchased at public expense, and relating to the rejection and acceptance of bids for domestic coal for fuel, and providing for contract and bond on acceptance of any such bids for coal for fuel.

Read first and second times and referred to steering committee.

Digitized by Google

Senate File No. 297, a bill for an act to authorize cities and towns, including those cities under special charter, and under the city manager form of government, to procure and pay the premiums on insurance for the benefit of members of volunteer fire departments and their dependents.

Read first and second times and referred to steering committee.

MOTION TO CLEAR CALENDAR

Goode of Davis called up the motion filed by him and found on page 1470 of the Journal of March 7.

On the question "Shall the motion by Goode of Davis prevail?" a roll call was demanded.

Johnson of Linn moved to amend the Goode motion by including House File No. 357 in the bills reserved for consideration.

Bonnstetter of Kossuth moved as a substitute for the Goode motion that the House discontinue consideration of all bills at midnight tonight except appropriation bills and unfinished business.

On the question "Shall the House substitute the Bonnstetter motion for the Goode motion?" a roll call was demanded.

The ayes were, 61.

Aldrich	Felter	Jenkins	Roe
Alesch	Fletcher	Johnson	Schlatter
Beath	Foster	Laughlin	Schmitz
Beswick	Frizzell	Lichty	Sours
Bonnstetter	Fuelling	Lookingbill	Speidel
Brady	Garner	McCarthy	Stansell
Bruce	Gissel	McCreery	Stanzel
Casey	Gittinger	McFarlane	Stimpson
Craven	Goode	McLean	Strachan
Crouch	Grau	Malone	Thies
Davis	Hanson of Lyon	Mercer	Treimer
Dean	Hanson of Winnebago	Metcalf	Weed
Donlon	Hartman	Millhone	Wieben
Doran	Hough	Peaco	Wiese
Durant	Hultman	Rice	Yager
Ellsworth			

The nays were, 41.

Augustine	Dreessen	Humeston	Moore of Harrison
Avery	Elliott	Jensen	Mooty
Bouska	Fabritz	McDermott	Osborn
Bowers	Falvey	McKinnon	Ostby
Burgess	Fuester	Maniece	Paisley
Cunningham	Grell	Mitchell	Peet
Dole	Hopp	Moore of Benton	

Digitized by Google

Rawlings	Sheridan	Swift	Wolf
Reed	Smith	Thiessen	Zipse
Ryder	Snyder	Willis	Mr. Speaker
Schroeder	Stewart		

Absent or not voting, 6.

Gallagher	Koch	Teter	Zylstra
Hook	Porter		

Motion substituted.

On the question "Shall the Bonnstetter substitute motion prevail?" a roll call was demanded.

The ayes were, 53.

Aldrich	Falvey	Humeston	Roe
Alesch	Felter	Jenkins	Schlatter
Beath	Fletcher	Johnson	Sours
Beswick	Frizzell	Lichty	Speidel
Bonnstetter	Fuelling	Lookingbill	Stansell
Bouska	Gittinger	McCreery	Stanzel
Bowers	Goode	McFarlane	Stimpson
Brady	Grau	McLean	Strachan
Casey	Hanson of Lyon	Malone	Thies
Dean	Hanson of Winnebago	Metcalf	Thiessen
Donlon	Hartman	Millhone	Weed
Doran	Hough	Mooty	Wieben
Ellsworth	Hultman	Rice	Yager
Fabritz			

The nays were, 49.

Augustine	Fuester	Moore of Benton	Schroeder
Avery	Garner	Moore of Harrison	Sheridan
Bruce	Gissel	Osborn	Smith
Burgess	Grell	Ostby	Snyder
Craven	Hopp	Paisley	Stewart
Crouch	Jensen	Peaco	Swift
Cunningham	Laughlin	Peet	Treimer
Davis	McCarthy	Rawlings	Wiese
Dole	McDermott	Reed	Willis
Dreessen	McKinnon	Ryder	Wolf
Durant	Maniece	Schmitz	Zipse
Elliott	Mercer		Mr. Speaker
Foster	Mitchell		

Absent or not voting, 6.

Gallagher	Koch	Teter	Zylstra
Hook	Porter		

Substitute motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 95

Brady of Pottawattamie asked and obtained unanimous consent to take up the conference committee report on Senate File No. 95 found on page 1454 of the Journal of March 6 and moved that the House adopt the conference report and concur in the amendments proposed therein.

Digitized by Google

Jensen of Audubon moved the previous question. Motion prevailed.

On the question "Shall the House adopt the report of the conference committee and concur in the amendments proposed therein?" a roll call was demanded.

The ayes were, 53.

Alesch	Fuelling	Mercer	Sheridan
Augustine	Gallagher	Metcalf	Snyder
Avery	Goode	Millhone	Strachan
Bouska	Grell	Moore of Benton	Swift
Brady	Hanson of Lyon	Moore of Harrison	Thiessen
Bruce	Hartman	Mooty	Treimer
Burgess	Hopp	Paisley	Wiese
Casey	Hultman	Peaco	Willis
Crouch	Humeston	Peet	Wolf
Cunningham	Johnson	Ryder	Yager
Dreessen	Laughlin	Schmitz	Zipse
Elliott	Lichty	Schroeder	Zylstra
Fabritz	McCarthy		Mr. Speaker
Foster	McFarlane		

The nays were, 53.

Aldrich	Felter	Lookingbill	Roe
Beath	Fletcher	McCreery	Schlatter
Beswick	Frizzell	McDermott	Smith
Bonnstetter	Fuester	McKinnon	Sours
Bowers	Garner	McLean	Speidel
Craven	Gissel	Malone	Stansell
Davis	Gittinger	Maniece	Stanzel
Dean	Grau	Mitchell	Stewart
Dole	Hanson of Winnebago	Osborn	Stimpson
Donlon	Hook	Ostby	Teter
Doran	Hough	Rawlings	Thies
Durant	Jenkins	Reed	Weed
Ellsworth	Jensen	Rice	Wieben
Falvey			

Absent or not voting, 2.

Koch	Porter

The conference report having failed to receive a constitutional majority was declared rejected.

MOTION TO LIMIT DEBATE

Malone of Cass moved that debate by members be limited to five minutes each, and that the privilege of yielding time to another member be limited to one member, on each question.

Johnson of Linn moved to lay the motion by Malone of Cass on the table.

On the question "Shall the motion by Malone of Cass be laid on the table?" a roll call was demanded.

Digitized by Google

The ayes were, 48.

Augustine	Fuelling	McCreery	Snyder
Avery	Gallagher	McFarlane	Sours
Beath	Gissel	McKinnon	Stanzel
Beswick	Goode	Mercer	Stimpson
Bowers	Grau	Millhone	Strachan
Burgess	Grell	Moore of Benton	Teter
Cunningham	Hanson of	Mooty	Thies
Davis	Winnebago	Osborn	Treimer
Doran	Hultman	Ostby	Wieben
Durant	Jenkins	Peet	Willis
Elliott	Johnson	Rawlings	Wolf
Felter	Lichty	Smith	Zylstra
Fletcher			

The nays were, 58.

Aldrich	Falvey	McCarthy	Schlatter
Alesch	Foster	McDermott	Schmitz
Bonnstetter	Frizzell	McLean	Schroeder
Bouska	Fuester	Malone	Sheridan
Brady	Garner	Maniece	Speidel
Bruce	Gittinger	Metcalf	Stansell
Casey	Hanson of Lyon	Mitchell	Stewart
Craven	Hartman	Moore of	Swift
Crouch	Hook	Harrison	Thiessen
Dean	Hopp	Paisley	Weed
Dole	Hough	Peaco	Wiese
Donlon	Humeston	Reed	Yager
Dreessen	Jensen	Rice	Zipse
Ellsworth	Laughlin	Roe	Mr. Speaker
Fabritz	Lookingbill	Ryder	

Absent or not voting, 2.

Koch	Porter

Motion lost.

On the question "Shall the motion by Malone of Cass prevail?" a roll call was demanded.

The ayes were, 64.

Aldrich	Foster	McCarthy	Schmitz
Alesch	Frizzell	McFarlane	Schroeder
Bonnstetter	Fuelling	McKinnon	Sheridan
Bouska	Fuester	Malone	Speidel
Brady	Garner	Maniece	Stansell
Bruce	Gittinger	Metcalf	Stewart
Casey	Hanson of Lyon	Moore of	Stimpson
Craven	Hartman	Harrison	Swift
Crouch	Hook	Peaco	Thies
Davis	Hopp	Peet	Thiessen
Dean	Hough	Rawlings	Wiese
Dole	Humeston	Reed	Willis
Donlon	Jenkins	Rice	Wolf
Dreessen	Jensen	Roe	Yager
Ellsworth	Laughlin	Ryder	Zylstra
Fabritz	Lichty	Schlatter	Mr. Speaker
Falvey			

Digitized by Google

The nays were, 40.

Augustine	Felter	Lookingbill	Paisley
Avery	Fletcher	McCreery	Smith
Beath	Gissel	McDermott	Snyder
Beswick	Goode	McLean	Sours
Bowers	Grau	Mercer	Stanzel
Burgess	Grell	Millhone	Strachan
Cunningham	Hanson of Winnebago	Moore of Benton	Teter
Doran	Hultman	Mooty	Treimer
Durant	Johnson	Osborn	Weed
Elliott		Ostby	Wieben
			Zipse

Absent or not voting, 4.

Gallagher	Koch	Mitchell	Porter

The motion requiring a two-thirds majority was lost.

MOTION TO RECONSIDER

Dreessen of Crawford called up the motion to reconsider the vote by which Senate File No. 323 failed to pass the House as found on page 1475 of the Journal of March 7.

McKinnon of Henry moved the previous question. Motion prevailed.

On the question "Shall the House reconsider the vote by which Senate File No. 323 failed to pass the House?" a roll call was demanded.

The ayes were, 53.

Augustine	Fuester	McKinnon	Snyder
Avery	Gallagher	Malone	Speidel
Brady	Garner	Mercer	Stewart
Bruce	Hanson of Winnebago	Metcalf	Swift
Burgess	Hartman	Mitchell	Thiessen
Casey	Hopp	Moore of Benton	Treimer
Crouch	Humeston	Peaco	Wieben
Cunningham	Johnson	Peet	Wiese
Dean	Laughlin	Rice	Willis
Donlon	Lichty	Ryder	Wolf
Dreessen	McCarthy	Schroeder	Yager
Ellsworth	McDermott	Sheridan	Zipse
Fabritz	McFarlane	Smith	Mr. Speaker
Falvey			

The nays were, 53.

Aldrich	Doran	Goode	McCreery
Alesch	Durant	Grau	McLean
Beath	Elliott	Grell	Maniece
Beswick	Felter	Hanson of Lyon	Millhone
Bonnstetter	Fletcher	Hook	Moore of Harrison
Bouska	Foster	Hough	Mooty
Bowers	Frizzell	Hultman	Osborn
Craven	Fuelling	Jenkins	Ostby
Davis	Gissel	Jensen	Paisley
Dole	Gittinger	Lookingbill	

Digitized by Google

Rawlings	Schmitz	Stimpson	Thies
Reed	Sours	Strachan	Weed
Roe	Stansell	Teter	Zylstra
Schlatter	Stanzel		

Absent or not voting, 2.

Koch	Porter

Motion to reconsider lost.

CALL OF THE HOUSE

We, the undersigned hereby request a Call of the House on the motion to reconsider House File No. 323.

E. H. FABRITZ. W. J. DRIESSEN.
JOHN F. BRADY. JAS. G. CASEY.
C. E. MALONE.

A roll call showed all members present except: Gallagher of Iowa, Hook of Taylor, Koch of Bremer, Porter of Delaware and Zylstra of Sioux. Koch of Bremer and Porter of Delaware had been previously excused.

Mitchell of Webster moved that Gallagher of Iowa be temporarily excused from the call of the House. Motion prevailed.

CONSIDERATION OF SENATE AMENDMENTS

On request of Sheridan of Lee, unanimous consent having been given, House File No. 336, a bill for an act to repeal Chapter thirty-eight (38), Acts of the forty-fifth General Assembly and to amend Chapter thirty-seven (37), Acts of the forty-fifth General Assembly relating to the manufacture, sale and distribution of beer; defining beer; providing for the regulation of the manufacture, sale and distribution of beer; providing revenue for the State of Iowa and certain of its municipal subdivisions, including cities and towns under special charter, by taxation of and from permits to manufacture and/or sell beer and providing for issuance of permits therefor and by providing penalties for the violation of the provisions hereof, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 336

1. Amend the title of House File 336 by inserting after the word "to" in line one (1) thereof the following: "amend sections nineteen hundred and twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty (2130) and twenty-one hundred thirty-six

Digitized by Google

(2136) of the code of Iowa, 1931, all relating to intoxicating liquors, and to"; also amend the title by striking the word "therefore" where it appears following the word "permits" and inserting in lieu thereof the word "therefor".

2. Amend by inserting as section one (1) the following:

"Section 1. That section one thousand nine hundred twenty-three (1923) of the code of Iowa, 1931, be and the same is hereby amended by striking the period (.) after the word 'whatever' in line six (6) thereof and inserting in lieu the following: "provided, however, that the words 'liquor' or 'intoxicating liquor' wherever used in title six of the code of Iowa, 1931, shall not be construed to include beer, ale, porter, stout, or any other malt liquor containing not more than four per centum (4%) of alcohol by weight."

3. Amend by inserting as section two (2) the following:

"Sec. 2. That section twenty hundred seventy-two (2072) of the code of Iowa, 1931, is hereby amended by striking out the words 'except malt liquors' appearing in the fourth (4th) line thereof."

4. Amend by inserting as section three (3) the following:

"Sec. 3. That section twenty-one hundred thirty (2130) of the code of Iowa, 1931, is hereby amended by striking out the words 'not including malt liquors' appearing in the fifth (5th) line thereof."

5. Amend by inserting as section four (4) the following:

"Sec. 4. That section twenty-one hundred thirty-six (2136) of the code of Iowa, 1931, is hereby amended by striking out all of the last paragraph of subsection twelve (12) thereof."

6. Amend by inserting after the word "manufacture" in the original section one (1), line two (2), the words "for sale".

7. Amend the original section two (2) by capitalizing the first letter of the words defined in subsections b to i, inclusive.

8. Further amend the original section two (2), subsection i, by adding the following paragraph:

"No beer shall be sold in this state after July 1, 1934, unless made from sixty-six and two-thirds per cent (66⅔%) or more of barley malt."

9. Amend the original section four (4), line nine (9), by inserting a comma (,) after the word "stated" by adding thereafter the following: "or in the event the place of business of the permit holder is conducted in a disorderly manner".

10. Further amend the original section four (4), line ten (10), by inserting a comma (,) after the word "provided" and inserting the following: "or in the event the place of business of the permit holder is conducted in a disorderly manner".

11. Further amend the orginal section four (4), by striking the words after the comma (,) in line eleven (11), "outside the limits of cities and incorporated towns".

12. Amend section seven (7), line thirteen (13), by striking the word "leasee" and inserting in lieu thereof the word "lessee".

13. Amend section eight (8), subsection one (1), division f, as follows: Add after the period at the end of said subsection, the following sentence: "Provided, however, such area limitation shall not apply to permits in

Digitized by Google

force on March 5, 1934, nor to renewals or transfers thereof, nor to permits in places located within areas now or hereafter zoned as business districts."

13a. Amend section eight (8), line fourteen (14), by striking the word "leasee" and inserting in lieu thereof the word "lessee".

14. Amend section nine (9), line fourteen (14), by striking the word "leasee" and inserting in lieu thereof the word "lessee".

15. Amend section twenty (20), lines four (4) and five (5), by striking the words "on the premises or" and inserting in lieu thereof the words "used in the storage, handling, serving or dispensing of beer or food within the".

16. Amend section twenty-one (21) by inserting after the period (.) in line nine (9) thereof the following: "For a golf or country club, as defined in section fifteen (15), subsection a, the license may be granted for a period of six months, for which the license fee shall be fifty dollars ($50.00)".

17. Further amend section twenty-one (21), by striking from line twenty-three (23) thereof the figure "13" and inserting in lieu thereof the following: "seventeen (17)".

18. Amend section twenty-three (23) by striking from line ten (10) the words "and the date and amount of each purchase" and inserting in lieu thereof the following: "and such other information as the treasurer of state may require".

19. Amend section twenty-four (24), by striking the words "books of accounts", wherever the same appear in said section, and inserting in lieu thereof the words "books of account".

20. Amend by striking all of section twenty-eight (28).

21. Amend section twenty-nine (29) by striking from lines five (5) and six (6) thereof the following words, figures and punctuation "twenty-two (22)" and inserting in lieu thereof the following: "twenty-six (26)"; also by striking from line nine (9) thereof the figure "13" and inserting in lieu thereof the following: "seventeen (17)".

22. Amend by striking section thirty (30) and inserting in lieu thereof the following:

"Sec. 30. The revenues obtained from permit fees and the barrel tax collected under the provisions of this act shall be distributed as follows:

"a. In all counties in which there is a city having a population of more than ten thousand (10,000), permit fees collected under the provisions of this act by any municipality shall be retained by such municipality and allocated to its general fund; in all other counties fifty per cent of the permit fees collected under the provisions of this act by any municipality shall be retained by it and allocated to its general fund, and fifty per cent shall be paid to the county treasurer and accrue to the general fund of such county.

"b. All license fees and taxes collected by the treasurer of state of the state of Iowa shall accrue to the state sinking fund for public deposits as created in chapter three hundred fifty-two-A one (352-A1) of the 1931 code of Iowa."

23. Amend section thirty-two (32), line two (2), by inserting after the word "manufactures" the words "for sale".

Digitized by Google

24. Amend by striking section thirty-three (33) and inserting in lieu thereof the following:

"Sec. 33. All bottles, kegs, barrels or other original containers in which beer is sold in this state shall bear a label on the outside thereof stating as follows: 'This beer does not contain more than four per centum (4%) of alcohol by weight.' The label on any bottle, keg, barrel or other container, in which beer is offered for sale in this state, representing the alcoholic content of such beer as being in excess of four per centum (4%) by weight shall be conclusive evidence as to the alcoholic content of the beer contained therein."

25. Amend section thirty-six (36) by inserting after the word "to" in line four (4) thereof the following: "amend sections nineteen hundred and twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty (2130) and twenty-one hundred thirty-six (2136) of the code of Iowa, 1931, all relating to intoxicating liquors, and to".

26. Amend by renumbering the sections as follows: 1 as 5, 2 as 6, 3 as 7, 4 as 8, 5 as 9, 6 as 10, 7 as 11, 8 as 12, 9 as 13, 10 as 14, 11 as 15, 12 as 16, 13 as 17, 14 as 18, 15 as 19, 16 as 20, 17 as 21, 18 as 22, 19 as 23, 20 as 24, 21 as 25, 22 as 26, 23 as 27, 24 as 28, 25 as 29, 26 as 30, 27 as 31, 29 as 32, 30 as 33, 31 as 34, 32 as 35, 33 as 36, 34 as 37, 35 as 38, 36 as 39, 37 as 40, 38 as 41, 39 as 42.

Zylstra of Sioux moved to amend the Senate amendments to House File No. 336 as follows:

Amend Section 30, sub-section "a", by striking the word "fifty" in line 8 and inserting in lieu thereof the words "seventy-five".

Further amend by striking from line 11 the word "fifty" and insert in lieu thereof the words "twenty-five".

Foster of Cedar moved the previous question on the Zylstra amendment. Motion prevailed.

On the question "Shall the Zylstra amendment be adopted?" a roll call was demanded.

The ayes were, 42.

Aldrich	Foster	McCreery	Stanzel
Avery	Fuelling	McDermott	Stewart
Beath	Garner	McKinnon	Strachan
Bowers	Gissel	McLean	Teter
Craven	Goode	Metcalf	Thies
Dole	Hanson of Lyon	Millhone	Weed
Donlon	Hook	Peet	Yager
Doran	Hough	Reed	Zipse
Ellsworth	Hultman	Schlatter	Zylstra
Felter	Jenkins	Sours	Mr. Speaker
Fletcher	Lookingbill		

The nays were, 58.

Alesch	Bruce	Davis	Fabritz
Augustine	Burgess	Dean	Falvey
Bonnstetter	Casey	Dreessen	Frizzell
Bouska	Crouch	Durant	Fuester
Brady	Cunningham	Elliott	Gallagher

Digitized by Google

Gittinger	Lichty	Paisley	Speidel
Grell	McCarthy	Peaco	Stansell
Hanson of Winnebago	McFarlane	Rawlings	Stimpson
Hartman	Malone	Rice	Swift
Hopp	Maniece	Roe	Thiessen
Humeston	Mercer	Ryder	Treimer
Jensen	Moore of Harrison	Schmitz	Wieben
Johnson	Mooty	Schroeder	Wiese
Laughlin	Osborn	Sheridan	Willis
		Smith	Wolf

Absent or not voting, 8.

Beswick	Koch	Moore of Benton	Porter
Grau	Mitchell	Ostby	Snyder

Amendment lost.

Mr. Sheridan moved that the House concur in the Senate amendments to House File No. 336.

On the question "Shall the House concur?"

The ayes were, 75.

Aldrich	Fuester	McDermott	Schmitz
Alesch	Gallagher	McFarlane	Schroeder
Augustine	Garner	Malone	Sheridan
Bonnstetter	Gittinger	Maniece	Smith
Bouska	Goode	Mercer	Snyder
Brady	Grau	Metcalf	Sours
Bruce	Grell	Moore of Benton	Stansell
Burgess	Hanson of Lyon	Moore of Harrison	Stewart
Casey	Hanson of Winnebago	Mooty	Stimpson
Craven	Hartman	Osborn	Swift
Crouch	Hopp	Ostby	Thies
Cunningham	Hough	Paisley	Thiessen
Davis	Humeston	Peaco	Treimer
Dean	Jenkins	Rawlings	Wieben
Donlon	Jensen	Reed	Wiese
Dreessen	Johnson	Rice	Willis
Fabritz	Laughlin	Roe	Wolf
Falvey	McCarthy	Ryder	Zipse
Frizzell			Mr. Speaker
Fuelling			

The nays were, 29.

Avery	Felter	Lookingbill	Speidel
Beath	Fletcher	McCreery	Stanzel
Bowers	Foster	McKinnon	Strachan
Dole	Gissel	McLean	Teter
Doran	Hook	Millhone	Weed
Durant	Hultman	Peet	Yager
Elliott	Lichty	Schlatter	Zylstra
Ellsworth			

Absent or not voting, 4.

Beswick	Koch	Mitchell	Porter

The House concurred in Senate amendments to House File No. 336.

Digitized by Google

On the motion of McKinnon of Henry the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

Mercer of Johnson, Swift of Dubuque, Casey of Mitchell, Paisley of Lee, Sheridan of Lee, McCreery of Linn, Durant of Hancock, Maniece of Emmet, and Sours of Floyd offered the following House Concurrent Resolution:

HOUSE CONCURRENT RESOLUTION NO. 18

Whereas, Members of the Forty-fifth General Assembly, Extraordinary Session, may desire to purchase the chairs occupied by them during this session, therefore,

Be It Resolved by the House, the Senate concurring, That such members be permitted to purchase such chairs from the secretary of the executive council at the price of ten ($10.00) dollars, and that the custodian of the State House be instructed to crate such chairs as may be purchased and deliver them to the express office in Des Moines, addressed to the purchasers.

Be It Further Resolved by the House, the Senate concurring, That the Speaker of the House and the President of the Senate, the Sergeant-at-Arms of the House and the Sergeant-at-arms of the Senate, the Assistant Sergeant-at-Arms of the House, the Chief Doorkeeper of the Senate, be presented with the chairs occupied by them during the session, and that th custodian of the State House be instructed to crate such chairs and deliver them to the express office in Des Moines, addressed to the persons mentioned herein.

Laid over under rule 34.

BILLS INTRODUCED

House File No. 358, by steering committee, a bill for an act to amend sections ninety-one hundred thirty-six (9136) and ninety-one hundred thirty-seven (9137), Code, 1931, giving to the State Banking Board authority to carry out the administration provisions of law relating to the staff of and to their employment by the State Banking Department, and to repeal acts in conflict therewith.

Read first and second times and placed on calendar.

Digitized by Google

CONSIDERATION OF BILLS

House File No. 357, a bill for an act exempting mortgages executed after January first nineteen hundred thirty-four (January 1, 1934) from the provisions of chapters one hundred seventy-nine (179) and one hundred eighty-two (182), Acts of the Forty-fifth General Assembly, was taken up for consideration.

The Speaker called Cunningham of Polk to the chair at 2:20 o'clock p. m.

The Speaker returned to the chair at 2:25 o'clock p. m.

Rice of Keokuk offered the following amendment and moved its adoption:

Amend House File No. 357 by inserting immediately after Section one (1) the following:

"Sec. 2. That section two (2) of chapter one hundred eighty-two (182), Acts of the Forty-fifth General Assembly is amended as follows:

1. Strike from lines nine (9) and ten (10) the words: 'unless upon hearing on said application good cause is shown to the contrary'.

2. Strike from lines thirty (30) and thirty-one (31) the words: 'or for other good and sufficient cause'."

Also renumber Sec. 2 and Sec. 3.

Johnson of Linn raised the point of order that the subject matter of the amendment had been previously considered and defeated, and therefore was not in order.

The Speaker held the point of order well taken.

Rice of Keokuk moved that the rules be suspended prohibiting the consideration of a subject matter the second time.

On the question "Shall the Rice motion prevail?" a roll call was demanded.

The ayes were, 39.

Aldrich	Fabritz	McDermott	Roe
Alesch	Foster	McKinnon	Schlatter
Augustine	Fuester	Maniece	Schroeder
Bonnstetter	Garner	Mitchell	Smith
Bruce	Gittinger	Moore of Harrison	Stewart
Craven	Grell	Ostby	Stimpson
Davis	Hook	Rawlings	Thiessen
Dean	Hultman	Reed	Yager
Donlon	Humeston	Rice	Zipse
Dreessen	McCarthy		Zylstra

The nays were, 60.

Avery	Bouska	Crouch	Doran
Beath	Bowers	Cunningham	Durant
Beswick	Casey	Dole	Elliott

Digitized by Google

Ellsworth	Jenkins	Mooty	Stansell
Felter	Johnson	Osborn	Stanzel
Fletcher	Koch	Paisley	Strachan
Fuelling	Laughlin	Peaco	Swift
Gallagher	Lichty	Peet	Thies
Gissel	Lookingbill	Ryder	Treimer
Goode	McCreery	Schmitz	Weed
Hanson of Lyon	McFarlane	Sheridan	Wieben
Hanson of Winnebago	McLean	Smith	Wiese
	Mercer	Snyder	Willis
Hartman	Metcalf	Sours	Wolf
Hopp	Millhone	Speidel	Mr. Speaker
Hough	Moore of Benton		

Absent or not voting, 9.

Brady	Frizzell	Jensen	Porter
Burgess	Grau	Malone	Teter
Falvey			

Motion was lost and the House refused to suspend the rules.

McCreery of Linn moved the previous question. Motion prevailed.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Augustine	Felter	Laughlin	Schmitz
Avery	Fletcher	Lichty	Schroeder
Beath	Frizzell	Lookingbill	Sheridan
Beswick	Fuelling	McCarthy	Snyder
Bouska	Gallagher	McCreery	Speidel
Bowers	Gissel	McFarlane	Stansell
Brady	Goode	Malone	Stanzel
Bruce	Grau	Mercer	Strachan
Burgess	Hanson of Lyon	Metcalf	Swift
Casey	Hanson of Winnebago	Millhone	Teter
Crouch		Moore of Benton	Thies
Cunningham	Hartman	Mooty	Treimer
Dole	Hopp	Osborn	Weed
Donlon	Hough	Paisley	Wieben
Doran	Hultman	Peaco	Wiese
Durant	Jenkins	Peet	Willis
Elliott	Jensen	Ryder	Wolf
Ellsworth	Johnson	Schlatter	Mr. Speaker
Fabritz	Koch		

The nays were, 30.

Aldrich	Garner	Mitchell	Sours
Alesch	Gittinger	Ostby	Stewart
Craven	Hook	Rawlings	Stimpson
Davis	Humeston	Reed	Thiessen
Dean	McDermott	Rice	Yager
Dreessen	McKinnon	Roe	Zipse
Foster	McLean	Smith	Zylstra
Fuester	Maniece		

Digitized by Google

Absent or not voting, 5.

Bonnstetter	Grell	Moore of Harrison	Porter
Falvey			

So the bill having received a constitutional majority was declared to have passed the House and title agreed to.

Johnson of Linn moved that the vote by which House File No. 357 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 334, a bill for an act relating to establishing and financing of sewage and garbage works by cities and towns.

WALTER H. BEAM, *Assistant Secretary.*

CONSIDERATION OF SENATE AMENDMENTS

On request of Speidel of Washington, unanimous consent having been given, House File No. 334, a bill for an act to amend chapter one hundred eleven (111) of the Acts of the Forty-fifth General Assembly of Iowa relating to establishing and financing of sewage and garbage works by cities and towns, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 334

1. Amend House File No. 334 by striking the period at the end of the title and adding in lieu thereof the following: "and to make the same applicable also to wharves, docks, piers, swimming pools and golf courses."

2. Amend section one (1) by striking said section and inserting in lieu thereof the following:

"Section 1. That section one (1) of chapter one hundred eleven (111) of the Acts of the Forty-fifth General Assembly be amended to read as follows:

'Section 1. Cities and towns in the state of Iowa are hereby authorized and empowered to own, acquire, construct, equip, operate and maintain within and/or without the corporate limits of such city or town, a sewage treatment plant or plants, with all appurtenances necessary, useful and convenient for the collection, treatment, purification and disposal in a sanitary manner of the liquid and solid waste, sewage, and industrial waste of any such city or town, also swimming pools and/or golf courses, and shall have authority to acquire by gift, grant, purchase, or condemnation, or otherwise, all necessary lands, rights-of-way, and property

Digitized by Google

therefor, within or without the said city or town, and, to issue revenue bonds to pay the costs of such improvement to be financed only through the Federal Government or an agency thereof, as hereinafter provided.

'Cities and towns in the state of Iowa are also hereby authorized and empowered to own, acquire, construct, equip, operate and maintain within and/or without the corporate limits of such city or town, wharves, docks and/or piers when the same are authorized by a majority of voters after the proposition of such project shall have been submitted to an election to be called and conducted as required by the statutes regulating elections relating to the authorization and issuance of bonds by cities and towns for similar purposes, provided however, no election shall be necessary unless demanded by a petition signed by fifteen per cent (15%) of the voters at the last preceding municipal election filed within sixty (60) days following the publication of an ordinance adopted for the issuance of such bonds, and to issue revenue bonds to pay the costs of such improvement to be financed only through the Federal Government or an agency thereof, as hereinafter provided.' "

3. Amend section two (2) by striking said section and inserting in lieu thereof the following:

"Sec. 2. That section two (2) of chapter one hundred eleven (111) of the Acts of the Forty-fifth General Assembly be amended to read as follows:

'Section 2. The construction, acquisition, improvement, equipment, custody, operation and maintenance of any such works for the collection, treatment or disposal of sewage, swimming pools, golf courses, wharves, docks or piers, and the collection of revenues therefrom, for the service rendered thereby, shall be under the supervision and control of the city or town; and the work of construction shall be done by hand labor so far as is practicable.' "

Mr. Speidel moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 103.

Aldrich	Doran	Grell	McCreery
Alesch	Dreessen	Hanson of Lyon	McDermott
Avery	Durant	Hanson of Winnebago	McFarlane
Beath	Elliott	Hartman	McKinnon
Beswick	Ellsworth	Hook	McLean
Bonnstetter	Falvey	Hopp	Malone
Bouska	Felter	Hough	Maniece
Bowers	Fletcher	Hultman	Mercer
Bruce	Foster	Humeston	Metcalf
Burgess	Frizzell	Jenkins	Millhone
Casey	Fuelling	Jensen	Mitchell
Craven	Fuester	Johnson	Moore of Benton
Crouch	Gallagher	Koch	Moore of Harrison
Cunningham	Garner	Laughlin	Mooty
Davis	Gissel	Lichty	Osborn
Dean	Gittinger	Lookingbill	Ostby
Dole	Goode	McCarthy	
Donlon	Grau		

Digitized by Google

Paisley	Schroeder	Stimpson	Wieben
Peaco	Sheridan	Strachan	Wiese
Peet	Smith	Swift	Willis
Rawlings	Snyder	Teter	Wolf
Reed	Sours	Thies	Yager
Roe	Speidel	Thiessen	Zipse
Ryder	Stansell	Treimer	Zylstra
Schlatter	Stanzel	Weed	Mr. Speaker
Schmitz	Stewart		

The nays were, none.

Absent or not voting, 5.

Augustine	Fabritz	Porter	Rice
Brady			

House concurred in Senate amendments to House File No. 334.

CONSIDERATION OF BILLS

House File No. 352, a bill for an act to amend section ten thousand four hundred fifty-one (10451), Code, 1931, relating to the conveyance of real property of insane persons, was taken up for consideration.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Aldrich	Fabritz	Koch	Schlatter
Augustine	Falvey	Laughlin	Schmitz
Avery	Felter	Lichty	Schroeder
Beath	Fletcher	Lookingbill	Sheridan
Beswick	Frizzell	McCarthy	Smith
Bonnstetter	Fuelling	McCreery	Snyder
Bouska	Gallagher	McDermott	Speidel
Bowers	Garner	McFarlane	Stansell
Brady	Gissel	McLean	Stanzel
Bruce	Goode	Malone	Stewart
Burgess	Grau	Mercer	Stimpson
Casey	Grell	Metcalf	Strachan
Craven	Hanson of Lyon	Millhone	Swift
Crouch	Hanson of Winnebago	Mitchell	Teter
Cunningham	Hartman	Moore of Benton	Thies
Dean	Hopp	Mooty	Thessen
Dole	Hough	Osborn	Tremer
Donlon	Hultman	Peaco	Weed
Doran	Humeston	Peet	Wieben
Dreessen	Jenkins	Rawlings	Willis
Durant	Jensen	Reed	Wolf
Elliott	Johnson	Roe	Yager
Ellsworth		Ryder	Mr. Speaker

Digitized by Google

The nays were, 4.

Foster	Gittinger	Zipse	Zylstra

Absent or not voting, 13.

Alesch	McKinnon	Ostby	Rice
Davis	Maniece	Paisley	Sours
Fuester	Moore of	Porter	Wiese
Hook	Harrison		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that the vote by which House File No. 352 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

House File No. 353, a bill for an act to amend section twelve thousand six hundred twenty-eight (12628), Code, 1931, relating to the sale or mortgage of real estate by guardians, was taken up for consideration.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Fabritz	Lichty	Schlatter
Alesch	Falvey	Lookingbill	Schmitz
Augustine	Felter	McCarthy	Schroeder
Avery	Fletcher	McCreery	Sheridan
Beath	Frizzell	McDermott	Snyder
Beswick	Fuelling	McLean	Speidel
Bonnstetter	Garner	Malone	Stansell
Bouska	Gissel	Maniece	Stewart
Bowers	Goode	Mercer	Stimpson
Brady	Grau	Metcalf	Strachan
Bruce	Grell	Millhone	Swift
Burgess	Hanson of Lyon	Mitchell	Teter
Casey	Hanson of	Moore of Benton	Thies
Craven	Winnebago	Moore of	Thiessen
Crouch	Hartman	Harrison	Treimer
Cunningham	Hopp	Mooty	Weed
Dean	Hough	Osborn	Wieben
Dole	Hultman	Peaco	Wiese
Donlon	Humeston	Peet	Willis
Doran	Jenkins	Rawlings	Wolf
Dreessen	Jensen	Reed	Yager
Durant	Johnson	Roe	Zipse
Elliott	Koch	Ryder	Mr. Speaker
Ellsworth	Laughlin		

The nays were, 4.

Davis	Foster	Gittinger	Zylstra

Digitized by Google

Absent or not voting, 12.

Fuester	McFarlane	Paisley	Smith
Gallagher	McKinnon	Porter	Sours
Hook	Ostby	Rice	Stanzel

So the bill having received a constitutional majority was declared to have passed the House and title agreed to.

Johnson of Linn moved that the vote by which House File No. 353 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

Senate File No. 326, a bill for an act relating to taxation and to exempt certain associations from the provisions of said act imposing a business tax on corporations. WALTER H. BEAM, *Assistant Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 326, a bill for an act to amend House File No. 1, Acts of the Forty-fifth General Assembly, in extraordinary session, and approved by the governor on the first day of March, 1934, and now on file in the office of the secretary of state, relating to taxation and to exempt certain associations from the provisions of said act imposing a business tax on corporations.

Read first and second times.

CONSIDERATION OF BILLS

House File No. 354, a bill for an act to amend House File No. 1, as enacted by the Extra Session of the Forty-fifth General Assembly, and approved by the Governor on the first day of March, 1934, and now on file in the office of the Secretary of State, relating to taxation and exempt certain associations from the provisions of said Act imposing a business tax on corporations, was taken up for consideration.

Grau of Buena Vista moved to substitute Senate File No. 326 for House File No. 354. Motion prevailed.

Senate File No. 326, a bill for an act to amend House File No. 1, Acts of the Forty-fifth General Assembly, in extraordinary session,

Digitized by Google

and approved by the governor on the first day of March, 1934, and now on file in the office of the secretary of state, relating to taxation and to exempt certain associations from the provisions of said act imposing a business tax on corporations, was taken up for consideration.

Grau of Buena Vista moved that the rules be suspended prohibiting the second and third reading of a bill in the same day. Motion prevailed.

Grau of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 96.

Aldrich	Felter	Laughlin	Roe
Alesch	Fletcher	Lichty	Ryder
Augustine	Foster	Lookingbill	Schlatter
Avery	Frizzell	McCarthy	Schmitz
Beath	Fuelling	McCreery	Schroeder
Beswick	Fuester	McDermott	Sheridan
Bonnstetter	Gallagher	McFarlane	Smith
Bouska	Garner	McLean	Snyder
Bowers	Gissel	Malone	Speidel
Bruce	Gittinger	Maniece	Stansell
Burgess	Grau	Mercer	Stewart
Casey	Grell	Metcalf	Stimpson
Crouch	Hanson of Lyon	Millhone	Strachan
Cunningham	Hanson of Winnebago	Mitchell	Swift
Davis	Hartman	Moore of Benton	Teter
Dean	Hopp	Mooty	Thies
Dole	Hough	Osborn	Thiessen
Donlon	Hultman	Ostby	Treimer
Doran	Humeston	Paisley	Weed
Dreessen	Jenkins	Peaco	Wieben
Durant	Jensen	Peet	Wiese
Elliott	Johnson	Rawlings	Willis
Ellsworth	Koch	Reed	Zipse
Fabritz		Rice	Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 12.

Brady	McKinnon	Porter	Wolf
Craven	Moore of Harrison	Sours	Yager
Goode		Stanzel	Zylstra
Hook			

So the bill having received a constitutional majority was declared to have passed the House and title agreed to.

Grau of Buena Vista moved that the vote by which Senate File

Digitized by Google

No. 326 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 243, a bill for an act to amend section ten (10) of chapter thirty (30) of the Laws of the Forty-fifth General Assembly to provide for an increase in license fees to provide adequate funds to make possible the development of the Iowa Twenty-five Year Conservation Program, was taken up for consideration.

The Speaker called Mitchell of Webster to the chair at 3:08 o'clock p. m.

The Speaker returned to the chair at 3:12 o'clock p. m.

Yager of Dickinson moved that the bill be laid on the table.

On the question "Shall the bill be laid on the table?" a roll call was demanded.

The ayes were, 34.

Aldrich	Fuelling	Jensen	Schlatter
Beath	Gittinger	Lichty	Stansell
Beswick	Goode	McDermott	Stimpson
Bowers	Grau	McFarlane	Strachan
Dreessen	Hanson of Lyon	McKinnon	Teter
Ellsworth	Hartman	McLean	Weed
Felter	Hook	Mooty	Yager
Fletcher	Hough	Rice	Zipse
Frizzell	Humeston		

The nays were, 59.

Alesch	Falvey	Maniece	Schroeder
Augustine	Fuester	Metcalf	Sheridan
Avery	Gallagher	Millhone	Smith
Bonnstetter	Garner	Mitchell	Snyder
Bouska	Gissel	Moore of Benton	Stanzel
Bruce	Hanson of Winnebago	Moore of Harrison	Stewart
Burgess	Hopp	Osborn	Swift
Craven	Hultman	Paisley	Thies
Crouch	Johnson	Peaco	Thiessen
Cunningham	Koch	Rawlings	Treimer
Dole	Lookingbill	Reed	Wieben
Donlon	McCarthy	Roe	Wiese
Doran	McCreery	Ryder	Willis
Durant	Malone	Schmitz	Wolf
Elliott			Mr. Speaker
Fabritz			

Absent or not voting, 15.

Brady	Foster	Mercer	Sours
Casey	Grell	Ostby	Speidel
Davis	Jenkins	Peet	Zylstra
Dean	Laughlin	Porter	

Motion to lay on the table lost.

Digitized by Google

Reed of Mahaska moved the previous question on the main bill. Motion prevailed.

Jensen of Audubon moved to reconsider the vote by which the previous question was ordered. Motion lost.

Fabritz of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 55.

Alesch	Fuester	Maniece	Schmitz
Augustine	Gallagher	Mercer	Sheridan
Avery	Garner	Metcalf	Snyder
Bonnstetter	Gissel	Millhone	Stanzel
Bouska	Hanson of Winnebago	Mitchell	Stewart
Bruce	Hopp	Moore of Benton	Swift
Burgess	Jenkins	Moore of Harrison	Thiessen
Casey	Johnson	Osborn	Treimer
Crouch	Koch	Paisley	Wieben
Dole	Laughlin	Peaco	Wiese
Donlon	Lookingbill	Rawlings	Willis
Durant	McCarthy	Reed	Wolf
Fabritz	Malone	Ryder	Zylstra
Falvey			Mr. Speaker
Fuelling			

The nays were, 50.

Aldrich	Fletcher	Jensen	Schlatter
Beath	Foster	Lichty	Schroeder
Beswick	Frizzell	McCreery	Smith
Bowers	Gittinger	McDermott	Sours
Craven	Goode	McFarlane	Stansell
Cunningham	Grau	McKinnon	Stimpson
Davis	Grell	McLean	Strachan
Dean	Hanson of Lyon	Mooty	Teter
Doran	Hartman	Ostby	Thies
Dreessen	Hook	Peet	Weed
Elliott	Hough	Rice	Yager
Ellsworth	Hultman	Roe	Zipse
Felter	Humeston		

Absent or not voting, 3.

Brady	Porter	Speidel

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Malone of Cass moved that the vote by which Senate File No. 243 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Digitized by Google

REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: Senate File No. 203; Senate File No. 297.

Bills to be introduced: House File Nos. 358 and 359.

JAS. BURGESS, *Chairman.*

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 232, a bill for an act relating to the execution and delivery of treasurers' deeds conveying real estate sold at tax sale; to prohibit the delivery of such deeds until December 2, 1935, and to extend the period of redemption.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 236, a bill for an act to provide for increasing annual fees to be paid to the Auditor of State by building and loan associations; to provide for appointment by the Auditor of State of a chief examiner of building and loan associations; to fix the maximum salary of such chief examiner; to make appropriation for the same.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 281, a bill for an act relating to agricultural seeds.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 296, a bill for an act relating to payments to the State Printing Board, for work and supplies furnished to certain state departments .

Also: That the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 300, a bill for an act to make an appropriation for the payment of the extra expense of the State Printing Board incurred by and on account of the forty-fifth extraordinary session of the General Assembly.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 324, a bill for an act to legalize and validate proceedings taken by the Town Council of the Town of Roland, Iowa, authorizing and providing for the issuance of Waterworks Bonds.

WALTER H. BEAM, *Assistant Secretary.*

SENATE AMENDMENT TO HOUSE FILE 232

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. In any case where real estate has, in any year preceding

Digitized by Google

1932, been sold for taxes and the time for redemption had not already expired, a treasurer's deed therefor shall not be delivered prior to December 2, 1935, and the period during which redemption from such sale may be made is hereby extended to said date; provided, however, if the owner of such real estate shall hereafter permit any taxes to become delinquent against the same and remain so delinquent after the 1st of September of any such year the county treasurer shall upon surrender to him of the tax sale certificate, execute and deliver such deed.

Sec. 2. Any provision of any law or laws now in force which are in conflict with this act are hereby suspended until December 2, 1935.

Sec. 3. On and after December 2, 1935, this act shall cease to be in force or effect.

Sec. 4. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Mount Pleasant Daily News, a newspaper published at Mount Pleasant, Iowa, and the Cantril Register, a newspaper published at Cantril, Iowa.

SENATE AMENDMENT TO HOUSE FILE 300

Amend Section 2 by striking from line five (5) the words "Algona Upper Iowa" and inserting in lieu thereof the words "Kossuth County Advance".

CONSIDERATION OF BILLS

House File No. 329, a bill for an act to amend Senate File No. 281, as passed by the Forty-fifth General Assembly, in extraordinary session, relating to the caring for the unemployed and needy and regulating the hourly rates for work in exchange for relief, was taken up for consideration.

MOTION TO RECONSIDER

Hanson of Lyon moved to reconsider the vote by which the substitute motion by Bonnstetter "to consider no bill after 12 o'clock midnight except Appropriation Bills and unfinished business," prevailed.

On the question "Shall the House reconsider the vote by which the substitute motion by Bonnstetter prevailed?" a roll call was demanded.

The ayes were, 39.

Augustine	Donlon	Gallagher	McKinnon
Avery	Doran	Garner	Metcalf
Beath	Dreessen	Grell	Mitchell
Bowers	Durant	Hanson of Lyon	Moore of Benton
Bruce	Elliott	Hanson of Winnebago	Ostby
Burgess	Falvey	Humeston	Rawlings
Craven	Felter	Jenkins	Reed
Cunningham	Foster		Schmitz

Digitized by Google

Schroeder	Speidel	Strachan	Treimer
Smith	Stewart	Swift	Wolf

The nays were, 63.

Aldrich	Fuester	McCreery	Sherdan
Alesch	Gissel	McDermott	Snyder
Beswick	Gittinger	McFarlane	Sours
Bonnstetter	Goode	McLean	Stansell
Bouska	Grau	Malone	Stanzel
Brady	Hartman	Mercer	Stimpson
Casey	Hook	Millhone	Thies
Crouch	Hopp	Mooty	Thiessen
Davis	Hough	Osborn	Weed
Dean	Hultman	Paisley	Wieben
Dole	Jensen	Peaco	Wiese
Ellsworth	Johnson	Peet	Willis
Fabritz	Laughlin	Rice	Yager
Fletcher	Lichty	Roe	Zipse
Frizzell	Lookingbill	Ryder	Zylstra
Fuelling	McCarthy	Schlatter	

Absent or not voting, 6.

Koch	Moore of	Porter	Mr. Speaker
Maniece	Harrison	Teter	

Motion to reconsider lost.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the President has appointed as members of the second conference committee, on the part of the Senate, on Senate File 95, Senators Baldwin, Moore, Stevens of Wapello and Booth.

WALTER H. BEAM, *Assistant Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Weed of Madison, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 185, 343, 295, 324, 284, 140, 347, 135, 216, 313, 344, 333, 151, 231, 223, 278, 40, 257, 317 and 289; Senate Files No. 227, 277, 298 and 322.

GEO. M. HOPKINS, *Member Senate Committee.*

A. R. WEED, *Member House Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files No. 185, 343, 295, 324, 284, 140, 347, 135, 216.

Digitized by Google

313, 344, 333, 151, 231, 223, 278, 40, 257, 317 and 289. Senate Files No. 227, 277, 298 and 322.

BILLS SENT TO THE GOVERNOR

Weed of Madison from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 8th day of March, 1934, sent to the Governor for his approval: House Files No. 185, 343, 295, 324, 284, 140, 347, 135, 216, 313, 344, 333, 151, 231, 223, 278, 40, 257, 317, and 289.

A. R. WEED, *Member.*

Report adopted.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 304

MR. PRESIDENT AND MR. SPEAKER: We the undersigned members of the Conference Committee appointed to consider the difference between the Senate and the House on House File No. 304, being a bill for an act to amend section forty-four hundred three (4403), code, 1931, relating to the levy to pay interest and principal on lawful bonded indebtedness, begs leave to report that it has had same under consideration and recommends that the Senate recede from its amendment and that the bill, as passed by the House, be amended by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section forty-four hundred three (4403), code, 1931, is amended by adding thereto the following:

'Provided that when because of reduced valuation a seven mill tax is not sufficient to produce the amount required to pay the interest and one twentieth of the principal of the original issue of bonds legally issued prior to the year nineteen hundred thirty-four (1934) the board may certify such amount and the County Auditor shall compute and apply such tax rate for such purposes as may be necessary to raise the amount so certified and the funds so raised shall be used only for the purpose of paying interest and principal on such bonds and shall not be subject to transfer'.

'Provided further that the tax limitation contained in this section shall not operate to restrict or prevent a school district in the issuance of refunding bonds to pay interest or principal of bonds outstanding on March 31, 1934'."

LAFE HILL.	LA MAR FOSTER.
WM. S. BEARDSLEY.	W. A. YAGER.
CLAUDE STANLEY.	VICTOR FELTER.
F. M. BEATTY.	CHAS. S. HOOK.
On the part of the Senate.	*On the part of the House.*

On the motion of Mercer of Johnson the House recessed until 7:30 o'clock this evening.

Digitized by Google

EVENING SESSION

The House reconvened, Speaker Miller in the chair.

CALL OF THE HOUSE

MR. SPEAKER: We the undersigned respectfully request a call of the House for the evening session.

LEROY MERCER. ED. RAWLINGS.
WM. KOCH. SAM SWIFT.
E. E. WIEBEN.

A roll call revealed all members present except Cunningham of Polk, Koch of Bremer, McCarthy of Woodbury and Porter of Delaware. Porter of Delaware was previously excused.

Swift of Dubuque asked and obtained unanimous consent that Koch of Bremer be excused.

Jensen of Audubon moved that the absentees be temporarily excused.

Johnson of Linn moved to amend the motion by Jensen of Audubon that no vote be taken until all absentees are present.

On the question "Shall the Johnson amendment be adopted?" a roll call was demanded.

The ayes were, 30.

Crouch	Grell	Lookingbill	Snyder
Doran	Hanson of Lyon	McCreery	Sours
Durant	Hanson of Winnebago	McDermott	Speidel
Elliott	Hultman	McLean	Stanzel
Fletcher	Jenkins	Millhone	Stimpson
Gissel	Johnson	Mooty	Strachan
Goode	Lichty	Peet	Wolf
Grau		Schmitz	

The nays were, 69.

Aldrich	Fabritz	Malone	Schlatter
Augustine	Falvey	Maniece	Schroeder
Beath	Felter	Mercer	Sheridan
Beswick	Foster	Metcalf	Smith
Bonnstetter	Frizzell	Mitchell	Stewart
Bouska	Fuelling	Moore of Benton	Swift
Bowers	Fuester	Moore of Harrison	Teter
Brady	Gallagher	Osborn	Thies
Bruce	Garner	Ostby	Thiessen
Burgess	Gittinger	Paisley	Treimer
Casey	Hartman	Peaco	Wieben
Craven	Hook	Porter	Wiese
Davis	Hopp	Rawlings	Willis
Dean	Hough	Reed	Yager
Dole	Humeston	Rice	Zipse
Donlon	Jensen	Roe	Zylstra
Dreessen	Laughlin	Ryder	Mr. Speaker
Ellsworth	McKinnon		

Digitized by Google

Absent or not voting, 9.

Alesch	Koch	McFarlane	Stansell
Avery	McCarthy	Porter	Weed
Cunningham			

Amendment lost.

The motion by Jensen of Audubon prevailed.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 329.

Rawlings of Monona moved the previous question on the main bill. Motion prevailed.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aldrich	Frizzell	Maniece	Schroeder
Alesch	Fuelling	Mercer	Sheridan
Augustine	Fuester	Metcalf	Smith
Bonnstetter	Gallagher	Mitchell	Snyder
Bouska	Garner	Moore of Benton	Stansell
Brady	Gittinger	Moore of	Stewart
Burgess	Grell	Harrison	Stimpson
Casey	Hanson of Lyon	Osborn	Swift
Craven	Hartman	Ostby	Teter
Cunningham	Hopp	Paisley	Thies
Davis	Humeston	Peaco	Thiessen
Dean	Jensen	Rawlings	Treimer
Dole	Laughlin	Reed	Wieben
Donlon	Lichty	Rice	Wiese
Dreessen	McCarthy	Roe	Wolf
Elliott	McDermott	Ryder	Zipse
Fabritz	McFarlane	Schlatter	Zylstra
Falvey	McKinnon	Schmitz	Mr Speaker
Foster	Malone		

The nays were, 33.

Avery	Felter	Hultman	Peet
Beath	Fletcher	Jenkins	Sours
Beswick	Gissel	Johnson	Speidel
Bowers	Goode	Lookingbill	Stanzel
Bruce	Grau	McCreery	Strachan
Crouch	Hanson of	McLean	Weed
Doran	Winnebago	Millhone	Willis
Durant	Hook	Mooty	Yager
Ellsworth	Hough		

Absent or not voting, 2.

Koch	Porter

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Digitized by Google

Brady of Pottawattamie moved that the vote by which House File No. 329 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 265, a bill for an act to amend section eighteen hundred twelve (1812) of the code, 1931, relative to the jurisdiction of the State Board of Conservation over streams and lakes, and extending such jurisdiction to all streams and lakes of the State of Iowa, was taken up for consideration.

McKinnon of Henry moved the previous question. Motion prevailed.

Garner of Butler moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 26.

Alesch	Elliott	Metcalf	Stimpson
Augustine	Falvey	Mitchell	Thiessen
Bouska	Fuester	Rice	Wiese
Burgess	Garner	Schroeder	Wolf
Crouch	Gittinger	Smith	Zylstra
Cunningham	Grell	Stewart	Mr. Speaker
Davis	McCarthy		

The nays were, 71.

Aldrich	Gissel	McDermott	Roe
Avery	Goode	McFarlane	Ryder
Beath	Grau	McKinnon	Schlatter
Beswick	Hanson of Lyon	McLean	Schmitz
Bonnstetter	Hanson of	Malone	Snyder
Bowers	Winnebago	Maniece	Sours
Bruce	Hartman	Mercer	Speidel
Casey	Hook	Millhone	Stansell
Craven	Hough	Moore of	Stanzel
Dole	Hultman	Harrison	Strachan
Doran	Humeston	Mooty	Swift
Dreessen	Jenkins	Osborn	Teter
Durant	Jensen	Ostby	Thies
Ellsworth	Johnson	Paisley	Treimer
Felter	Laughlin	Peaco	Weed
Fletcher	Lichty	Peet	Wieben
Frizzell	Lookingbill	Rawlings	Willis
Fuelling	McCreery	Reed	Zipse
Gallagher			

Absent or not voting, 11.

Brady	Fabritz	Koch	Sheridan
Dean	Foster	Moore of Benton	Yager
Donlon	Hopp	Porter	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Digitized by Google

House File No. 358, a bill for an act to amend sections ninety-one hundred thirty-six (9136) and ninety-one hundred thirty-seven (9137), Code, 1931, giving to the State Banking Board authority to carry out the administration provisions of law relating to the staff of and to their employment by the State Banking Department, and to repeal acts in conflict therewith, was taken up for consideration.

Brady of Pottawattamie moved that action on House File No. 358 be deferred until tomorrow. Motion prevailed.

House File No. 356, a bill for an act to amend Section Five Thousand One Hundred Five-a Forty-one (5105-a41), Code, 1931, as amended by Chapter Eighty-seven (87), Acts of the Forty-fifth (45th) General Assembly, regulating the taxation of motor vehicles, was taken up for consideration.

Sours of Floyd offered the following amendment and moved its adoption:

Amend House File No. 356 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That Section 5105-a40 of the Code of Iowa, 1931 be amended, revised and codified to read as follows:

5105-a40. Definitions. When used in this chapter:

1. The term "motor vehicle", shall mean any automobile, truck, motor bus or other self-propelled or motor-driven vehicle, including any tractor, trailer, semi-trailer, or other device used in connection therewith, used upon any highway of this State for the purpose of transporting persons or property.

2. The term "motor vehicle carrier", shall mean any person who shall operate a motor vehicle as a carrier for compensation on any highway of this State.

3. The term "person" shall mean and include an individual, firm, co-partnership, corporation, company or association.

4. The term "highway" shall mean every public street, road, highway or thoroughfare of any kind in this State.

5. The term "commission" shall mean the Board of Railroad Commissioners of this State.

Sec. 2. That Section 5105-a41 of the Code of Iowa, as amended by Chapter 87, Acts of the Forty-fifth General Assembly, be amended by inserting in line four after the word "motor" the word "vehicle";

and by striking from line eight the word "one-fourth" and inserting in lieu thereof the word "one-fifth";

and by striking from line ten the word "one-half" and inserting in lieu thereof the word "two-fifths".

Sec. 3. That Section 5105-a44 of the Code of Iowa, 1931, be amended by inserting after the word "motor" in line one the word "vehicle."

Digitized by Google

Sec. 4. That Section 5105-a48 of the Code of Iowa, 1931, be amended by inserting in line three after the word "motor" the word "vehicle".

Sec. 5. That Section 5105-a50 of the Code of Iowa, 1931, be amended by inserting after the word "motor" in line two the word "vehicle".

Sec. 6. That chapter 252-a2 of the Code of Iowa, 1931, be amended by adding thereto a new Section as follows:

"Section 5105-f1. Exemptions. There are hereby specifically exempted from the tax imposed by this chapter the following:

1. Motor vehicle carriers operating wholly within the corporate limits of a city, town or village.

2. Motor vehicle carriers engaged exclusively in conveying school children to and from school.

3. Motor vehicle carriers engaged exclusively in transporting farm and dairy products from the farm or dairy to warehouse, creamery or other original storage or market.

4. Motor vehicle carriers engaged exclusively in general farm trucking of net loads not to exceed six thousand pounds.

Sec. 7. Constitutionality. If any part of this act shall be found to be unconstitutional, the other parts thereof shall not thereby be affected, provided such invalid or unconstitutional part or parts may be separable from the valid or constitutional part or parts. The legislature hereby declares that it would have passed this act, and each part thereof, irrespective of the fact that some parts might be declared unconstitutional.

Amend the title by striking all after the word "Act" in line one (1) and inserting in lieu thereof the following:

"to amend, revise, and codify section fifty-one hundred five-a forty (5105-a40), Code, 1931; to amend section fifty-one hundred five-a forty-one (5105-a41), Code, 1931, as amended by Chapter eighty-seven (87), Acts of the Forty-fifth General Assembly; to amend sections fifty-one hundred five-a forty-four (5105-a44) and fifty-one hundred five-a forty-eight (5105-a48), Code, 1931; and to amend Chapter two hundred fifty-two-a two (252-a2), Code, 1931, all relating to the taxation of motor vehicle carriers.

Hough of Fayette moved that House File No. 356 and all amendments be laid on the table.

On the question "Shall House File No. 356 and all amendments be laid on the table?" a roll call was demanded.

The ayes were, 23.

Alesch	Frizzell	Laughlin	Schlatter
Bonnstetter	Goode	McCreery	Speidel
Craven	Grau	Maniece	Stanzel
Davis	Hartman	Mooty	Stimpson
Dole	Hook	Ostby	Yager
Falvey	Hough	Roe	

The nays were, 79.

Aldrich	Beath	Bowers	Burgess
Augustine	Beswick	Brady	Casey
Avery	Bouska	Bruce	Crouch

Digitized by Google

Cunningham	Grell	Millhone	Sours
Dean	Hanson of Lyon	Mitchell	Stanzel
Donlon	Hanson of	Moore of Benton	Stewart
Doran	Winnebago	Moore of	Strachan
Dreessen	Hopp	Harrison	Swift
Durant	Hultman	Osborn	Teter
Elliott	Humeston	Paisley	Thies
Ellsworth	Jenkins	Peaco	Thiessen
Fabritz	Jensen	Peet	Treimer
Felter	Johnson	Rawlings	Weed
Fletcher	Lichty	Reed	Wieben
Foster	Lookingbill	Rice	Wiese
Fuelling	McCarthy	Ryder	Willis
Fuester	McFarlane	Schmitz	Wolf
Gallagher	McLean	Schroeder	Zipse
Garner	Malone	Smith	Zylstra
Gissel	Mercer	Snyder	Mr. Speaker
Gittinger	Metcalf		

Absent or not voting, 6.

Koch	McKinnon	Sheridan	Stansell
McDermott	Porter		

Motion to lay on the table lost.

Fuester of Ida moved that action on House File No. 356 be deferred until tomorrow. Motion prevailed.

INTRODUCTION OF BILLS

House File No. 359, by steering committee, a bill for an act to amend the law as it appears in Title XVI, Chapter three hundred twenty-nine-C two (329-C2), section six thousand nine hundred forty-three-c eighteen (6943-c18), Code, 1931, as amended by section twenty-three (23), chapter eighty-nine (89), laws of the Forty-fifth (45th) General Assembly, relating to the compensation of the members of the State Board of Assessment and Review.

Read first and second times and placed on calendar.

SENATE MESSAGES CONSIDERED

Senate File No. 324, a bill for an act to legalize and validate proceedings taken by the Town Council of the Town of Roland, Iowa, authorizing and providing for the issuance of Waterworks Bonds and making provisions for the levy of taxes to pay said bonds.

Read first and second times and referred to steering committee.

CONSIDERATION OF BILLS

The House resumed consideration of House File No. 355, a bill for an act to provide for the public welfare through the recogni-

Digitized by Google

tion of the economic emergency existing in the state and nation; to declare the policy of the state of Iowa to be that of cooperating with and assisting the national government in promoting an increase in the consumption of industrial and agricultural products by increasing purchasing power; to reduce and relieve unemployment, and otherwise to rehabilitate industry and conserve the national resources; to govern the letting of contracts for the construction, alteration, and repair of public works and the purchasing of materials and supplies for public use; to use the state and local officers and employees of the state of Iowa to enforce the act of congress entitled "An act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes", approved June 16, 1933 and commonly known as the "National Industrial Recovery Act"; and to provide penalties for the violation thereof.

Mitchell of Webster, Fabritz of Wapello and Brady of Pottawattamie offered the following amendments and moved their adoption:

Amend House File No. 355 by striking all after the enacting clause and inserting in lieu thereof, the following:

"Section 1. A state-wide emergency producing widespread unemployment and disorganization of industry, which burdens commerce, affects the public welfare, and undermines the standards of living of the people of this state is hereby declared to exist, and it is hereby recognized that such an emergency exists throughout the nation. It is hereby declared to be the policy of this state to remove obstructions to the free flow of commerce which tend to diminish the amount thereof; and to provide for the general welfare by cooperating with and assisting the national government in promoting the organization of industry for the purpose of cooperative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanctions and supervisions, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present productive capacity of industry, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standards of labor and otherwise to rehabilitate industry and conserve natural resources, and otherwise as announced in the Act of Congress entitled: "An Act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes" approved June 16, 1933, and hereinafter referred to as the National Industrial Recovery Act.

It is further declared to be the policy of this state to cooperate in the furtherance of the objects and purposes declared in said act of the con-

Digitized by Google

gress, and each and every provision of this act shall be construed in accordance with the policy so declared, and to make uniform the standards of fair competition prevailing in intrastate commerce and industry with those of interstate commerce required by the provisions of the said national industrial recovery act which are applicable in interstate commerce in the state of Iowa. Nothing in this act shall be construed to impose any greater restrictions or penalties on intra-state business than the restrictions and penalties imposed by the National Administration of the National Industrial Recovery Act.

Sec. 2. The Secretary of State is hereby authorized to receive for filing and shall file in the office of the Secretary of State a copy of each code, agreement, license, rule or regulation in effect pursuant to such act of the congress, pertaining, affecting or in any way relating to the conduct of business in the state and duly certified as a true copy of such document or documents by the officials in charge of the administration of the provisions of title one of the said national industrial recovery act or by their duly authorized agents. Upon such filing of a copy so certified of a code of fair competition for any trade, industry or subdivision thereof, as approved by the President of the United States, or of any agreement or license or of any rule or regulation provided for under title one of the said National Industrial Recovery Act, such code, agreement, license, rule or regulation shall be the standard of fair competition for such trade or industry or subdivision thereof in the state as to transactions intrastate in character, and any violation of any provision of such code, agreement, license, rule or regulation shall be a misdemeanor, and upon conviction thereof, the person convicted shall be fined not more than five hundred dollars for each offense, and for each day such violation continues, a separate offense, subject to the fine herein prescribed, shall be deemed to have been committed.

Sec. 3. Any person who, without a license issued pursuant to the terms of the National Industrial Recovery Act, or in violation of any condition of such license, carries on any business in this state for which a license shall be required by announcement and regulations as provided for in the National Industrial Recovery Act, shall upon conviction thereof be fined not more than five hundred dollars ($500.00), or imprisoned not more than six months, or both, and each day such violation continues shall be deemed a separate offense.

Sec. 4. The several district courts of this state are hereby invested with jurisdiction to prevent and restrain such violations, upon complaint of any county attorney or the attorney general of this state or of any person subject to and complying with the terms and conditions of any code of fair competition which has been approved, certified and filed with the Secretary of State as provided in this act.

Sec. 5. To effectuate the policy of this Act the Governor is hereby authorized to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint such officers and employees and to utilize such state officers and employees and, with the consent of the United States, to utilize such Federal officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities and tenure, and to fix compensation of any officers and employes so appointed.

Digitized by Google

Sec. 6. While this Act is in effect, (or in the case of a license, while section 4 (b) of Title I of the National Industrial Recovery Act is in effect,) and for sixty days thereafter, any code of fair competition which has been or may be approved pursuant to the terms of the National Industrial Recovery Act, and any agreement which has been or may be entered into pursuant to Section 4 (a) of Title I of said Act, and any license which has been or may be issued pursuant to the terms of said Act, and any action taken during such period complying with the provisions of any such code, agreement or license (including the acts of any person or persons interested in any trade or industry of subdivision thereof in meeting, conferring or agreeing upon any code of fair competition or agreement), or with the provisions of this Act, shall be exempt from the provisions of the anti-trust laws of this state, or any court order or decree issued thereunder, whether or not the trade or industry or subdivision thereof subject to such code, agreement, or license, or the action complying with such code, agreement, or license is in or affects interstate or foreign commerce.

Sec. 7. In furtherance of the purpose and policies of this Act and of the National Industrial Recovery Act, any department of this state and the governing body of any subdivision, municipal corporation or district and any public officer or person charged with the letting of contracts for (1) the construction, alteration or repair of public works or (2) the purchasing of materials or supplies for public use, shall let such contracts only to those persons who agree in and by the terms of such contracts to use or supply only articles, materials and supplies mined, produced, manufactured or supplied by a person who has agreed to the terms of a code of fair competition approved pursuant to the terms of the National Industrial Recovery Act in every case where such a code has been approved pursuant to the terms of said Act, for such trade or industry or subdivision thereof, and who is duly licensed to carry on such business pursuant to the terms of said Act, if a license is required by announcement and regulations issued pursuant to said Act for the carrying on of such business, or by a person who has entered into an agreement pursuant to Section 4 (a) of Title I of said Act in case he is not subject to a code of fair competition approved pursuant to the National Industrial Recovery Act. Any practices in violation of such terms of such contracts shall be deemed the use of unfair methods of competition and illegal. Agreement to the terms of a code may be evidenced in writing in such manner as prescribed for evidencing adherence or assent to a code, by the National Recovery Administration pursuant to the National Industrial Recovery Act.

Sec. 8. This Act shall cease to be in effect on June 16, 1935, or sooner, if, as provided in Section 2 (c) of Title I of the National Iudustrial Recovery Act, the President shall by proclamation or the Congress shall by joint resolution declare that the national emergency recognized by the National Recovery Act has ended.

Sec. 9. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Digitized by Google

Sec. 10. A code of fair competition approved pursuant to the National Industrial Recovery Act, an agreement entered into pursuant to Section 4 (a) of Title I of said Act, and announcement and regulations for licensing of business enterprises issued pursuant to the terms of the National Industrial Recovery Act, as used in this Act, shall be deemed to include all supplements, amendments, modifications, exemptions and exceptions to such code, agreement, or announcement and regulations, which shall have become effective pursuant to the terms of the National Industrial Recovery Act and which shall have been certified and filed with the Secretary of State as provided herein.

Sec. 11. As used in this Act, the term "person" includes any individual, partnership, association, trust, or corporation; and the term "interstate and foreign commerce" and "interstate or foreign commerce" include, except where otherwise indicated, trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory or foreign nation, or between any insular possession or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States.

Sec. 12. This Act is hereby declared to be an urgent emergency measure to preserve the general welfare of the people of the state and to promote cooperation with the national government in the enforcement of the National Industrial Recovery Act.

Sec. 13. This Act may be known and cited as the State Industrial Recovery Act.

Sec. 14. This Act, being deemed of immediate importance, shall be in full force and effect after passage and publication in the Conservative, a newspaper published in Tipton, Iowa, and the Advocate, a newspaper published at Rockwell City, Iowa.

Also amend by striking the title of said bill and inserting in lieu thereof the following:

"A Bill for An Act to provide for the public welfare through the recognition of the economic emergency existing in the state and nation; to declare the policy of the state of Iowa to be that of cooperating with, and assisting the national government in enforcing and carrying into effect "An Act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes", approved June 16, 1933, and commonly known as the "National Industrial Recovery Act"; to govern the letting of contracts for the construction, alteration, and repair of public works and the purchasing of materials and supplies for public use; and to provide for codes of fair competition, agreements, licenses, rules and regulations for trades and industries, and to provide penalties for the violation thereof.

Johnson of Linn moved action be deferred on the bill and all amendments until 10 o'clock tomorrow.

Digitized by Google

On the question "Shall action on House File No. 355 be deferred until 10:00 o'clock a. m. tomorrow?" a roll call was demanded.

The ayes were, 43.

Augustine	Fabritz	Johnson	Peet
Avery	Felter	Lichty	Reed
Beath	Fletcher	Lookingbill	Smith
Bowers	Gissel	McCreery	Snyder
Burgess	Goode	McDermott	Sours
Casey	Grell	McLean	Stansell
Craven	Hanson of Lyon	Mercer	Stanzel
Cunningham	Hanson of Winnebago	Millhone	Strachan
Doran	Hook	Moore of Benton	Teter
Durant	Jenkins	Mooty	Thies
Elliott		Paisley	Weed

The nays were, 63.

Aldrich	Frizzell	McKinnon	Schroeder
Alesch	Fuelling	Malone	Sheridan
Beswick	Fuester	Maniece	Speidel
Bonnstetter	Gallagher	Metcalf	Stewart
Bouska	Garner	Mitchell	Stimpson
Brady	Gittinger	Moore of Harrison	Swift
Bruce	Grau	Osborn	Thiessen
Crouch	Hartman	Ostby	Treimer
Davis	Hopp	Peaco	Wieben
Dean	Hough	Rawlings	Wiese
Dole	Hultman	Rice	Willis
Donlon	Humeston	Roe	Wolf
Dreessen	Jensen	Ryder	Yager
Ellsworth	Laughlin	Schlatter	Zipse
Falvey	McCarthy	Schmitz	Zylstra
Foster	McFarlane		Mr. Speaker

Absent or not voting, 2.

Koch	Porter

The House refused to defer action.

Amendments were read for information.

Brady of Pottawattamie moved that action on House File No. 355 be deferred until tomorrow morning. Motion prevailed.

Johnson of Linn moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

On the question "Shall the House adjourn until 9:30 o'clock a. m. tomorrow?" a roll call was demanded.

The ayes were, 52.

Alesch	Bowers	Doran	Frizzell
Avery	Bruce	Durant	Fuelling
Beath	Burgess	Ellsworth	Gissel
Beswick	Craven	Felter	Gittinger
Bonnstetter	Dole	Fletcher	Goode

Digitized by Google

Grau	McCreery	Peet	Strachan
Grell	McDermott	Roe	Thies
Hanson of Winnebago	McFarlane	Ryder	Treimer
Hough	McLean	Snyder	Weed
Jenkins	Maniece	Sours	Wieben
Johnson	Moore of Harrison	Speidel	Willis
Lichty	Mooty	Stanzel	Wolf
Lookingbill	Paisley	Stimpson	Yager

The nays were, 54.

Aldrich	Foster	Malone	Schmitz
Augustine	Fuester	Mercer	Schroeder
Bouska	Gallagher	Metcalf	Sheridan
Brady	Garner	Millhone	Smith
Casey	Hanson of Lyon	Mitchell	Stansell
Crouch	Hartman	Moore of Benton	Stewart
Cunningham	Hook	Osborn	Swift
Davis	Hopp	Ostby	Teter
Dean	Hultman	Peaco	Thiessen
Donlon	Humeston	Rawlings	Wiese
Dreessen	Jensen	Reed	Zipse
Elliott	Laughlin	Rice	Zylstra
Fabritz	McCarthy	Schlatter	Mr. Speaker
Falvey	McKinnon		

Absent or not voting, 2.

Koch	Porter

Motion to adjourn lost.

CONSIDERATION OF BILLS

House File No. 359, a bill for an act to amend the law as it appears in Title XVI, Chapter three hundred twenty-nine-C two (329-C2), section six thousand nine hundred forty-three-c eighteen (6943-c18), code, 1931, as amended by section twenty-three (23), chapter eighty-nine (89), laws of the Forty-fifth (45) General Assembly, relating to the compensation of the members of the State Board of Assessment and Review, was taken up for consideration.

Mitchell of Webster moved that action on House File No. 359 be deferred until tomorrow.

Bonnstetter of Kossuth moved that House File No. 359 be laid on the table.

On the question "Shall House File No. 359 be laid on the table?" a roll call was demanded.

The ayes were, 45.

Aldrich	Beswick	Craven	Durant
Alesch	Bonnstetter	Davis	Ellsworth
Beath	Bowers	Doran	Felter

Digitized by Google

Fletcher	Hultman	Moore of Harrison	Schlatter
Frizzell	Jenkins	Mooty	Sours
Gissel	Jensen	Ostby	Stansell
Gittinger	Johnson	Rawlings	Stanzel
Goode	Lookingbill	Reed	Stimpson
Grau	McCreery	Rice	Strachan
Hanson of Lyon	McLean	Roe	Thies
Hook	Maniece		Weed
Hough	Millhone		

The nays were, 61.

Augustine	Foster	McKinnon	Snyder
Avery	Fuelling	Malone	Speidel
Bouska	Fuester	Mercer	Stewart
Brady	Gallagher	Metcalf	Swift
Bruce	Garner	Mitchell	Teter
Burgess	Grell	Moore of Benton	Thiessen
Casey	Hanson of Winnebago	Osborn	Treimer
Crouch	Hartman	Paisley	Wieben
Cunningham	Hopp	Peaco	Wiese
Dean	Humeston	Peet	Willis
Dole	Laughlin	Ryder	Wolf
Donlon	Lichty	Schmitz	Yager
Dreessen	McCarthy	Schroeder	Zipse
Elliott	McDermott	Sheridan	Zylstra
Fabritz	McFarlane	Smith	Mr. Speaker
Falvey			

Absent or not voting, 2.

Koch	Porter

Motion to lay on the table lost.

Motion by Brady to defer action prevailed.

House File No. 142, a bill for an act to amend section fifty-eight hundred thirteen-d two (5813-d2), Code, 1931, and providing for a method of abolishing a Permanent Park Board in cities over 125,000, established under Chapter 293-d1, providing for the question of the abolishment of the Permanent Park Board to be submitted to the voters at the next City election in March following the adoption of this amendment; providing that if a majority of the votes upon said proposition be in favor thereof, said Permanent Park Board shall be abolished and the provisions of Chpater 293-d1 shall not apply to said City thereafter; providing for the automatic return of all property under the jurisdiction of said Permanent Park Board to the City Council of said City for disposition as by law provided, and providing that officers and members of said Permanent Park Board shall stand discharged, was taken up for consideration.

Malone of Cass moved the previous question. Motion prevailed.

Digitized by Google

Elliott of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Alesch	Foster	McCreery	Schmitz
Augustine	Frizzell	McDermott	Schroeder
Bonnstetter	Fuelling	McFarlane	Smith
Bouska	Fuester	McKinnon	Sours
Bowers	Gallagher	Malone	Speidel
Brady	Gissel	Maniece	Stansell
Bruce	Gittinger	Mercer	Stanzel
Burgess	Grau	Metcalf	Stimpson
Casey	Grell	Millhone	Strachan
Craven	Hanson of	Moore of	Teter
Cunningham	Winnebago	Harrison	Thies
Davis	Hartman	Mooty	Thiessen
Dean	Hopp	Ostby	Treimer
Donlon	Hultman	Paisley	Weed
Doran	Humeston	Peaco	Wieben
Dreessen	Jensen	Peet	Wiese
Elliott	Johnson	Reed	Yager
Ellsworth	Laughlin	Rice	Zipse
Fabritz	Lichty	Roe	Zylstra
Falvey	Lookingbill	Ryder	Mr. Speaker
Fletcher	McCarthy	Schlatter	

The nays were, 18.

Aldrich	Felter	Jenkins	Snyder
Avery	Garner	McLean	Stewart
Beath	Goode	Osborn	Willis
Beswick	Hanson of Lyon	Rawlings	Wolf
Dole	Hook		

Absent or not voting, 9.

Crouch	Koch	Moore of Benton	Sheridan
Durant	Mitchell	Porter	Swift
Hough			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Elliott of Polk moved that the vote by which House File No. 142 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 203, a bill for an act to amend section twenty-eight hundred eighty-six (2886), Code, 1931, relating to the powers and duties of the Iowa state fair board, was taken up for consideration.

Johnson of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 92.

Aldrich	Felter	Lichty	Schmitz
Alesch	Foster	Lookingbill	Schroeder
Augustine	Frizzell	McCreery	Sheridan
Avery	Fuelling	McFarlane	Smith
Beath	Fuester	McLean	Snyder
Bonnstetter	Gallagher	Malone	Sours
Bouska	Garner	Maniece	Speidel
Bowers	Gittinger	Metcalf	Stansell
Brady	Goode	Millhone	Stanzel
Bruce	Grau	Mitchell	Stewart
Burgess	Grell	Moore of Benton	Strachan
Casey	Hanson of Lyon	Moore of	Swift
Craven	Hanson of	Harrison	Thies
Crouch	Winnebago	Mooty	Thiessen
Cunningham	Hartman	Osborn	Treimer
Dean	Hook	Ostby	Weed
Dole	Hopp	Peaco	Wieben
Donlen	Hough	Peet	Wiese
Doran	Hultman	Rawlings	Willis
Dreessen	Humeston	Reed	Wolf
Durant	Jenkins	Rice	Yager
Ellsworth	Jensen	Roe	Zipse
Fabritz	Johnson	Ryder	Mr. Speaker
Falvey	Laughlin		

The nays were, 2.

Beswick	Fletcher

Absent or not voting, 14.

Davis	McCarthy	Paisley	Stimpson
Elliott	McDermott	Porter	Teter
Gissel	McKinnon	Schlatter	Zylstra
Koch	Mercer		

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Johnson of Linn moved that the vote by which Senate File No. 203 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

Senate File No. 297, a bill for an act to authorize cities and towns, including those cities under special charter, and under the city manager form of government, to procure and pay the premiums on insurance for the benefit of members of volunteer fire departments and their dependents, and providing that such firemen and their dependents in cities and towns failing to procure such insurance shall be entitled to the benefits of Workmen's Compensation; and to amend section fourteen hundred twenty-one (1421), Code, 1931, relating to workmen's compensation, was taken up for consideration.

Digitized by Google

Willis of Dallas moved to suspend the rules prohibiting the second and third reading of a bill on the same day. Motion prevailed.

Willis of Dallas moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Fabritz	Laughlin	Ryder
Alesch	Falvey	Lichty	Schlatter
Augustine	Felter	Lookingbill	Schmitz
Avery	Fletcher	McCarthy	Schroeder
Beath	Frizzell	McCreery	Sheridan
Beswick	Fuelling	McFarlane	Snyder
Bonnstetter	Fuester	Malone	Sours
Bouska	Gallagher	Maniece	Speidel
Bowers	Garner	Mercer	Stansell
Brady	Gissel	Metcalf	Stanzel
Bruce	Gittinger	Millhone	Stewart
Burgess	Goode	Mitchell	Stimpson
Casey	Grell	Moore of Benton	Swift
Crouch	Hanson of Winnebago	Moore of Harrison	Teter
Cunningham	Hartman	Mooty	Thies
Davis	Hook	Osborn	Thiessen
Dean	Hopp	Ostby	Treimer
Dole	Hough	Peaco	Weed
Donlon	Hultman	Peet	Wieben
Doran	Humeston	Rawlings	Wiese
Dreessen	Jenkins	Reed	Willis
Durant	Jensen	Rice	Wolf
Elliott	Johnson	Roe	Yager
Ellsworth			Zylstra
			Mr. Speaker

The nays were, 4.

Foster	Grau	Hanson of Lyon	McLean

Absent or not voting, 9.

Craven	McKinnon	Porter	Strachan
Koch	Paisley	Smith	Zipse
McDermott			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Willis of Dallas moved that the vote by which Senate File No. 297 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

NEW CONFERENCE COMMITTEE APPOINTED

As members of the new conference committee on Senate File No. 95 the Speaker appointed Gallagher of Iowa, Bouska of Howard, Rawlings of Monona and Stimpson of Jones.

Digitized by Google

Malone of Cass moved that the House adjourn until 9:00 o'clock a. m. Friday, March 9.

Johnson of Linn moved to amend the motion by adjourning until 9:30 o'clock a. m. Friday, March 9. Amendment adopted.

The motion by Malone of Cass as amended prevailed and the House adjourned until 9:30 o'clock a. m. Friday, March 9.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 9, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. W. L. Ewing, Pastor Grace M. E. Church, Des Moines, Iowa.

Journal of March 8 corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Ostby of Worth for forenoon, on request of Aldrich of Wright.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 18

Mercer of Johnson called up House Concurrent Resolution No. 18 as found on page 1487 of the Journal of March 8, and moved its adoption. Resolution adopted.

CONSIDERATION OF SENATE AMENDMENTS

On request of Rawlings of Monona, unanimous consent having been given, House File No. 269, a bill for an act to amend the law as it appears in sections thirty-two hundred forty-four-b one (3244-b1), thirty-two hundred forty-four-b three (3244-b3) and thirty-two hundred forty-four-b six (3244-b6), Code, 1931, relating to certain standards as to weight of bread, providing penalties for violation, and authorizing the secretary of agriculture to make rules and regulations for the enforcement of the law pertaining to bread, and amending Chapter one hundred sixty-one (161), relating to the time, place and manner of weighing bread, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 269

1. Amend House File 269 by striking all of section one (1) and renumbering "Sec. 2." as "Sec. 1", "Sec. 3" as "Sec. 2", "Sec. 4" as "Sec. 3", and inserting, as "Sec. 4", the following:

Digitized by Google

"Sec. 4. Section thirty-two hundred forty-four-b one (3244-b1) Code, 1931, is amended by striking from line seven (7) thereof the words 'one-half pound' and inserting in lieu thereof the words 'three-quarters pound'."

2. Further amend by striking all of section five (5) and inserting in lieu thereof the following:

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Northwood Anchor, a newspaper published at Northwood, Iowa, and in the Cedar Falls Daily Record, a newspaper published at Cedar Falls, Iowa."

Mr. Rawlings moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 87.

Aldrich	Fabritz	Lichty	Schroeder
Alesch	Felter	Lookingbill	Sheridan
Augustine	Fletcher	McCarthy	Smith
Avery	Frizzell	McCreery	Snyder
Beath	Fuelling	McFarlane	Sours
Beswick	Fuester	Malone	Speidel
Bonnstetter	Garner	Maniece	Stansell
Bouska	Gittinger	Mercer	Stimpson
Bowers	Goode	Metcalf	Strachan
Brady	Grau	Millhone	Swift
Bruce	Grell	Mitchell	Teter
Burgess	Hanson of Lyon	Moore of Benton	Thies
Casey	Hartman	Mooty	Treimer
Craven	Hopp	Osborn	Weed
Crouch	Hough	Ostby	Wieben
Davis	Hultman	Paisley	Wiese
Dean	Humeston	Peaco	Willis
Dole	Jenkins	Rawlings	Wolf
Donlon	Jensen	Reed	Yager
Doran	Johnson	Rice	Zylstra
Dreessen	Koch	Roe	Mr. Speaker
Durant	Laughlin	Schlatter	

The nays were, 1.

Falvey

Absent or not voting, 20.

Cunningham	Hanson of Winnebago	Moore of Harrison	Schmitz
Elliott	Hook	Peet	Stanzel
Ellsworth	McDermott	Porter	Stewart
Foster	McKinnon	Ryder	Thiessen
Gallagher	McLean		Zipse
Gissel			

The House concurred in the Senate amendments to House File No. 269.

CONSIDERATION OF BILLS

House File No. 355, a bill for an act to provide for the public welfare through the recognition of the economic emergency exist-

Digitized by Google

ing in the state and nation; to declare the policy of the state of Iowa to be that of cooperating with and assisting the national government in promoting an increase in the consumption of industrial and agricultural products by increasing purchasing power; to reduce and relieve unemployment, and otherwise to rehabilitate industry and conserve the national resources; to govern the letting of contracts for the construction, alteration, and repair of public works and the purchasing of materials and supplies for public use; to use the state and local officers and employees of the state of Iowa to enforce the act of congress entitled "An act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes", approved June 16, 1933, and commonly known as the "National Industrial Recovery Act"; and to provide penalties for the violation thereof, was taken up for consideration.

Mitchell of Webster called up the amendments filed by him and Fabritz of Wapello and Brady of Pottawattamie, found on pages 1508, 1509, 1510, and 1511 of the Journal of March 8, and moved their adoption.

Bonnstetter of Kossuth moved the previous question on the amendment. Motion prevailed.

On the question "Shall the amendments be adopted?" a roll call was demanded.

The ayes were, 88.

Aldrich	Felter	Lichty	Schmitz
Alesch	Foster	Lookingbill	Schroeder
Augustine	Frizzell	McCarthy	Sheridan
Beath	Fuelling	McFarlane	Smith
Bonnstetter	Fuester	McKinnon	Snyder
Bouska	Gallagher	Malone	Sours
Brady	Garner	Maniece	Speidel
Bruce	Gissel	Mercer	Stansell
Burgess	Gittinger	Metcalf	Stewart
Casey	Grau	Mitchell	Stimpson
Craven	Grell	Moore of Benton	Swift
Crouch	Hanson of Lyon	Moore of Harrison	Teter
Cunningham	Hartman	Osborn	Thies
Davis	Hook	Paisley	Thiessen
Dean	Hopp	Peaco	Treimer
Dole	Hough	Rawlings	Wieben
Donlon	Hultman	Reed	Wiese
Dreessen	Humeston	Rice	Wolf
Durant	Jenkins	Roe	Yager
Elliott	Jensen	Ryder	Zipse
Ellsworth	Koch	Schlatter	Zylstra
Fabritz	Laughlin		Mr. Speaker
Falvey			

96

Digitized by Google

The nays were, 17.

Avery	Goode	McLean	Stanzel
Beswick	Hanson of Winnebago	Millhone	Strachan
Bowers	Johnson	Mooty	Weed
Doran	McCreery	Peet	Willis
Fletcher			

Absent or not voting, 3.

McDermott	Ostby	Porter

Amendments adopted.

Bonnstetter of Kossuth moved the previous question. Motion prevailed.

Mitchell of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 82.

Aldrich	Foster	McDermott	Schmitz
Alesch	Frizzell	McFarlane	Schroeder
Augustine	Fuelling	McKinnon	Sheridan
Bonnstetter	Fuester	Malone	Smith
Bouska	Gallagher	Maniece	Snyder
Brady	Garner	Mercer	Stansell
Bruce	Gittinger	Metcalf	Stewart
Burgess	Grell	Mitchell	Stimpson
Casey	Hanson of Lyon	Moore of Benton	Swift
Craven	Hartman	Moore of Harrison	Teter
Crouch	Hook	Osborn	Thies
Cunningham	Hopp	Ostby	Thiessen
Davis	Hough	Paisley	Treimer
Dean	Hultman	Peaco	Wieben
Dole	Humeston	Rawlings	Wiese
Donlon	Jensen	Reed	Wolf
Dreessen	Koch	Rice	Yager
Durant	Laughlin	Roe	Zipse
Elliott	Lichty	Ryder	Zylstra
Fabritz	Lookingbill	Schlatter	Mr. Speaker
Falvey	McCarthy		

The nays were, 25.

Avery	Fletcher	Jenkins	Peet
Beath	Gissel	Johnson	Sours
Beswick	Goode	McCreery	Speidel
Bowers	Grau	McLean	Stanzel
Doran	Hanson of Winnebago	Millhone	Strachan
Ellsworth		Mooty	Weed
Felter			Willis

Absent or not voting, 1.

Porter

So the bill having received a constitutional majority was de-

Digitized by Google

clared to have passed the House and the title as amended agreed to.

Jensen of Audubon moved that the vote by which House File No. 355 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

On motion of Bonnstetter of Kossuth the House recessed until 1:45 o'clock this afternon.

AFTERNOON SESSION

The House reconvened, Speaker Miller in the chair.

CONSIDERATION OF BILLS

Senate File No. 308, a bill for an act to make an appropriation to W. F. Bellamy, was taken up for consideration.

Reed of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 95.

Aldrich	Felter	Johnson	Schlatter
Alesch	Fletcher	Koch	Schmitz
Avery	Foster	Laughlin	Schroeder
Beath	Frizzell	Lichty	Sheridan
Bonnstetter	Fuelling	Lookingbill	Smith
Bouska	Fuester	McCarthy	Snyder
Bowers	Gallagher	McCreery	Sours
Brady	Garner	Malone	Stansell
Bruce	Gissel	Maniece	Stanzel
Burgess	Gittinger	Metcalf	Stewart
Casey	Goode	Millhone	Stimpson
Craven	Grau	Mitchell	Strachan
Crouch	Grell	Moore of Benton	Swift
Cunningham	Hanson of Lyon	Mooty	Teter
Davis	Hanson of Winnebago	Osborn	Thies
Dole	Hartman	Ostby	Thiessen
Donlon	Hook	Paisley	Treimer
Doran	Hopp	Peaco	Weed
Dreessen	Hough	Peet	Wieben
Durant	Hultman	Rawlings	Wiese
Elliott	Humeston	Reed	Yager
Ellsworth	Jenkins	Rice	Zipse
Fabritz	Jensen	Roe	Zylstra
Falvey		Ryder	Mr. Speaker

The nays were, none.

Digitized by Google

Absent or not voting, 13.

Augustine	McFarlane	Moore of	Speidel
Beswick	McKinnon	Harrison	Willis
Dean	McLean	Porter	Wolf
McDermott	Mercer		

So the bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Reed of Mahaska moved that the vote by which Senate File No. 308 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

REPORT OF COMMITTEE

Bonnstetter of Kossuth, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 294, a bill for an act making an appropriation for the payment of the necessary expenses of the Iowa Commission to Study Liquor Control Legislation appointed by the Governor to study and recommend a plan of liquor control for the State of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. A. H. BONNSTETTER, *Chairman.*

Report adopted.

INTRODUCTION OF BILLS

House File No. 360, by appropriations committee, a bill for an act to make an appropriation to the City of Des Moines, Iowa, to reimburse the City for expenditures made in paving and improving streets adjacent to state owned property.

Read first and second times and placed on calendar.

CONSIDERATION OF BILLS

House File No. 358, a bill for an act to amend sections ninety-one hundred thirty-six (9136) and ninety-one hundred thirty-seven (9137), Code, 1931, giving to the State Banking Board authority to carry out the administration provisions of law relating to the staff of and to their employment by the State Banking Department, and to repeal acts in conflict therewith, was taken up for consideration.

Grau of Buena Vista offered the following amendment and moved its adoption:

Digitized by Google

Amend House File No. 358, Section three (3), line two (2), by striking the period and substituting a comma and adding the following: "but the aggregate salaries for the department for the biennium ending June 30, 1935 shall not exceed sixty-five thousand dollars ($65,000.00) annually.

Amendment adopted.

Fabritz of Wapello moved to amend House File No. 358, Sec. 2, line 4, by inserting a comma after the word "superintendent". Amendment adopted.

Ellsworth of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 104.

Aldrich	Fletcher	Lookingbill	Schlatter
Alesch	Foster	McCarthy	Schmitz
Augustine	Frizzell	McCreery	Schroeder
Avery	Fuelling	McDermott	Sheridan
Beath	Fuester	McFarlane	Snyder
Beswick	Gallagher	McKinnon	Sours
Bonnstetter	Garner	McLean	Speidel
Bouska	Gissel	Malone	Stansell
Bowers	Gittinger	Maniece	Stanzel
Brady	Goode	Mercer	Stewart
Bruce	Grau	Metcalf	Stimpson
Burgess	Grell	Millhone	Strachan
Casey	Hanson of Lyon	Moore of Benton	Swift
Craven	Hanson of Winnebago	Moore of Harrison	Teter
Crouch	Hartman	Mooty	Thies
Cunningham	Hook	Osborn	Thiessen
Davis	Hopp	Ostby	Treimer
Dean	Hough	Paisley	Weed
Dole	Hultman	Peaco	Wieben
Donlon	Humeston	Peet	Wiese
Doran	Jenkins	Rawlings	Willis
Dreessen	Jensen	Reed	Wolf
Durant	Johnson	Rice	Yager
Elliott	Koch	Roe	Zipse
Ellsworth	Laughlin	Ryder	Zylstra
Fabritz	Lichty		Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 4.

Felter	Mitchell	Porter	Smith

So the bill having received a constitutional majority was declared to have passed the House.

Ellsworth of Hardin asked and obtained unanimous consent to have the Chief Clerk correct the title as follows:

Digitized by Google

Amend the title by striking the "comma" after the word "Department" in line six (6), and inserting the following: "; limiting the annual expenditure for salaries;".

Title agreed to as amended.

Ellsworth of Hardin moved that the vote by which House File No. 358 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 35, a bill for an act to create a lien for certain services rendered in the favor of licensed veterinarians.

BYRON G. ALLEN, *Secretary.*

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 304

Foster of Cedar called up the conference committee report on House File No. 304 and found on page 1501 of the Journal of March 8 and moved its adoption.

On the question "Shall the report of the conference committee on House File No. 304 be adopted and amendment proposed therein be concurred in?" a roll call was demanded.

The ayes were, 101.

Aldrich	Elliott	Hopp	Mitchell
Alesch	Ellsworth	Hough	Moore of Benton
Augustine	Fabritz	Hultman	Moore of Harrison
Avery	Falvey	Humeston	Mooty
Beath	Felter	Jenkins	Osborn
Beswick	Fletcher	Jensen	Paisley
Bonnstetter	Foster	Johnson	Peaco
Bowers	Frizzell	Koch	Peet
Bruce	Fuelling	Laughlin	Rawlings
Burgess	Gallagher	Lichty	Reed
Casey	Garner	Lookingbill	Rice
Craven	Gissel	McCarthy	Roe
Crouch	Gittinger	McCreery	Ryder
Cunningham	Goode	McDermott	Schlatter
Davis	Grau	McFarlane	Schmitz
Dean	Grell	McKinnon	Schroeder
Dole	Hanson of Lyon	McLean	Sheridan
Donlon	Hanson of Winnebago	Malone	Smith
Doran	Hartman	Maniece	Snyder
Dreessen	Hook	Metcalf	Sours
Durant		Millhone	

Digitized by Google

Speidel	Swift	Weed	Yager
Stansell	Teter	Wieben	Zipse
Stewart	Thies	Wiese	Zylstra
Stimpson	Thiessen	Willis	Mr. Speaker
Strachan	Treimer	Wolf	

The nays were, none.

Absent or not voting, 7.

Bouska	Fuester	Ostby	Stanzel
Brady	Mercer	Porter	

The House adopted the conference report and concurred in amendment proposed therein.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 346, a bill for an act to make an appropriation of twenty-nine dollars and ninety-eight cents ($29.98) to Dr. E. E. Munger, Spencer, Iowa.

BYRON G. ALLEN, *Secretary.*

CONSIDERATION OF BILLS

Senate File No. 68, a bill for an act to make an appropriation for the use of the State Board of Conservation, with report of committee recommending amendment, was taken up for consideration.

Bonnstetter of Kossuth called up the amendments proposed by the committee, found on page 1460 of the Journal of March 7, and moved their adoption.

Alesch of Plymouth offered the following substitute for the Committee Amendment to Senate File No. 68 by adding to Sec. 1 the following:

"It is expressly provided however that no part of the money hereby appropriated shall be used for the purchase of real estate, nor for the development acquired after the passage of this act".

Bonnstetter of Kossuth moved that the House recess until the fall of the gavel. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

Johnson of Linn offered the following amendment to Senate File No. 68 by substituting for all pending amendments the following:

Digitized by Google

Add to the end of Section one (sec. 1) the following:

", provided that no part of the fund appropriated hereby shall be used for the purchase or development of any real estate, except to provide necessary road ways into any parks or other projects now owned or under development by the State of Iowa and under the jurisdiction of the State Board of Conservation."

McKinnon of Henry moved the previous question on the amendment and main bill. Motion prevailed.

The Johnson amendment was substituted for the pending amendments.

On the question "Shall the Johnson substitute amendment be adopted?" a roll call was demanded.

The ayes were, 65.

Alesch	Falvey	Koch	Sheridan
Avery	Fletcher	Lichty	Smith
Beath	Foster	McCreery	Speidel
Beswick	Fuelling	McFarlane	Stewart
Bonnstetter	Fuester	McKinnon	Stimpson
Brady	Garner	McLean	Strachan
Casey	Gissel	Maniece	Swift
Craven	Goode	Mercer	Thies
Crouch	Hanson of Winnebago	Mitchell	Thiessen
Cunningham	Hartman	Moore of Benton	Treimer
Davis	Hook	Paisley	Wieben
Dean	Hough	Rice	Wiese
Dole	Hultman	Roe	Willis
Donlon	Humeston	Ryder	Zipse
Doran	Jensen	Schlatter	Zylstra
Durant	Johnson	Schmitz	Mr. Speaker
Ellsworth			

The nays were, 35.

Aldrich	Frizzell	Malone	Reed
Augustine	Gallagher	Metcalf	Schroeder
Bouska	Gittinger	Millhone	Snyder
Bowers	Grau	Mooty	Sours
Bruce	Hanson of Lyon	Osborn	Stansell
Burgess	Hopp	Ostby	Stanzel
Dreessen	Laughlin	Peaco	Teter
Fabritz	Lookingbill	Peet	Wolf
Felter	McDermott	Rawlings	

Absent or not voting, 8.

Elliott	Jenkins	Moore of Harrison	Porter
Grell	McCarthy		Weed
			Yager

Substitute amendment adopted.

Moore of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Digitized by Google

On the question "Shall the bill pass?"

The ayes were, 100.

Aldrich	Falvey	Lookingbill	Ryder
Alesch	Felter	McCarthy	Schlatter
Augustine	Fletcher	McCreery	Schroeder
Avery	Foster	McFarlane	Sheridan
Beath	Frizzell	McKinnon	Smith
Beswick	Fuelling	McLean	Snyder
Bonnstetter	Fuester	Malone	Sours
Bouska	Gallagher	Maniece	Speidel
Bowers	Garner	Mercer	Stansell
Brady	Gissel	Metcalf	Stewart
Bruce	Grau	Millhone	Stimpson
Burgess	Grell	Mitchell	Strachan
Casey	Hanson of Lyon	Moore of Benton	Swift
Craven	Hanson of Winnebago	Moore of Harrison	Teter
Crouch	Hartman	Mooty	Thies
Cunningham	Hook	Osborn	Thiessen
Davis	Hopp	Ostby	Treimer
Dean	Hough	Paisley	Wieben
Dole	Hultman	Peaco	Wiese
Donlon	Jenkins	Peet	Willis
Doran	Jensen	Rawlings	Wolf
Dreessen	Johnson	Reed	Yager
Durant	Koch	Rice	Zipse
Elliott	Laughlin	Roe	Zylstra
Ellsworth	Lichty		Mr. Speaker
Fabritz			

The nays were, 5.

Gittinger	Humeston	McDermott	Stanzel
Goode			

Absent or not voting, 3.

Porter	Schmitz	Weed

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Moore of Harrison moved that the vote by which Senate File No. 68 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

ADDITIONAL COPIES ORDERED PRINTED

Donlon of Palo Alto asked and obtained unanimous consent to have 2,000 additional copies of Senate File No. 42 ordered printed.

Fabritz of Wapello asked and obtained unanimous consent to have 3,000 additional copies of House File No. 292 ordered printed in pamphlet form as passed and enrolled.

Sheridan of Lee asked and obtained unanimous consent to have 2,000 additional copies of House File No. 336 printed.

Digitized by Google

CONSIDERATION OF SENATE AMENDMENTS

On request of McKinnon of Henry, unanimous consent having been given, House File No. 232, a bill for an emergency act relating to the execution and delivery of treasurers' deeds conveying real estate sold at tax sale; to prohibit the delivery of such deeds until December 2, 1935, and to extend the period of redemption, with Senate amendment, was taken up and the amendment read and considered.

SENATE AMENDMENT TO HOUSE FILE 232

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. In any case where real estate has, in any year preceding 1932, been sold for taxes and the time for redemption had not already expired, a treasurer's deed therefor shall not be delivered prior to December 2, 1935, and the period during which redemption from such sale may be made is hereby extended to said date; provided, however, if the owner of such real estate shall hereafter permit any taxes to become delinquent against the same and remain so delinquent after the 1st of September of any such year the county treasurer shall upon surrender to him of the tax sale certificate, execute and deliver such deed.

Sec. 2. Any provision of any law or laws now in force which are in conflict with this act are hereby suspended until December 2, 1935.

Sec. 3. On and after December 2, 1935, this act shall cease to be in force or effect.

Sec. 4. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Mount Pleasant Daily News, a newspaper published at Mount Pleasant, Iowa, and the Cantril Register, a newspaper published at Cantril, Iowa.

Mr. McKinnon moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 103.

Aldrich	Cunningham	Foster	Hook
Alesch	Davis	Frizzell	Hopp
Augustine	Dean	Fuelling	Hough
Avery	Dole	Fuester	Hultman
Beath	Donlon	Gallagher	Humeston
Bonnstetter	Doran	Garner	Jenkins
Bouska	Dreessen	Gissel	Jensen
Bowers	Durant	Goode	Koch
Brady	Elliott	Grau	Laughlin
Bruce	Ellsworth	Grell	Lichty
Burgess	Fabritz	Hanson of Lyon	Lookingbill
Casey	Falvey	Hanson of Winnebago	McCarthy
Craven	Felter	Hartman	McCreery
Crouch	Fletcher		McDermott

Digitized by Google

McFarlane	Osborn	Schroeder	Teter
McKinnon	Ostby	Sheridan	Thies
McLean	Paisley	Smith	Thiessen
Malone	Peaco	Snyder	Treimer
Maniece	Peet	Sours	Wieben
Mercer	Rawlings	Speidel	Wiese
Metcalf	Reed	Stansell	Willis
Millhone	Rice	Stanzel	Wolf
Mitchell	Roe	Stewart	Yager
Moore of Benton	Ryder	Stimpson	Zipse
Moore of Harrison	Schlatter	Strachan	Zylstra
Mooty	Schmitz	Swift	Mr. Speaker

The nays were, 3.

Beswick	Gittinger	Johnson

Absent or not voting, 2.

Porter	Weed

The House concurred in the Senate amendments to House File No. 232.

On request of Burgess of Woodbury, unanimous consent having been given, House File No. 35, a bill for an act to create a lien for certain services rendered in the favor of licensed veterinarians, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 35

1. Amend the title to House File 35 by adding after the word "certain" in line one (1) the words "biologicals furnished and"; also by adding after the word "veterinarians" in line two (2) the words ", and providing for the foreclosure thereof".

2. Amend Section one (1), line three (3), by inserting after the word "for" the following: "the actual and reasonable value of".

3. Amend Section one (1) by inserting after the word "for" in line four (4) the words, "the actual and reasonable value of".

4. Amend Section three (3) by inserting "and a particular description" after the word "number" in line three (3).

5. Amend Section three (3) by striking from line four (4) the words "price agreed upon for" and inserting in lieu thereof "actual and reasonable value of".

6. Amend Section three (3) by adding at the end thereof a new sentence as follows: "Said lien shall be effective from the date of filing."

7. Amend by adding a new section as follows:

"Sec. 4. The lienholder may enforce his lien by a suit in equity."

Mr. Burgess moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

Digitized by Google

The ayes were, 91.

Aldrich	Foster	McCarthy	Schlatter
Alesch	Frizzell	McCreery	Schmitz
Avery	Fuelling	McDermott	Schroeder
Beath	Gallagher	McFarlane	Smith
Beswick	Gittinger	McLean	Snyder
Bonnstetter	Goode	Malone	Speidel
Bouska	Grau	Maniece	Stansell
Bowers	Grell	Mercer	Stanzel
Brady	Hanson of Lyon	Metcalf	Stewart
Bruce	Hanson of Winnebago	Millhone	Stimpson
Burgess	Hartman	Moore of Harrison	Strachan
Casey	Hook	Mooty	Swift
Craven	Hopp	Osborn	Teter
Crouch	Hough	Ostby	Thies
Cunningham	Hultman	Paisley	Thiessen
Dean	Humeston	Peaco	Treimer
Dole	Jenkins	Peet	Wieben
Donlon	Jensen	Rawlings	Wiese
Doran	Koch	Reed	Willis
Dreessen	Laughlin	Rice	Yager
Durant	Lichty	Roe	Zipse
Elliott	Lookingbill	Ryder	Zylstra
Ellsworth			Mr. Speaker
Fletcher			

The nays were, 1.

Gissel

Absent or not voting, 16.

Augustine	Felter	McKinnon	Sheridan
Davis	Fuester	Mitchell	Sours
Fabritz	Garner	Moore of Benton	Weed
Falvey	Johnson	Porter	Wolf

The House concurred in the Senate amendments to House File No. 35.

On request of Maniece of Emmet, unanimous consent having been given, House File No. 300, a bill for an act to make an appropriation for the payment of the extra expense of the State Printing Board incurred by and on account of the forty-fifth extraordinary session of the General Assembly, with Senate amendment, was taken up and the amendment read and considered.

SENATE AMENDMENT TO HOUSE FILE 300

Amend Section 2 by striking from line five (5) the words "Algona Upper Iowa" and inserting in lieu thereof the words "Kossuth County Advance".

Mr. Maniece moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

Digitized by Google

The ayes were, 99.

Aldrich	Fletcher	Lichty	Ryder
Alesch	Foster	McCarthy	Schlatter
Augustine	Frizzell	McCreery	Schmitz
Avery	Fuelling	McDermott	Schroeder
Beath	Fuester	McFarlane	Sheridan
Beswick	Gallagher	McLean	Smith
Bouska	Garner	Malone	Snyder
Bowers	Gissel	Maniece	Sours
Brady	Gittinger	Mercer	Speidel
Bruce	Goode	Metcalf	Stansell
Burgess	Grau	Millhone	Stanzel
Casey	Grell	Mitchell	Stewart
Craven	Hanson of Lyon	Moore of Benton	Stimpson
Crouch	Hanson of Winnebago	Moore of Harrison	Strachan
Cunningham	Hartman	Mooty	Swift
Davis	Hook	Osborn	Teter
Dean	Hopp	Ostby	Thies
Dole	Hultman	Paisley	Thiessen
Donlon	Humeston	Peaco	Treimer
Doran	Jenkins	Peet	Wieben
Dreessen	Jensen	Rawlings	Wiese
Durant	Johnson	Reed	Willis
Elliott	Koch	Rice	Yager
Ellsworth	Laughlin	Roe	Zipse
Fabritz			Zylstra
Falvey			

The nays were, none.

Absent or not voting, 9.

Bonnstetter	Lookingbill	Porter	Wolf
Felter	McKinnon	Weed	Mr. Speaker
Hough			

The House concurred in the Senate amendments to House File No. 300.

CONSIDERATION OF BILLS

House File No. 359, a bill for an act to amend the law as it appears in Title XVI, Chapter three hundred twenty-nine-C two (329-C2), section six thousand nine hundred forty-three-c eighteen (6943-c18), Code, 1931, as amended by section twenty-three (23), chapter eighty-nine (89), laws of the Forty-fifth (45) General Assembly, relating to the compensation of the members of the State Board of Assessment and Review, was taken up for consideration.

POINT OF ORDER

Goode of Davis raised the point of order that House File No. 359 contains the same subject matter that Senate File No. 323 contained.

Digitized by Google

Speaker Miller ruled that while the provisions of House File No. 359 may treat of the same subject matter, yet it has so changed the subject matter of the bill:

(a) By cutting the amount of increase in salary from nine hundred dollars ($900.00) per year to six hundred dollars ($600.00) per year per board member, and

(b) By fixing a different date when that increase in salary shall cease, namely on April 1, 1937, and that therefore, House File No. 359 is a different bill than Senate File No. 323. Let it be said again the Chair realizes that there are members of this House who were favorable to Senate File No. 323 and it is presumed that they are just as favorable to House File No. 359. The Chair does not wish to be arbitrary in this matter and therefore, believes that it would be much fairer to the members of the House if the Chair would leave it to the House whether House File No. 359 should come before this House for consideration.

Therefore, the Chair leaves this matter in your hands and asks you to decide whether or not you desire at this time to consider House File No. 359. The question, therefore, is "Is House File No. 359 in order?" For this procedure the Chair calls your attention to page 78, section 21 of Robert's Rules of Order.

On the question "Is House File No. 359 in order?" a roll call was demanded.

The ayes were, 50.

Augustine	Falvey	Laughlin	Schroeder
Bouska	Foster	Lichty	Sheridan
Brady	Fuelling	McCarthy	Snyder
Bruce	Fuester	McDermott	Speidel
Burgess	Gallagher	Malone	Stewart
Casey	Garner	Mercer	Swift
Crouch	Grell	Metcalf	Thiessen
Cunningham	Hanson of Lyon	Moore of Benton	Treimer
Dean	Hanson of Winnebago	Paisley	Wieben
Donlon	Humeston	Peaco	Wiese
Dreessen	Johnson	Peet	Willis
Elliott	Koch	Ryder	Wolf
Fabritz		Schmitz	

The nays were, 54.

Aldrich	Bowers	Ellsworth	Goode
Alesch	Craven	Felter	Grau
Avery	Davis	Fletcher	Hartman
Beath	Dole	Frizzell	Hook
Beswick	Doran	Gissel	Hopp
Bonnstetter	Durant	Gittinger	Hough

Digitized by Google

Hultman	Millhone	Reed	Stimpson
Jenkins	Mitchell	Rice	Strachan
Jensen	Moore of	Roe	Teter
Lookingbill	Harrison	Schlatter	Thies
McCreery	Mooty	Smith	Yager
McFarlane	Osborn	Sours	Zipse
McLean	Ostby	Stansell	Zylstra
Maniece	Rawlings	Stanzel	

Absent or not voting, 4.

McKinnon	Porter	Weed	Mr. Speaker

The House refused to consider House File No. 359.

SENATE FILE NO. 324 WITHDRAWN FROM STEERING COMMITTEE

Stimpson of Jones moved that Senate File No. 324 be withdrawn from the steering committee and placed on the calendar.

On the question "Shall Senate File No. 324 be withdrawn from the steering committee and placed on the calendar?" a roll call was demanded.

The ayes were, 83.

Aldrich	Fabritz	Jensen	Ryder
Alesch	Falvey	Johnson	Schlatter
Augustine	Felter	Laughlin	Schmitz
Avery	Fletcher	Lichty	Schroeder
Beath	Foster	Lookingbill	Smith
Bouska	Fuelling	McCreery	Snyder
Bowers	Fuester	McDermott	Sours
Bruce	Gallagher	Malone	Speidel
Casey	Garner	Maniece	Stewart
Craven	Gissel	Metcalf	Stimpson
Crouch	Gittinger	Millhone	Strachan
Cunningham	Goode	Mitchell	Teter
Davis	Grell	Mooty	Thies
Dean	Hanson of	Osborn	Thiessen
Dole	Winnebago	Ostby	Treimer
Donlon	Hook	Paisley	Wieben
Doran	Hopp	Peaco	Wiese
Dreessen	Hough	Peet	Yager
Durant	Hultman	Rawlings	Zylstra
Elliott	Humeston	Reed	Mr. Speaker
Ellsworth	Jenkins	Roe	

The nays were, 10.

Beswick	Mercer	Stansell	Willis
Frizzell	Moore of Benton	Swift	Zipse
Hartman	Rice		

Absent or not voting, 15.

Bonnstetter	Hanson of Lyon	McKinnon	Porter
Brady	Koch	McLean	Sheridan
Burgess	McCarthy	Moore of	Weed
Grau	McFarlane	Harrison	Wolf

Digitized by Google

Motion prevailed and Senate File No. 324 was placed on the calendar.

CONSIDERATION OF BILLS

Senate File No. 324, a bill for an act to legalize and validate proceedings taken by the Town Council of the Town of Roland, Iowa, authorizing and providing for the issuance of Waterworks Bonds and making provisions for the levy of taxes to pay said bonds, was taken up for consideration.

Lookingbill of Story moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 97.

Aldrich	Felter	Laughlin	Schlatter
Alesch	Fletcher	Lichty	Schmitz
Augustine	Foster	Lookingbill	Schroeder
Avery	Frizzell	McCarthy	Sheridan
Beath	Fuelling	McCreery	Smith
Beswick	Fuester	McDermott	Snyder
Bouska	Gallagher	McFarlane	Sours
Bowers	Garner	McLean	Speidel
Bruce	Gissel	Malone	Stansell
Burgess	Gittinger	Maniece	Stanzel
Casey	Goode	Metcalf	Stewart
Craven	Grau	Millhone	Stimpson
Crouch	Grell	Mitchell	Strachan
Cunningham	Hanson of Lyon	Moore of Benton	Swift
Davis	Hanson of Winnebago	Mooty	Teter
Dean	Hartman	Osborn	Thies
Dole	Hook	Ostby	Thiessen
Donlon	Hopp	Paisley	Treimer
Doran	Hough	Peaco	Wieben
Dreessen	Hultman	Peet	Willis
Durant	Humeston	Rawlings	Wolf
Elliott	Jenkins	Reed	Yager
Ellsworth	Jensen	Roe	Zylstra
Fabritz	Johnson	Ryder	Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 11.

Bonnstetter	McKinnon	Porter	Wiese
Brady	Mercer	Rice	Zipse
Koch	Moore of Harrison	Weed	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Lookingbill of Story moved that the vote by which Senate File

Digitized by Google

No. 324 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

HOUSE FILE NO. 356 WITHDRAWN

Augustine of Ringgold asked and obtained unanimous consent to have House File No. 356 withdrawn from further consideration of the House.

CONSIDERATION OF BILLS

Senate File No. 294, a bill for an act making an appropriation for the payment of the necessary expenses of the Iowa Commission to Study Liquor Control Legislation appointed by the Governor to study and recommend a plan of liquor control for the State of Iowa, was taken up for consideration.

Bonnstetter of Kossuth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 70.

Aldrich	Fuelling	McFarlane	Snyder
Augustine	Fuester	Mercer	Speidel
Avery	Gallagher	Metcalf	Stansell
Beswick	Gittinger	Mitchell	Stanzel
Bonnstetter	Grell	Mooty	Stimpson
Bouska	Hanson of Lyon	Osborn	Strachan
Bruce	Hanson of Winnebago	Paisley	Swift
Burgess	Hartman	Peaco	Thies
Casey	Hook	Peet	Thiessen
Cunningham	Hopp	Rawlings	Treimer
Davis	Humeston	Reed	Wieben
Dean	Jenkins	Rice	Wiese
Dole	Jensen	Roe	Willis
Donlon	Laughlin	Ryder	Wolf
Dreessen	Lichty	Schlatter	Zipse
Fabritz	McCarthy	Schmitz	Zylstra
Falvey	McDermott	Schroeder	Mr. Speaker
Fletcher		Sheridan	

The nays were, 15.

Beath	Durant	Gissel	Smith
Bowers	Ellsworth	Hough	Sours
Crouch	Felter	McCreery	Stewart
Doran	Garner	McLean	

Absent or not voting, 23.

Alesch	Elliott	Goode	Johnson
Brady	Foster	Grau	Koch
Craven	Frizzell	Hultman	Lookingbill

Digitized by Google

McKinnon	Millhone	Ostby	Weed
Malone	Moore of Benton	Porter	Yager
Maniece	Moore of Harrison	Teter	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Bonnstetter of Kossuth asked and obtained unanimous consent for the immediate consideration of House File No. 360, a bill for an act to make an appropriation to the City of Des Moines, Iowa, to reimburse the City for expenditures made in paving and improving streets adjacent to state owned property.

Bonnstetter of Kossuth moved that the rules prohibiting the second and third reading of a bill on the same day be suspended. Motion prevailed.

Bonnstetter of Kossuth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aldrich	Felter	Johnson	Schmitz
Augustine	Fletcher	Laughlin	Schroeder
Avery	Frizzell	Lichty	Sheridan
Beath	Fuelling	McCarthy	Snyder
Beswick	Gallagher	McCreery	Sours
Bonnstetter	Garner	McFarlane	Speidel
Bouska	Gissel	Maniece	Stansell
Bowers	Gittinger	Mercer	Stanzel
Bruce	Goode	Metcalf	Stewart
Burgess	Grau	Millhone	Stimpson
Casey	Grell	Moore of Benton	Swift
Crouch	Hanson of Lyon	Mooty	Teter
Cunningham	Hanson of Winnebago	Osborn	Thies
Davis	Hartman	Paisley	Thiessen
Dean	Hook	Peaco	Treimer
Dole	Hopp	Peet	Wieben
Donlon	Hough	Rawlings	Wiese
Doran	Hultman	Reed	Willis
Dreessen	Humeston	Rice	Wolf
Durant	Jenkins	Roe	Zipse
Ellsworth	Jensen	Ryder	Zylstra
Fabritz		Schlatter	Mr. Speaker
Falvey			

The nays were, none.

Absent or not voting, 20.

Alesch	Koch	Malone	Porter
Brady	Lookingbill	Mitchell	Smith
Craven	McDermott	Moore of Harrison	Strachan
Elliott	McKinnon	Ostby	Weed
Foster	McLean		Yager
Fuester			

Digitized by Google

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

Bonnstetter of Kossuth moved that the vote by which House File No. 360 passed the House be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the conference committee report and concurred in the amendment proposed therein to House File No. 304, a bill for an act relating to the levy to pay interest and principal on lawful bonded indebtedness.

Also: That the Senate has adopted the conference committee report and concurred in the amendments proposed therein to Senate File No. 95, a bill for an act relating to salaries of deputy county officials.

BYRON G. ALLEN, *Secretary.*

REPORT OF SECOND CONFERENCE COMMITTEE ON SENATE FILE NO. 95

MR. PRESIDENT AND MR. SPEAKER: We the undersigned members of the Second Conference Committee appointed to consider the difference between the Senate and the House on Senate File 95, being a bill for an act to amend Section thirty-three (33), Chapter eighty-nine (89), acts of the Forty-fifth General Assembly, relating to salaries of deputy county officials, begs leave to report that it has had the same under consideration and recommends that the Senate concur in the House amendment to said bill.

HOWARD C. BALDWIN.	J. P. GALLAGHER.
MORRIS MOORE.	JOSEPH D. BOUSKA.
ROY E. STEVENS.	ED RAWLINGS.
CHAS. D. BOOTH.	THOMAS STIMPSON.
On the part of the Senate.	*On the part of the House.*

On the motion of Stansell of Clarke the House adjourned until 10 o'clock a. m. Saturday, March 10.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 10, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by A. C. Hanson, member of the First Methodist Church, Inwood, Iowa.

Journal of March 9 corrected and approved.

CALL OF THE HOUSE

We the undersigned request a call of the House for convening.

D. R. MCCREERY. ROY MERCER.
A. H. BONNSTETTER. C. E. R. FUESTER.
WM. R. SHERIDAN.

A roll call disclosed all members present except Foster of Cedar, Hultman of Montgomery, Koch of Bremer, Moore of Benton, Porter of Delaware, Rice of Keokuk and Smith of Cherokee.

Porter of Delaware had been previously excused and on motion of McCreery of Linn, Hultman of Montgomery, Koch of Bremer, Moore of Benton and Smith of Cherokee were excused.

PRESENTATION OF GIFT TO CHIEF CLERK

The reading clerk read a message from the members of the House presenting Chief Clerk Lekin with a traveling bag, in appreciation of services rendered by the Chief Clerk during this extraordinary session, and as a token of high esteem in which he is held by the members.

Chief Clerk Lekin responded with remarks of gratitude and appreciation.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 95

Gallagher of Iowa asked and obtained unanimous consent to take up the report of the second conference committee on Senate File No. 95, found on page 1539 of the Journal of March 9, and

Digitized by Google

moved that the House adopt the Conference report and concur in the amendments proposed therein.

On the question "Shall the House adopt the conference report?" a roll call was demanded.

The ayes were, 99.

Aldrich	Fletcher	Lookingbill	Schmitz
Alesch	Foster	McCarthy	Schroeder
Augustine	Frizzell	McCreery	Sheridan
Avery	Fuelling	McDermott	Snyder
Beath	Fuester	McFarlane	Sours
Beswick	Gallagher	McLean	Speidel
Bonnstetter	Garner	Malone	Stansell
Bouska	Gissel	Maniece	Stanzel
Bowers	Gittinger	Mercer	Stewart
Brady	Goode	Metcalf	Stimpson
Bruce	Grau	Millhone	Strachan
Burgess	Grell	Mitchell	Swift
Casey	Hanson of Lyon	Moore of	Teter
Craven	Hanson of	Harrison	Thies
Crouch	Winnebago	Mooty	Thiessen
Cunningham	Hartman	Osborn	Treimer
Dean	Hook	Ostby	Weed
Dole	Hopp	Paisley	Wieben
Donlon	Hough	Peaco	Wiese
Doran	Humeston	Peet	Willis
Dreessen	Jenkins	Rawlings	Wolf
Durant	Jensen	Reed	Yager
Elliott	Johnson	Roe	Zipse
Ellsworth	Laughlin	Ryder	Zylstra
Fabritz	Lichty	Schlatter	Mr. Speaker
Felter			

The nays were, 1.

Falvey

Absent or not voting, 8.

Davis	Koch	Moore of Benton	Rice
Hultman	McKinnon	Porter	Smith

Conference report was adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 358, a bill for an act giving to the State Banking Board authority to carry out the administration provisions of law relating to the staff of and to their employment by the State Banking Department; limiting the annual expenditure for salaries; and to repeal acts in conflict therewith.

Digitized by Google

Also: That the Senate has amended and concurred in the House amendments to the following bill in which the concurrence of the House is asked:

Senate File No. 68, a bill for an act to make an appropriation for the use of the State Board of Conservation.

Also: That the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 328, a bill for an act relating to the tenure of office of members of the commission of aeronautics.

Also: That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 18, relating to the purchase of chairs by members of the General Assembly. BYRON G. ALLEN, *Secretary*.

CONSIDERATION OF SENATE AMENDMENTS

On request of Ellsworth of Hardin, unanimous consent having been given, House File No. 358, a bill for an act to amend sections ninety-one hundred thirty-six (9136) and ninety-one hundred thirty-seven (9137), Code, 1931, giving to the State Banking Board authority to carry out the administration provisions of law relating to the staff of and to their employment by the State Banking Department, and to repeal acts in conflict therewith, with Senate amendments, was taken up and the amendments read and considered.

SENATE AMENDMENTS TO HOUSE FILE 358

Amend House File 358, section three (3), line two (2), by striking all of said section after the word "repealed" in said line and inserting in lieu thereof a period (.).

Further amend by inserting as section three (3), the following:

"Sec. 3. The aggregate salaries for the department for the biennium ending June 30, 1935, shall not exceed sixty-five thousand dollars ($65,000), annually."

Further amend by renumbering section three (3) as section four (4) and section four (4) as section five (5).

Mr. Ellsworth moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 99.

Aldrich	Bonnstetter	Casey	Dole
Alesch	Bouska	Craven	Donlon
Augustine	Bowers	Crouch	Doran
Avery	Brady	Cunningham	Dreessen
Beath	Bruce	Davis	Durant
Beswick	Burgess	Dean	Elliott

Digitized by Google

Ellsworth	Hough	Mitchell	Speidel
Fabritz	Humeston	Moore of	Stansell
Falvey	Jenkins	Harrison	Stanzel
Felter	Jensen	Mooty	Stewart
Fletcher	Johnson	Osborn	Stimpson
Frizzell	Laughlin	Ostby	Strachan
Fuester	Lichty	Paisley	Swift
Gallagher	Lookingbill	Peaco	Teter
Garner	McCarthy	Peet	Thies
Gissel	McCreery	Rawlings	Treimer
Gittinger	McDermott	Reed	Weed
Goode	McFarlane	Roe	Wieben
Grau	McKinnon	Ryder	Wiese
Grell	McLean	Schlatter	Willis
Hanson of Lyon	Malone	Schmitz	Wolf
Hanson of	Maniece	Schroeder	Yager
Winnebago	Mercer	Sheridan	Zipse
Hartman	Metcalf	Snyder	Zylstra
Hook	Millhone	Sours	Mr. Speaker
Hopp			

The nays were, none.

Absent or not voting, 9.

Foster	Koch	Porter	Smith
Fuelling	Moore of Benton	Rice	Thiessen
Hultman			

The House concurred in the Senate amendments to House File No. 358.

On request of Moore of Harrison, unanimous consent having been given, Senate File No. 68, a bill for an act to make an appropriation for the use of the State Board of Conservation, with Senate amendment to House amendment, was taken up and the amendment read and considered.

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE NO. 68

Amend the House amendment to Senate File 68 by striking from line three (3) of said amendment, the words "or development".

Mr. Moore moved that the House concur in the Senate amendment to House amendment.

On the question "Shall the House concur?"

The ayes were, 96.

Aldrich	Bouska	Cunningham	Elliott
Alesch	Bowers	Davis	Ellsworth
Augustine	Bruce	Dean	Fabritz
Avery	Burgess	Donlon	Falvey
Beath	Casey	Doran	Felter
Beswick	Craven	Dreessen	Fletcher
Bonnstetter	Crouch	Durant	Foster

Digitized by Google

Frizzell	Johnson	Mooty	Speidel
Fuelling	Laughlin	Osborn	Stanzel
Fuester	Lichty	Ostby	Stewart
Gallagher	Lookingbill	Paisley	Strachan
Garner	McCarthy	Peaco	Swift
Gissel	McCreery	Peet	Teter
Gittinger	McDermott	Rawlings	Thies
Goode	McFarlane	Reed	Treimer
Grau	McKinnon	Rice	Weed
Grell	McLean	Roe	Wieben
Hanson of Lyon	Malone	Ryder	Wiese
Hanson of Winnebago	Maniece	Schlatter	Willis
	Mercer	Schmitz	Wolf
Hartman	Metcalf	Schroeder	Yager
Hook	Millhone	Sheridan	Zipse
Hopp	Mitchell	Snyder	Zylstra
Jenkins	Moore of Harrison	Sours	Mr. Speaker
Jensen			

The nays were, none.

Absent or not voting, 12.

Brady	Hultman	Moore of Benton	Stansell
Dole	Humeston	Porter	Stimpson
Hough	Koch	Smith	Thiessen

The House concurred in the Senate amendment to House amendment to Senate File No. 68.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 28, 18, 311, 326 and 42.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Weed of Madison, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 178, 146, 349, 336, 334, 304, 296, 236, 281, 269, 346, 35, 232, and 300.

A. R. WEED, *Member House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the

Digitized by Google

House, he had signed in the presence of the House, the following bills: House Files No. 178, 146, 349, 336, 334, 304, 296, 236, 281, 269, 346, 35, 232, and 300.

Senate Files No. 28, 18, 311, 326 and 42.

BILLS SENT TO THE GOVERNOR

Weed of Madison from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 10th day of March, 1934, sent to the Governor for his approval: House Files No. 178, 146, 336, 334, 349, 304, 296, 236, 281, 269, 346, 232, 35, and 300. A. R. WEED, *Member.*

Report adopted.

On the motion by McFarlane of Black Hawk the House recessed until the fall of the gavel.

The House reconvened, Speaker Miller in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 327, a bill for an act to make an appropriation for the typewriter rentals and miscellaneous expenses of the forty-fifth general assembly in extraordinary session.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 352, a bill for an act relating to the conveyance of real property of insane persons.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 329, a bill for an act relating to the caring for the unemployed and needy and regulating the hourly rates for work in exchange for relief.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 353, a bill for an act relating to the sale or mortgage of real estate by guardians. BYRON G. ALLEN, *Secretary.*

SENATE MESSAGES CONSIDERED

Senate File No. 327, a bill for an act to make an appropriation

Digitized by Google

for the typewriter rentals and miscellaneous expenses of the forty-fifth general assembly in extraordinary session, to make appropriations for certain interim committees named by the forty-fifth general assembly and to make other miscellaneous appropriations incidental to the needs of the state government.

Read first and second times and placed on the calendar by unanimous consent.

CONSIDERATION OF BILLS

Bonnstetter of Kossuth asked and obtained unanimous consent for the immediate consideration of Senate File No. 327, a bill for an act to make an appropriation for the typewriter rentals and miscellaneous expenses of the forty-fifth general assembly in extraordinary session, to make appropriations for certain interim committees named by the forty-fifth general assembly and to make other miscellaneous appropriations incidental to the needs of the state government.

Bonnstetter of Kossuth moved that rules prohibiting the second and third reading of a bill on the same day be suspended. Motion prevailed.

Bonnstetter of Kossuth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Aldrich	Fabritz	Johnson	Snyder
Alesch	Falvey	Koch	Sours
Augustine	Felter	Laughlin	Stansell
Avery	Fletcher	McCreery	Stanzel
Beath	Foster	McFarlane	Stimpson
Bonnstetter	Frizzell	McKinnon	Strachan
Bouska	Garner	Mercer	Swift
Bruce	Gittinger	Millhone	Teter
Burgess	Goode	Mitchell	Thiessen
Casey	Grau	Moore of Harrison	Weed
Craven	Grell	Mooty	Wieben
Crouch	Hanson of Lyon	Osborn	Wiese
Cunningham	Hartman	Peet	Willis
Davis	Hook	Rice	Wolf
Donlon	Hopp	Ryder	Yager
Doran	Hough	Schmitz	Zipse
Dreessen	Humeston	Schroeder	Zylstra
Durant	Jenkins	Sheridan	Mr. Speaker
Ellsworth	Jensen		

The nays were, none.

Digitized by Google

Absent or not voting, 34.

Beswick	Gissel	Malone	Reed
Bowers	Hanson of Winnebago	Maniece	Roe
Brady	Hultman	Metcalf	Schlatter
Dean	Lichty	Moore of Benton	Smith
Dole	Lookingbill	Ostby	Speidel
Elliott	McCarthy	Paisley	Stewart
Fuelling	McDermott	Peaco	Thies
Fuester	McLean	Porter	Treimer
Gallagher		Rawlings	

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

SENATE MESSAGES CONSIDERED

Senate File No. 328, a bill for an act to amend House File No. 223, Acts of the Forty-fifth General Assembly in extraordinary session, relating to the tenure of office of members of the commission of aeronautics.

Read first and second times and placed on calendar by unanimous consent.

CONSIDERATION OF BILLS

Mercer of Johnson asked and obtained unanimous consent for the immediate consideration of Senate File No. 328, a bill for an act to amend House File No. 223, Acts of the Forty-fifth General Assembly in extraordinary session, relating to the tenure of office of members of the commission of aeronautics.

Mercer of Johnson moved that the rules prohibiting the second and third reading of a bill on the same day be suspended. Motion prevailed.

Mercer of Johnson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 96.

Aldrich	Bruce	Dole	Felter
Alesch	Burgess	Donlon	Fletcher
Augustine	Casey	Doran	Foster
Avery	Craven	Dreessen	Frizzell
Beath	Crouch	Durant	Fuelling
Beswick	Cunningham	Elliott	Gallagher
Bouska	Davis	Ellsworth	Garner
Bowers	Dean	Falvey	Gissel

Digitized by Google

Gittinger	Lookingbill	Peaco	Stimpson
Goode	McCarthy	Peet	Strachan
Grau	McCreery	Rawlings	Swift
Grell	McFarlane	Reed	Teter
Hanson of Lyon	McKinnon	Rice	Thies
Hartman	McLean	Roe	Thiessen
Hook	Malone	Ryder	Treimer
Hopp	Maniece	Schlatter	Weed
Hough	Mercer	Schmitz	Wieben
Humeston	Metcalf	Schroeder	Wiese
Jenkins	Millhone	Sheridan	Willis
Jensen	Mitchell	Snyder	Wolf
Johnson	Mooty	Sours	Yager
Koch	Osborn	Speidel	Zipse
Laughlin	Ostby	Stansell	Zylstra
Lichty	Paisley	Stanzel	Mr. Speaker

The nays were, none.

Absent or not voting, 12.

Bonnstetter	Hanson of Winnebago	Moore of Benton	Porter
Brady	Hultman	Moore of Harrison	Smith
Fabritz	McDermott		Stewart
Fuester			

So the bill having received a constitutional majority was declared to have passed the House and the title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 357, a bill for an act exempting mortgages executed after January first, nineteen hundred thirty-four from the provisions of chapters one hundred seventy-nine and one hundred eighty-two, acts of the Forty-fifth General Assembly.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 360, a bill for an act to make an appropriation to the City of Des Moines, Iowa, to reimburse the city for expenditures made in paving and improving streets adjacent to state owned property.

BYRON G. ALLEN, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 358.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

Digitized by Google

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 358.

BILLS SENT TO THE GOVERNOR

Koch of Bremer from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 10th day of March, 1934, sent to the Governor for his approval: House File No. 358. WM. KOCH, *Chairman.*

Report adopted.

McFarlane of Black Hawk moved that the House recess until the fall of the gavel. Motion prevailed.

The House reconvened, Speaker Miller in the chair.

Bonnstetter of Kossuth moved that the House adjourn until 1:30 o'clock p. m. Monday, March 12.

Fabritz of Wapello moved to amend the Bonnstetter motion by adjourning until 3:00 o'clock p. m. on Monday, March 12.

Johnson of Linn moved as a substitute for the pending amendment and the main motion to adjourn until 11:30 o'clock a. m. on Monday, March 12.

On the question "Shall the Johnson substitute motion prevail?" a roll call was demanded.

The ayes were, 38.

Aldrich	Fletcher	Johnson	Stanzel
Bowers	Foster	Lookingbill	Teter
Bruce	Frizzell	McCreery	Treimer
Burgess	Gittinger	McKinnon	Weed
Crouch	Grau	Millhone	Wieben
Davis	Grell	Rawlings	Wiese
Dole	Hanson of Lyon	Schlatter	Yager
Dreessen	Hopp	Schmitz	Zylstra
Durant	Hough	Schroeder	Mr. Speaker
Felter	Jensen		

The nays were, 83.

Alesch	Beswick	Cunningham	Elliott
Augustine	Bonnstetter	Dean	Ellsworth
Avery	Bouska	Donlon	Fabritz
Beath	Casey	Doran	Falvey

Digitized by Google

Fuelling	McFarlane	Paisley	Stansell
Garner	McLean	Peaco	Stimpson
Gissel	Maniece	Peet	Strachan
Hartman	Metcalf	Reed	Swift
Hook	Mitchell	Rice	Thies
Humeston	Moore of	Roe	Thiessen
Jenkins	Harrison	Ryder	Willis
Koch	Mooty	Sheridan	Wolf
Lichty	Osborn	Snyder	Zipse
McCarthy	Ostby		

Absent or not voting, 17.

Brady	Hanson of	Malone	Smith
Craven	Winnebago	Mercer	Sours
Fuester	Hultman	Moore of Benton	Speidel
Gallagher	Laughlin	Porter	Stewart
Goode	McDermott		

Substitute motion lost.

Stimpson of Jones moved as a substitute for the pending amendment and the main motion, that the House adjourn until 10:00 o'clock a. m. Monday, March 12.

On the question "Shall the Stimpson substitute motion prevail?" a roll call was demanded.

The ayes were, 37.

Aldrich	Felter	McKinnon	Strachan
Avery	Fletcher	McLean	Swift
Bouska	Foster	Malone	Teter
Bowers	Gallagher	Millhone	Thiessen
Bruce	Gittinger	Peaco	Wieben
Burgess	Grau	Rawlings	Wiese
Crouch	Hough	Schlatter	Yager
Dole	Johnson	Schmitz	Zylstra
Dreessen	McCreery	Stimpson	Mr. Speaker
Durant			

The nays were, 56.

Alesch	Garner	Lookingbill	Rice
Augustine	Gissel	McCarthy	Roe
Beath	Goode	McFarlane	Ryder
Beswick	Grell	Maniece	Schroeder
Bonnstetter	Hanson of Lyon	Metcalf	Sheridan
Casey	Hartman	Mitchell	Snyder
Cunningham	Hook	Moore of	Stansell
Davis	Hopp	Harrison	Stanzel
Dean	Humeston	Mooty	Thies
Doran	Jenkins	Osborn	Treimer
Elliott	Jensen	Ostby	Weed
Ellsworth	Koch	Paisley	Willis
Fabritz	Laughlin	Peet	Wolf
Falvey	Lichty	Reed	Zipse
Fuelling			

Digitized by Google

Absent or not voting, 15.

Brady	Fuester	McDermott	Smith
Craven	Hanson of	Mercer	Sours
Donlon	Winnebago	Moore of Benton	Speidel
Frizzell	Hultman	Porter	Stewart

Substitute motion lost.

On the question "Shall the Fabritz amendment to the Bonnstetter motion be adopted?" a roll call was demanded.

The ayes were, 39.

Augustine	Felter	Koch	Peet
Avery	Fuelling	Laughlin	Reed
Beswick	Garner	Lichty	Ryder
Bowers	Gissel	McCarthy	Sheridan
Cunningham	Goode	McFarlane	Snyder
Davis	Grau	Malone	Stansell
Doran	Hopp	Mitchell	Stanzel
Elliott	Humeston	Mooty	Willis
Fabritz	Jenkins	Osborn	Wolf
Falvey	Jensen	Ostby	

The nays were, 53.

Aldrich	Fletcher	Maniece	Strachan
Alesch	Foster	Metcalf	Swift
Beath	Frizzell	Millhone	Teter
Bonnstetter	Gittinger	Moore of	Thies
Bouska	Grell	Harrison	Thiessen
Bruce	Hanson of Lyon	Paisley	Treimer
Burgess	Hartman	Peaco	Weed
Crouch	Hook	Rawlings	Wieben
Dean	Hough	Rice	Wiese
Dole	Johnson	Roe	Yager
Donlon	Lookingbill	Schlatter	Zipse
Dreessen	McCreery	Schmitz	Zylstra
Durant	McKinnon	Stimpson	Mr. Speaker
Ellsworth	McLean		

Absent or not voting, 16.

Brady	Hanson of	Mercer	Smith
Casey	Winnebago	Moore of Benton	Sours
Craven	Hultman	Porter	Speidel
Fuester	McDermott	Schroeder	Stewart
Gallagher			

Amendment lost.

On the question "Shall the House adjourn until 1:30 o'clock p. m. Monday, March 12, as moved by Bonnstetter of Kossuth?" a roll call was demanded.

The ayes were, 93.

Aldrich	Beswick	Burgess	Dean
Alesch	Bonnstetter	Casey	Dole
Augustine	Bouska	Crouch	Donlon
Avery	Bowers	Cunningham	Doran
Beath	Bruce	Davis	Dreessen

Digitized by Google

Durant	Hopp	Mitchell	Stansell
Elliott	Hough	Moore of	Stanzel
Ellsworth	Humeston	Harrison	Stimpson
Fabritz	Jenkins	Mooty	Strachan
Falvey	Jensen	Osborn	Swift
Felter	Johnson	Paisley	Teter
Fletcher	Koch	Peaco	Thies
Foster	Laughlin	Peet	Thiessen
Frizzell	Lichty	Rawlings	Treimer
Fuelling	Lookingbill	Reed	Weed
Garner	McCarthy	Rice	Wieben
Gissel	McCreery	Roe	Wiese
Gittinger	McFarlane	Ryder	Willis
Goode	McKinnon	Schlatter	Wolf
Grau	McLean	Schmitz	Yager
Grell	Malone	Schroeder	Zipse
Hanson of Lyon	Maniece	Sheridan	Zylstra
Hartman	Metcalf	Snyder	Mr. Speaker
Hook	Millhone		

The nays were, 1.

Ostby

Absent or not voting, 14.

Brady	Hanson of	Mercer	Sours
Craven	Winnebago	Moore of Benton	Speidel
Fuester	Hultman	Porter	Stewart
Gallagher	McDermott	Smith	

The Bonnstetter motion prevailed and the House stood adjourned until 1:30 o'clock p. m. Monday, March 12.

Digitized by Google

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, MARCH 12, 1934.

The House met pursuant to adjournment, Speaker Miller in the chair.

Prayer was offered by Rev. A. R. Weed, pastor West Star and Worthington churches, Winterset, Iowa.

Journal of March 10, corrected and approved.

PETITIONS AND MEMORIALS

Favoring a special tax on chain stores. Durant, from the business men of Hancock county. Referred to the committee on tax revision.

Opposing an increase in hunting and fishing licenses. Yager, from the citizens of Dickinson county. Referred to the committee on fish and game.

Favoring a restoration of areas for game surplus and hunting. Yager, from the citizens of Dickinson county. Referred to the committee on fish and game.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 342, a bill for an act making an appropriation to reimburse the City of Iowa City, Iowa, for expenditures made in paving streets in front of State owned property.

Also: That the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 355, a bill for an act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes, approved June 16, 1933, and commonly known as the "National Industrial Recovery Act."

BYRON G. ALLEN, *Secretary.*

Digitized by Google

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Koch of Bremer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 243, 297, 203, 308, 294 and 324.

WM. KOCH, *Chairman House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Weed of Madison, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files No. 352, 360, 329, 353, 342, and 357.

A. R. WEED, *Member House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills:

House Files No. 352, 360, 329, 342, 353, and 357.

Senate Files No. 243, 297, 203, 308, 294 and 324.

BILLS SENT TO THE GOVERNOR

Weed of Madison, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 12th day of March, 1934, sent to the Governor for his approval: House Files No. 352, 360, 329, 353, 342, and 357.

A. R. WEED, *Member.*

Report adopted.

On motion of McFarlane the House recessed until the fall of the gavel.

The House reconvened, Speaker Miller in the chair.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

Digitized by Google

February 25: House File No. 97.

March 6: House Files No. 350 and 292.

March 9: House Files No. 333, 344, 278, 324, 257, 231 and 343.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Frizzell, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 95, 68, 327 and 328.

J. W. FRIZZELL, *Member House Committee.*
HOMER HUSH, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House, announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files No. 95, 68, 327 and 328.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 14, relative to the sine die adjournment of the Forty-fifth General Assembly in Extraordinary Session.

BYRON G. ALLEN, *Secretary.*

SENATE AMENDMENT TO HOUSE CONCURRENT RESOLUTION NO. 14

Amend House Concurrent Resolution No. 14 by striking from lines three (3) and four (4) the words, figures and punctuation, "12 o'clock noon, Friday, March 9, 1934", and inserting in lieu thereof, the following: "5:30 o'clock post meridian, Monday, March 12, 1934".

McFarlane of Black Hawk called up the Senate amendment to House Concurrent Resolution No. 14 and moved that the House concur in the Senate amendment. Motion prevailed, and the House concurred.

McFarlane of Black Hawk moved that the vote by which the House concurred in the Senate amendment to House Concurrent

Digitized by Google

Resolution No. 14 be reconsidered and the motion to reconsider be laid on the table. Motion prevailed.

COMMITTEE TO NOTIFY GOVERNOR

Mitchell of Webster moved that a committee of three be appointed to notify the Governor that the House was ready to adjourn sine die. Motion prevailed and the Speaker appointed as such committee: Mitchell of Webster, Bonnstetter of Kossuth and Cunningham of Polk.

COMMITTEE TO NOTIFY SENATE

Malone of Cass moved that a committee of three be appointed to notify the Senate that the House was ready to adjourn sine die. Motion prevailed and the Speaker appointed as such committee: Malone of Cass, Fabritz of Wapello and Speidel of Washington.

The committees returned and reported that they had performed their respective duties. The committees were discharged.

MESSAGE FROM THE GOVERNOR

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FORTY-FIFTH GENERAL ASSEMBLY IN EXTRAORDINARY SESSION:

Your committee has just informed me that you are about to adjourn and have invited any message which I care to send.

May I not just repeat the final word I sent to you upon the occasion of the adjournment of the Forty-fifth General Assembly regular session, that in my opinion that session had enacted more constructive legislation than any previous one within the history of the state? With complete honesty I can say to you that I believe this Extraordinary session of the Forty-fifth General Assembly has upheld that record.

By legislative enactment we have started Iowa government down new trails and I am proud to have been a part of this breaking away from old worn-out traditions and practices. I predict that in years to come the members of the General Assembly which had to do with the enactment of the more important measures of this Special Session will be remembered with gratitude by Iowa citizenry.

Respectfully submitted,
CLYDE L. HERRING, *Governor.*

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

March 9: House Files No. 317, 151, 40, 347, 216, 289, 313, 140, 284, 295, 223, 185 and 135.

Digitized by Google

March 10: House Files No. 336, 146, 300, 296, 346, 349, 269, 232, 236, 304, 334, 178, 35, 281 and 358.

March 12: House Files No. 357, 342, 360, 329, 353 and 352.

A committee from the Senate appeared and notified the House that the Senate was ready to adjourn sine die.

The hour of 5:30 o'clock p. m., March 12 having arrived, Speaker Miller declared the House of Representatives of the Forty-fifth General Assembly in Extraordinary session adjourned sine die.

Digitized by Google

Digitized by Google

IN MEMORIAM

House of Representatives

Memorials adopted by the House of Representatives of the Forty-fifth General Assembly in Extraordinary Session regarding departed members:

THOMAS F. GRIFFIN	Apr.	19,	1865-	Apr.	21, 1933
WILLIAM E. HAGER	Mar.	9,	1866-	Sept.	1, 1933
TIMOTHY P. HARRINTON	Dec.	17,	1867-	May	17, 1933
BRUCE R. MILLS	Jan.	28,	1867-	Oct.	1, 1933
HENRY N. NEWELL	Nov.	8,	1855-	July	21, 1932
CLIFFORD B. PAUL	June	9,	1877-	May	22, 1933
FRANK S. PAYNE	Aug.	16,	1869-	Apr.	13, 1933
BOYD F. READ	Dec.	25,	1865-	Apr.	21, 1933
DALLAS D. RORICK	June	18,	1884-	July	29, 1933
WILLIS H. THORNILEY	Oct.	29,	1841-	Feb.	1, 1928
G. S. TOLIVER	Feb.	11,	1840-	Oct.	24, 1933
HARRY O. WEAVER	Apr.	20,	1866-	May	27, 1933
FRED B. WITT	July	24,	1884-	Feb.	28, 1934

Digitized by Google

JOURNAL OF THE HOUSE

MEMORIALS

HONORABLE THOMAS F. GRIFFIN

MR. SPEAKER: Your committee appointed to prepare suitable resolution commemorating the life, character and public services of the Honorable Thomas F. Griffin, a former member of the General Assembly of Iowa, beg leave to submit the following:

Thomas F. Griffin was born on a farm in Howard county, Iowa, April 19, 1865. He died at his home in Sioux City, April 21, 1933. His parents were among the early settlers in Howard county having come to that locality in the early 50's. He was educated in the common schools, and also taught several terms of school. He studied law at the University of Notre Dame and graduated from that institution in June, 1888. He was admitted to the bar in October of the same year, and was engaged in the practice of law in Sioux City since that time. He was a Republican in politics and was elected Representative in 1912. He served in the Thirty-fifth, Thirty-sixth, Thirty-seventh and Thirty-eighth General Assemblies. He was a great worker in the Knights of Columbus, having served as State Deputy and in other high offices in that order. In 1891 he was married to Miss Rose Hartnett.

He leaves his wife and two sons, numerous relatives and hosts of friends to mourn his departure. His remains now rest in Mount Calvary Catholic Cemetery in Sioux City.

Therefore, Be It Resolved by the House of Representatives of the Forty-fifth General Assembly in Extraordinary Session, That in the passing of the Honorable Thomas F. Griffin the state has lost an honored and valuable citizen, a man of high ideals in brotherly living and useful citizenship.

Be It Therefore Resolved, That a copy of these resolutions be spread upon the Journal of the House and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

F. J. MCCARTHY
JAMES BURGESS
JOHN H. MITCHELL
Committee

Unanimously adopted, March 7, 1934.

HONORABLE WILLIAM E. HAGER

MR. SPEAKER: Your committee appointed to prepare suitable resolution commemorating the life and service of the Honorable W. E. Hager, begs leave to submit the following memorial:

Digitized by Google

William E. Hager was born in Washington, Tazwell county, Illinois, March 9, 1866. He died at Long Beach, California, September, 1933.

He was the youngest of a family of twelve children and came to Iowa with his parents when only six weeks old. The family lived in Waterloo for two years and then moved to a farm west of La Porte City.

His education was secured largely by his own efforts, and through local schools until he graduated when seventeen years old. He taught school for one year, then entered Cornell College, Mt. Vernon, Iowa, where he graduated in 1888 with the degree of A. B., and in 1891 he was accorded the degree of A. M.

He was superintendent of the La Porte City schools for two years, and, for the same period, superintendent of the Waterloo Commercial College. With it all he studied law, was active in politics, chairman of the Republican County Central Committee, and was a successful candidate for the Iowa House of Representatives, elected in 1896, serving two terms and was Speaker Pro tem of the House of the Twenty-seventh General Assembly. After completing his legislative term he was admitted to the bar in 1899 and practiced law, very successfully in La Porte City for many years.

In 1902 he was married to Miss Jennie E. Geir of La Porte City, who is left to mourn his death. For several years just preceding his death, the deceased and wife made their home in Long Beach.

Mr. Hager was well and favorably known in the lecture field, and his authorship brought him into prominence. One of his best and most popular lectures was "The Way to Look at Things." All through his life he looked the right, the best, and most honorable way.

Therefore, Be It Resolved by the House of Representatives of the Extraordinary Session of the Forty-fifth General Assembly of the State of Iowa, That the foregoing memorial be adopted as its appreciation of the life and public service of the Honorable W. E. Hager.

Be It Further Resolved that a copy of these resolutions be spread upon the records of the house and an enrolled copy thereof be sent to the family of the deceased.

ARCH W. MCFARLANE
E. M. LICHTY
E. O. WIEBEN
Committee

Unanimously adopted, March 7, 1934.

HONORABLE TIMOTHY P. HARRINGTON

MR. SPEAKER: Your committee appointed under Resolution No. 10, to commemorate the life, character and services of the late Honorable Timothy P. Harrington, a former member of this House, begs leave to make the following memorial:

Timothy P. Harrington was born at New Diggings, Wisconsin, December 17, 1867. When a small boy, the Harrington family moved to Wright county, Iowa, where Mr. Harrington grew to manhood.

Digitized by Google

He was educated in the country school and in the Clarion High School. Later he attended the Cedar Rapids Business College and then spent five years on his father's farm. He then attended the State University Law School and was graduated in June, 1899.

In the fall of 1899 he formed a law partnership with Lester J. Dickinson, present senior United States Senator from Iowa, and located at Algona. This partnership continued nominally at least until his death. Mr. Harrington died at his home in Algona with that dread disease, cancer, May 17, 1933.

Mr. Harrington was a man of splendid personality. He was always interested in public affairs, and had the courage of his convictions. His popularity is evidenced by his being made for twenty years, member of the Algona school board. He served for many years on the Library board and City Council. He served as County Attorney of Kossuth county for several terms.

In 1916 Mr. Harrington was elected to the Iowa House of Representatives and served two terms. As member of the House he served as chairman of the Judiciary Committee. He, with J. B. Weaver, led the fight for the ratification of the Eighteenth Amendment to the Constitution of the United States.

Mr. Harringon had much following as candidate for Attorney General and again as candidate for Governor in 1922. Few men had stronger and warmer friends. Few men were more generally beloved by those who knew him best. In his passing, Kossuth county and Iowa lost one of its foremost, valued and popular citizens.

Therefore, Be It Resolved, That these resolutions be printed in the records of the House and a copy of same be sent to his family.

A. H. BONNSTETTER,
R. E. LEE ALDRICH,
S. B. DURANT,
Committee.

Unanimously adopted, March 7, 1934.

HONORABLE BRUCE R. MILLS

MR. SPEAKER: Your committee, appointed to prepare suitable resolutions commemorating the life and service of the Honorable Bruce R. Mills, late of Harrison county, Iowa, beg leave to submit the following memorial:

Bruce Reese Mills was born in Bushnell, Illinois, January 28, 1867, and departed this life at his home in Woodbine, Iowa, October 1, 1933, at the age of sixty-six years.

He was united in marriage to Armetta D. Kirk, in 1899, and to this union were born five children. Two daughters, Carmeleta and Helen, preceded their father in death. Mrs. Carl W. Reed of Red Oak, and Ted and Paul at home with the wife and mother mourn his passing. Besides

Digitized by Google

the immediate family, he leaves two brothers, Gail of Lincoln, Nebraska, and March of Omaha, Nebraska, other relatives and a host of friends.

In 1897 he and his family moved to Woodbine where he engaged in the livestock and real estate business. This he followed until his appointment to the postmastership of the Woodbine office in 1907. He served in this capacity for nine years. After leaving the postoffice, he was elected to serve Harrison county as representative in the State Legislature. In this capacity he served two terms. In 1924 he was reappointed as postmaster and served in this office until his death.

Mr. Mills had the distinction of being appointed postmaster by four different presidents: Theodore Roosevelt, Taft, Harding and Coolidge. Besides these he served under three other presidents: Wilson, Hoover and Franklin Roosevelt.

Mr. Mills was a faithful public servant, always giving the best he had for the good of the greatest number of people. He was a kind and loving father, devoted to making his home life as comfortable and as happy as possible for those dependent upon him. He was a member of the Presbyterian church and gave of his time and substance unstintingly.

His lifework is finished; he has served his country well and has now gone to be with his God.

Therefore, Be It Resolved by the House of Representatives of the Forty-fifth Extra General Assembly of the State of Iowa, That the foregoing memorial be adopted as its appreciation of the life and character and public service of the Honorable Bruce R. Mills.

Be It Further Resolved, That these resolutions be spread on the records of this House and an enrolled copy thereof be sent to the family of the deceased.

R. G. MOORE,
WILLIAM THIES,
ED. RAWLINGS,
Committee.

Unanimously adopted, March 7, 1934.

HONORABLE HENRY N. NEWELL

MR. SPEAKER: Your committee, appointed to prepare memorial resolutions commemorating the life, character, and public services of the Honorable Henry N. Newell, a former member of the General Assembly of Iowa, begs leave to submit the following:

Henry N. Newell was born at North Dorchester, Middlesex, Ontario, Canada, on November 8, 1855, where he attended country school and received all of his early training. When he came to Iowa he engaged in farm work and continued his farming interests until his retirement.

In 1879, Mr. Newell was married to Eliza Demmary in Ontario and to this union two children, a daughter and a son, were born. Several years after the death of his first wife, he was married to Clemme White of

Digitized by Google

La Porte City on October 14, 1902. He died July 21, 1932, and was buried in the City Cemetery at Le Mars, Iowa.

Mr. Newell was always active in community and civic enterprises. He served as school director, justice of the peace, and township clerk and trustee while living on the farm. Later after he had retired, the people of Plymouth county recognized his worth and elected him as their representative to the Thirty-third and Thirty-fourth General Assemblies. He was a very able and extremely trustworthy representative, always trying to carry out the will of the people and locality which he represented. While serving as representative he was a member of the ways and means committee, chairman of the telegraph and telephone committee and held several other offices.

Mr. Newell was a devout member of the Methodist faith and a clean, upright man who served where he could to the very best of his ability.

Now, Therefore, Be It Resolved by the House of the Forty-fifth General Assembly, Extra Session, of the State of Iowa, That in the death of Henry N. Newell, the people of Plymouth county, and the people of the entire state of Iowa have sustained a great loss. Everywhere he was known as a man honored and trusted, a man of sterling quality and irreproachable character.

Be It Further Resolved, That a copy of these resolutions be printed in the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

GUSTAVE ALESCH,
A. H. BONNSTETTER,
T. G. JENSEN,
Committee.

Unanimously adopted, March 7, 1934.

HONORABLE CLIFFORD B. PAUL

MR. SPEAKER: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public services of the Honorable Clifford B. Paul, a former member of the General Assembly of Iowa, beg leave to submit the following:

Clifford B. Paul, age 55, one of Eastern Iowa's most prominent attorneys, was found dead in bed at his home at Anamosa, Iowa, on Monday, May 22, 1933. Although he had suffered from heart trouble for some time, he had not been seriously ill and his death was unexpected.

Mr. Paul served as county attorney of Jones county from 1925 to 1933 and in 1930 he was elected president of the Iowa Association of County Attorneys. He had the distinction of having served also as president of the State Association of County School Superintendents, having been a teacher and superintendent of Jones county schools previous to his law career. He was a member of the State House of Representatives from Jones county in the Thirty-second General Assembly.

Mr. Paul was born June 9, 1877, in Onslow, Iowa, the son of John and

Digitized by Google

Isabella Wherry Paul, pioneers of Jones county. He was a graduate from Wyoming High School and Lennox College. After teaching at Coggon, he was elected superintendent of schools of Jones county, serving seven years.

After reading law in Judge B. H. Miller's office here, he obtained his law degree at the University of Iowa, where he was a member of Phi Delta Phi legal and Sigma Alpha Epsilon social fraternities. He was admitted to the bar in 1908 and became a partner of Judge Miller.

Surviving are his widow, an adopted son, James, student at Coe College, a sister, Mary, teacher in Cedar Rapids, and two brothers, Dr. John D. of Anamosa and Harold Paul of Fort Madison. He was a republican, a member of the Masonic organizations here and of the Shrine Temple at Cedar Rapids.

Funeral services were held at the Congregational Church on Wednesday at 2:00 p. m., in charge of Rev. D. M. Beggs. The services were most appropriate with the reading of two selected poems, at the opening and closing of the services, with prayer and the reading of the Twenty-third Psalms, and the obituary by the pastor. Two solos, "Some Day He'll Make It Plain," and "Goin' Home," were rendered by Miss Lura Hanna.

The Masonic burial services, in charge of Jasper Ramsey of Cedar Rapids, were most impressively given at the grave at Riverside Cemetery where interment was made.

The large attendance at the funeral services, and the almost unlimited display of flowers were mute testimony to the love and esteem of many for the departed. Those who knew him, associated with him and worked with him are the better for having done so.

We shall all do well, those of us who go on from where Mr. Paul left off, if when our time arrives to take the journey he has taken, we can leave behind us the host of friends, the love, and the example of our departed.

In the passing of Clifford B. Paul, Anamosa and Jones county have lost one of their most upright and beloved citizens.

Therefore, Be It Resolved by the House of Representatives of the Forty-fifth General Assembly in Extra Session, That in the passing of the Honorable Clifford B. Paul, the state has lost an honored and valuable citizen, and we bear unanimous witness to his upright life, his exemplary character and honorable service to his state, his broadmindedness, wisdom, keen sense of justice, fidelity and honesty. In the years of his service as an official, his conduct was exemplary in every respect. This is the record that we commend and honor today.

Be It Therefore Resolved, That a copy of these resolutions be spread upon the Journal of the House and that the Chief Clerk be directed to forward an enrolled copy to the widow of the deceased.

THOMAS STIMPSON,
GEO. M. SCHLATTER,
E. A. JOHNSON,
Committee.

Unanimously adopted, March 7, 1934.

Digitized by Google

HONORABLE FRANK S. PAYNE

MR. SPEAKER: Your committee appointed to prepare memorial resolution commemorating the life, character and public services of the Honorable Frank S. Payne, former member of the House of Representatives from Appanoose county, Iowa, beg to submit the following memorial:

Hon. Frank S. Payne, son of the late Chas. W. Payne, was born on a farm near Mt. Pleasant, Iowa, August 16, 1869. After graduating from high school at Bushnell, Illinois, at the age of 16 years, he entered Iowa Wesleyan College at Mt. Pleasant, Iowa, where he graduated in 1892. He also graduated from Northwestern University Law School in 1894 and was admitted to the bar in Iowa and Illinois. He located for practice in Centerville, Iowa, in the same year.

Mr. Payne took great interest in public affairs, serving two terms in the Iowa legislature, just twenty years after his father had filled the same office. He was a member of the Presbyterian church, Masonic Lodge, Elks, Kiwanis Club, Country Club, Des Moines Club, Association of Commerce, City Council, always taking the leading part in any useful undertaking for his town, state and country. He was always willing to give a helping hand to the distressed and needy and gave council liberally to many unfortunate people.

He was urged to be a candidate for Congress by many friends. These were refused for he did not cherish honor as much as service. He was chosen as one of the fifty most influential men in Iowa. His most noteworthy business connection has been with the development of the Iowa Southern Utilities Company. He became attorney for the small company, operating the gas plant in Centerville, Iowa, early in his legal career. In 1902, he was elected president of the Citizens Electric Light & Gas Company, which was then directed by the Campbell interests. That year the company purchased the horse car line and built the electric railway in Centerville. Electric cars were put in operation in November, 1902.

From president of the small Electric Light & Gas Company, in 1902, then was added the City Street Car System of Centerville, and electric cars replaced the old horse car line.

In 1905 the company became the Centerville Light & Tractor Company, with Mr. Payne continuing as its president.

In 1909, Mr. Payne, together with Mr. D. C. Bradley of Centerville, Iowa, began a great expansion movement. First was the building of the Mystic Interurban Line. In 1914, they bought the old rail line to Albia and electrified it, and built a transmission. He was largely instrumental in 1924 in effecting consolidation of three banks which now exist as the Centerville National, of which he was president throughout that period. He also was an active factor in organizing and developing the Pure Ice Company, and the Centerville Clay Products Company, of which he was president. He also served as attorney for the C. B. & Q. Railway.

In 1916, Mr. Payne sold his interests to D. G. Fisher Company of Davenport, and had no further official relation with the company, only in the advisory capacity. In 1923, he again became vice president and general counsel and continued in this capacity until his death. The company ex-

Digitized by Google

panded until now it serves twenty counties and one hundred and forty-five towns, and is recognized as one of the leading utilities companies of Iowa. This stands as a monument of the vision and courage of Frank S. Payne in building for his city and nation, one of the great industries so much needed in our modern civilization.

Mr. Payne was married to Miss Grace Dixon in 1896. He leaves to mourn him, Mrs. Payne; an older brother, Clyde W. Payne of Chicago, Illinois, and a sister, Mrs. Arthur Beck of Ottumwa, Iowa. Another sister, Mrs. Blanche Dutton, passed away some years ago. Mr. Payne was a man who, despite all his business responsibilities, took a great delight in his home and relations.

He enjoyed the family gatherings, the younger folks of his own relationship and of the families of friends. This truly great life shall not be forgotten by his relatives, friends and associates.

Now, Therefore, Be It Resolved by the House of Representatives of the Forty-fifth General Assembly of Iowa in Extraordinary Session, That in the death of Frank S. Payne, the people of Appanoose county, and the people of the entire state of Iowa have sustained a great loss. Everywhere he was known as a man honored and trusted, a man of sterling quality and irreproachable character.

Be It Further Resolved, That a copy of these resolutions be printed in the Journal of the House and a copy hereof be transmitted to the widow.

FOREST DAVIS,
DEWEY E. GOODE,
M. C. FALVEY,
Committee.

HONORABLE BOYD F. READ

MR. SPEAKER: Your committee, which was appointed to prepare suitable resolutions in commemoration of the life, character and services of the Honorable Boyd F. Read, begs leave to submit the following report:

Boyd F. Read was born on a farm near New Virginia, Warren county, Iowa, on Christmas day, 1865. He was the son of pioneer settlers of Virginia township, and he spent his entire life of sixty-seven years in this same vicinity. His death was preceded by several months' serious illness and suffering and the end came while he was a patient at the State Hospital at Iowa City.

In 1894 he was united in marriage to Estella Strock of New Virginia. To this union were born five children, one having died in 1924, and the others and six grandchildren all reside in the vicinity of New Virginia. His widow and two brothers also survive.

In 1912, Mr. Read united with the M. E. Church, and always assumed his full share of the activities and responsibilities of the church as well as teaching a Sunday School class, and holding some official position in the church.

Mr. Read was always very public spirited and gave liberally of his time

Digitized by Google

and ability in promoting good schools, and improved methods of farming and live stock growing. As a member of the Forty-third General Assembly, he well reflected the high ideals of the residents of Warren county. He was a large, fine looking man, but his friendliness and cheerfulness of disposition always impressed those who knew him best. This trait of radiating happiness and cheerfulness was apparent even to his final sick bed.

Be It Resolved by the House of Representatives of the Forty-fifth General Assembly in Extraordinary Session, That in the passing of the Hon. Boyd F. Read the state has lost a faithful servant and valuable citizen, a man of high ideals in living and citizenship, and

Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

VICTOR FELTER,
M. R. STANSELL,
A. R. WEED,
Committee.

Unanimously adopted, March 7, 1934.

HONORABLE DALLAS D. RORICK

MR. SPEAKER: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public services of the Honorable Dallas D. Rorick, a former member of the General Assembly of Iowa, beg leave to submit the following:

Dallas D. Rorick, a long time resident of Jones county, died at Monticello, July 29, 1933, after a few days' illness, at the age of 87 years, 1 month and 11 days. He was born in Franklin county, Ohio, June 18, 1844, the son of G. H. and Julia F. Rorick. He came with his parents, when a small boy, to Iowa and first settled on the farm known as the Rorick farm near Oxford Junction. The first home was a log house. He resided in Oxford Junction during the early part of his life, and later removed to Miller, South Dakota, where he resided for seven years, engaging in the practice of law.

On his return to Iowa he settled at Oxford Junction, where he practiced law until about seventeen years ago when he moved to Monticello and practiced law continuously until his death.

He was married to Martha Jane Hammond at Oxford Junction, to which marriage Julia Anna Rorick was born. She is the only survivor. She resides in Minneapolis, and was present at the funeral.

Mr. Rorick was a member of the Jones County Bar Association and the Iowa State Bar Association. He served Clinton county in the State Legislature during one session. He was the oldest law practitioner in Jones county at the time of his death. Although in failing health for some time, he did more or less legal business for some of his old-time friends during

Digitized by Google

the time he lived at Monticello. He was always faithful to his clients, and was esteemed as a good citizen. He was an attendant at the Presbyterian church.

The funeral was held at the Presbyterian church, the services being conducted, in the absence of the pastor, by Rev. Roy V. Porter of the Methodist Episcopal Church. Burial was made on the family lot in the Oxford Junction cemetery.

Therefore, Be It Resolved by the House of Representatives of the Forty-fifth General Assembly in Extra Session, That the foregoing memorial be adopted as its appreciation of the life and character and public service of the Honorable Dallis D. Rorick. Everywhere he was known as a man honored and trusted, a man of sterling quality and irreproachable character.

Be It Therefore Resolved, That a copy of these resolutions be spread upon the Journal of the House and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

J. H. THIESSEN,
MILTON PEACO,
THOMAS STIMPSON,
Committee.

Unanimously adopted, March 7, 1934.

HONORABLE WILLIS HALL THORNILEY

MR. SPEAKER: Your committee, appointed to prepare resolution commemorating the life of the Honorable Willis Hall Thorniley, beg leave to submit the following report:

Willis Hall Thorniley was born near Marietta, Ohio, in 1841. He departed this life in 1928. His parental great-grandfather was born in England, coming to America in 1795. The family settled in Marietta township, Washington county, Ohio, where six generations of Thornileys have or are living.

"Wick," so he was known to his friends, was attending school in Marietta when the war of the states developed. Putting aside his books he joined Colonel Hindebrand's regiment, Company 77, O. V. I. He saw three years of service, being engaged in numerous battles. At Shiloh his life was probably saved by a full cartridge box which took the force of the bullet that struck him. Recovering from the wound at Shiloh, he was transferred to Arkansas, where he served until the end of the war.

Returning to his home, he engaged in farming, which occupation he continued to the end of the road. He married Miss Minerva A. Beswick in September, 1869, who with the following children, survives: Paul Van and Thomas B. of Seattle, Washington; Willard J. of Newport Pike, Ohio; Mrs. Frances Seares of Roxana, Texas, and John L. of Marietta, Ohio.

In the early eighties he and his family moved to Van Buren county, Iowa, where he continued his occupation of farming and stock raising.

Digitized by Google

In 1888 he was elected representative of his adopted county, and served in the Twenty-second General Assembly with distinction. Upon his retiring from office, he returned to his native land where he spent his last thirty years.

Always interested in public affairs, Mr. Thorniley took to his home in Ohio the mutual insurance idea recently developed in Iowa, and organized the Washington County Mutual Insurance Company, being an officer in the company to his death. He also helped to organize The Ohio Valley Farmers' Club, and for many years was a trustee of the Washington County Children's Home.

Mr. Thorniley had a wonderful mind for details, traveled extensively and had a fund of knowledge acquired by few men. He enjoyed a joke, was a good story teller, and was always popular in any assemblage.

Therefore, Be It Resolved by the House of Representatives of the Forty-fifth General Assembly, in Extra Session, That in the loss of Willis Hall Thorniley, the state and humanity in general lost an honored and valued citizen, a man of high ideals and a man of real worth.

Be It Further Resolved, That a copy of this memorial be spread upon the Journal of this House, and that the Chief Clerk be instructed to send an enrolled copy to each member of the family of the deceased.

C. L. BESWICK,
J. WILBUR DOLE,
WM. PAISLEY,
Committee.

Unanimously adopted, March 7, 1934.

HONORABLE G. S. TOLIVER

MR. SPEAKER: Your committee, appointed to prepare suitable resolutions commemorating the life and service of the Honorable G. S. Toliver, late of Greene county, Iowa, beg leave to submit the following memorial:

G. S. Toliver was born in Owen county, Indiana, on February 11, 1840. His parents left Indiana in a covered wagon, pulled by a yoke of oxen, in the year 1848, with their five children and finally settled in Iowa, being the tenth family to make their home in Greene county.

His early education consisted mostly of attendance of winter terms. In 1860 he walked to Ottumwa to take an examination that would enable him to teach. After teaching in Wapello county for one year he spent a few months at Western College previous to entering the army. He served one year, then being discharged for disability. In 1862 he pursued a literary course at the Iowa State University, and then went to Ann Arbor, Michigan, where, for a short period he studied law. He then served two years as Greene county surveyor, one term as county treasurer. In 1869 he was elected to the Thirteenth General Assembly of Iowa, of which he was the last surviving member. He formed his law partnership with John J. Russell in the year 1870, this continuing until the death of Mr. Russell in 1901.

Digitized by Google

In 1873 he was wedded to Miss Belle Blake, and to them were born two daughters, now Mrs. Iris Milligan of Jefferson, and Mrs. Portia Goke of Cordell, Oklahoma. Mrs. Toliver passed away in January, 1909.

Mr. Toliver was a typical product of his day and generation, representing the best type of the sons and daughters of the early pioneers who made a valuable contribution to Iowa history. He was one of nature's noblemen, honest, broadminded, clean and square. He was possessed of more than ordinary abilities as an attorney, and had an exalted idea of the obligations of his profession. To all of his public services and to all of his private affairs he brought the same character and fine regard for the highest ethics of his profession.

Mr. Toliver passed away on October 24, 1933, and was buried under direction of the Masonic Order.

Therefore, Be It Resolved by the House of Representatives of the Forty-fifth General Assembly, Extra Session, of the State of Iowa, That the foregoing memorial be adopted as its appreciation of the life and public service of the Honorable G. S. Toliver.

Be It Further Resolved, That a copy of these resolutions be spread upon the records of this House, and an enrolled copy sent to the family of the deceased.

S. B. CROUCH,
EARL M. DEAN,
ROY J. SOURS,
Committee.

Unanimously adopted, March 7, 1934.

HONORABLE HARRY OTIS WEAVER

MR. SPEAKER: The committee appointed to prepare resolutions commemorating the life, character and service of the Honorable Harry Otis Weaver, former Representative from Louisa County, Iowa, begs leave to submit the following resolution:

Harry Otis Weaver was born in Louisa county, Iowa, on April 20, 1866, the son of Erastus Weaver and Mary Marshall Weaver. He was a direct descendant of John Marshall, Chief Justice of the United States.

He was educated in the Academy at Columbus Junction, Iowa, and afterwards attended the University of Iowa, where he graduated in 1892 from the Liberal Arts College, and in 1893 from the Law School. After his graduation, he commenced the practice of law at Wapello, Iowa, where he spent the remainder of his life.

On October 6, 1896, he was united in marriage to Alma A. Neuse of Centerville, Iowa, who with a son William Otis Weaver, survives him.

Mr. Weaver's great abilities manifested themselves in many activities of life. He was one of the leaders of the bar of southeastern Iowa. He served in the State Legislature for two years, being first elected in 1894 and again in 1896. For three consecutive terms he served as Chairman of the Republican State Central Committee. In July, 1902, he was ap-

Digitized by Google

pointed by President Roosevelt as Collector of Internal Revenue, which position he held for eleven years. He became a national figure in Republican politics, and though many times urged to become a candidate for high political office, found a greater expression of service in his party leadership and championship in the campaigns of others.

For many years Mr. Weaver was a very prominent landowner, and cattle breeder. At one time he owned one of the most famous herds of Shorthorn cattle in the state, and served as president and as director of the National Shorthorn Breeders Association.

One of the great pleasures and services of Mr. Weaver's life was his activity in connection with the State Fair, having served as a director of this institution for many years.

Mr. Weaver was also intensely interested in many other state institutions. He served for one year as president of the Alumni Association of the State University, and has at all times been a supporter of the State Historical Society. During the World War he was chairman of patriotic and relief work of his county, and gave the utmost of his time and energy. He was an active member of the state and national bar association. For many years he was recognized in Who's Who in America, as one of the leading citizens and statesmen of Iowa.

He was the most companionable of men. His solicitude for the happiness of others knew no bounds. He gave all and asked nothing in return. He loved to be of service. His smile was always the signal of good cheer. He was a gracious leader. To his close friends he will always be remembered affectionately as "The Colonel."

His generosity and benevolence were never advertised. Born and reared in humble circumstances in a family of pioneers, the son of a Civil War veteran, he was a patriot in all that the word means to a heart that instinctively thrills at the sight of the flag, that leaps to the sound of the fife and drum, that responds without reservation to the call of his country.

He got his joys from the simple things of life. His love of nature was a thing of beauty. To see him with a homeless little bird in his hands was to catch a vision of something noble in his gentleness. In the trees, the vines and the grasses of the fields which he knew so well, he found the language that expressed the eternal plan.

His last years were spent amidst adversity and disappointments, amidst crumbling plans and a changing world. Yet, through it all he maintained the sweetness of his nature, and clung to his inherent faith in mankind. He had the courage of a warrior to accept the responsibility for his life. His misfortunes were not blamed upon others.

Therefore, Be It Resolved, That in the passing of the Honorable Harry Otis Weaver, the state of Iowa has lost a valued and honored citizen, and a man of great character and worth, and the House of Representatives of Iowa, by this resolution, tenders its sympathy to his widow and surviving family.

Be It Further Resolved, That a copy of this resolution be spread upon the Journal of the House of Representatives, as an expression of the

Digitized by Google

life and worth of Harry Otis Weaver, and that an enrolled copy of this resolution be transmitted to his wife and family.

JOHN J. JENKINS
JOHN SPEIDEL
H. N. HANSON
Committee

Unanimously adopted, March 7, 1934.

HONORABLE FRED B. WITT

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and public service of the Honorable Fred B. Witt, late of Butler county, Iowa, and a member of the House of Representatives in the Forty-fourth General Assembly, beg leave to submit the following:

Fred B. Witt was born at Grand Forks. North Dakota, July 24, 1884. He accompanied his parents to Shell Rock in 1900, where he was engaged as a partner with his father in newspaper work. Later in life he entered into mercantile pursuits, having been in the lumber, coal, and grain business. On June 10, 1908, he was married to Laura Mansfield who survived her husband but a few minutes. They leave to mourn two sons, Mansfield and Richard. Mr. Witt's mother passed away but a few weeks ago. Mr. Witt was a member of the Knights of Pythias, A. F. & A. M., R. A. M., Commandery and Shrine. He also served on the board of education and was a member of the Butler County Republican Central Committee, having served as chairman of that body for a number of years. Mr. Witt was instantly killed in an automobile accident while returning from a lumbermen's convention at Des Moines, on the evening of February 28, 1934, therefore:

Be It Resolved, That in the death of Mr. Witt, the city and state has lost a loyal and honorable citizen, and that we extend to his relatives and friends our sincere sympathy, and

Be It Further Resolved, That this resolution of respect and appreciation be printed in the Journal of the House and an engrossed copy of the same be sent to the bereaved sons.

ADA GARNER
ROY J. SOURS
ARCH W. MCFARLANE
Committee

Unanimously adopted, March 7, 1934.

Digitized by Google

HISTORY OF HOUSE BILLS IN HOUSE

HOUSE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

1, 6, 8, 17, 21, 23, 28, 35, 38, 39, 40, 44, 49, 56, 69, 75, 77, 84, 86, 87, 89, 94, 97, 98, 106, 111, 112, 114, 115, 116, 118, 122, 134, 135, 140, 141, 146, 151, 160, 165, 166, 178, 179, 185, 188, 193, 194, 209, 210, 216, 223, 224, 231, 232, 235, 236, 257, 264, 265, 268, 269, 271, 274, 275, 278, 281, 284, 289, 290, 291, 292, 295, 296, 297, 299, 300, 304, 307, 308, 309, 310, 311, 312, 313, 316, 317, 318, 320, 321, 323, 324, 326, 327, 328, 329, 330, 331, 333, 334, 336, 342, 343, 344, 346, 347, 349, 350, 352, 353, 357, 358, 360.

RECORD OF EACH HOUSE BILL

H. F. Page

1 By Dean, Fabritz, Grau, Mercer, Rice, Speidel. Taxation, retail sales, income tax.
Introduced, passed on file..... 21
Referred 47
Withdrawn, placed on calendar. 725
Amendment filed 728
Amended 828-854, 855
Action deferred 855
Amendments filed 855, 856, 857
Amended 865, 866
Amendment withdrawn 866
Amendments withdrawn 870
Amended 870, 872
Motion to reconsider filed ..873, 874
Amendments filed 874, 875-884
Amendments withdrawn 886, 887
Amended 886, 887
Amendment lost 889
Motion to reconsider prevailed.. 890
Amendment withdrawn 890
Amended 890
Motion to reconsider prevailed.. 891
Amendment withdrawn 891
Amended 891, 897
Amendments filed 898-911
Substitute amendment offered 915-923
Amended 924
Substitute amendment lost..... 925
Amendment lost 926
Amended 927
Passed: ayes 91, nays 14..... 930
Title amended 931
Received back 1057
Refused to concur.....1064
Senate insistence received.....1095
Conference committee appointed 1095
Conference committee report....1191
Report adopted 1198
Received back 1233
Reported enrolled 1355
Signed by Speaker.....1355
Sent to Governor.....1355
Signed by Governor.....1433

2 By Burgess, Motor vehicle fees.
Introduced, passed on file..... 21
Referred 47
Called in under rule 58..... 179
Rereferred 187
Withdrawn 279

3 By Gallagher. Nomination of candidates for public offices.
Introduced, passed on file..... 25
Referred 47
Called in under rule 58..... 179
Rereferred 187
Recommended indefinite postponement 226
Withdrawn 472

H. F. Page

4 By Durant. Refund on poll taxes.
Introduced, passed on file..... 26
Referred 48
Amendment filed 101
Recommended indefinite postponement 103
Withdrawn 168

5 By Johnson. Entering of judgment in certain cases.
Introduced, passed on file..... 26
Referred 48
Recommended passage 134
Passed; ayes 72, nays 25..... 154

6 By Johnson. Remission of taxes in case of loss.
Introduced, passed on file..... 26
Referred 48
Recommended passage 99
Amendment filed 100
Amended 106
Passed; ayes 74, nays 20..... 106
Received back 584
Reported enrolled 599
Signed by Speaker..... 599
Sent to Governor..... 599
Signed by Governor..... 675

7 By Johnson. Naprapathy.
Introduced, passed on file..... 26
Referred 48
Called in under rule 58..... 179
Recommended indefinite postponement 183
Rereferred 221
Withdrawn from committee, placed on calendar..... 408
To steering committee..... 977

8 By Paisley. Legalizing act.
Introduced, passed on file..... 26
Referred 48
Called in under rule 58..... 179
Rereferred 187
Recommended passage..... 230
Passed; ayes 91, nays 0..... 364
Received back 970
Reported enrolled 989
Signed by Speaker..... 989
Sent to Governor.....989
Signed by Governor.....1018

9 By Gissel. Employment of county engineer.
Introduced, passed on file..... 26
Referred 48
Called in under rule 58..... 179
Rereferred 187
Withdrawn from committee, placed on calendar..... 405
To steering committee..... 977

Digitized by Google

H. F. Page

10 By Avery and Yager. Motor vehicle license fees.
Introduced, passed on file..... 26
Referred 48
Called in under rule 58..... 179
Rereferred 187
Withdrawn 279

11 By Fabritz. Sale in Iowa of prison made goods.
Introduced, passed on file..... 27
Referred 48
Called in under rule 58..... 179
Rereferred 187
Redrafted 314
Recommended passage 501
To steering committee..... 977

12 By Mooty. Speed of motor vehicles.
Introduced, passed on file..... 27
Referred 48
Recommended indefinite postponement 134
Report adopted 351

13 By Avery and Yager. License fees for trucks with pneumatic tires.
Introduced, passed on file..... 27
Referred 48
Called in under rule 58..... 179
Rereferred 187
To steering committee..... 977

14 By Committee on Judiciary No. 1. Defining the term "search warrant."
Introduced, referred 48
Recommended passage 160
Passed; ayes 80, nays 1..... 203

15 By Committee on Judiciary No. 2. Inurement of policies of insurance.
Introduced, referred 49
Recommended passage 158
Passed; ayes 82, nays 0..... 204

16 By Committee on Judiciary No. 1. Traffic rules on streets and highways.
Introduced, referred 49
Called in under rule 58..... 179
Rereferred 187
Recommended passage 289
Passed; ayes 86, nays 8..... 392

17 By Committee on Judiciary No. 2. Lien of poll taxes and of taxes on personal property.
Introduced, referred 49
Recommended passage 158
Passed; ayes 87, nays 1..... 205
Received back 354
House refused to concur..... 384
Senate insistence received..... 542
Conference committee appointed 544
Conference committee report... 783
Report adopted 1129
Received back 1148
Reported enrolled 1161
Signed by Speaker.....1161
Sent to Governor.....1161
Signed by Governor.....1189

18 By Committee on Judiciary No. 1. Motor vehicles and the operation thereof.
Introduced, referred 49
Called in under rule 58..... 179

H. F. Page

Rereferred 187
Recommended passage 227
Action deferred 365
Passed; ayes 86, nays 0..... 376

19 By Committee on Judiciary No. 2. Filing of shorthand reporter's report.
Introduced, referred 50
Recommended passage 159
Passed; ayes 86, nays 0..... 206

20 By Committee on Judiciary No. 1. Salary of the superintendent of the hospital for epileptics and school for feebleminded.
Introduced, referred 50
Called in under rule 58..... 179
Rereferred 187
Recommended passage 574
To steering committee..... 977
Placed on calendar..... 988
Passed; ayes 89, nays 0..... 998

21 By Committee on Judiciary No. 2. Computation of tax rates.
Introduced, referred 50
Recommended passage 159
Amended 207
Passed; ayes 84, nays 1..... 207
Title amended 208
Received back 338
Refused to concur..... 350
Senate insistence received..... 542
Conference committee appointed 544
Conference committee report... 621
Report adopted 678
Received back 720
Reported enrolled 720
Signed by Speaker..... 720
Sent to Governor..... 721
Signed by Governor..... 746

22 By Committee on Judiciary No. 1. Investment of funds of fraternal beneficiary societies.
Introduced, referred 50
Called in under rule 58..... 179
Rereferred 187
Recommended passage 289
Passed; ayes 92, nays 0..... 393

23 By Committee on Judiciary No. 2. Secondary road construction fund.
Introduced, referred 50
Recommended passage 135
Passed; ayes 98, nays 0..... 167
Received back 482
Reported enrolled 507
Signed by Speaker..... 507
Sent to Governor..... 507
Signed by Governor..... 704

24 By Committee on Judiciary No. 1. Adoption of children.
Introduced, referred 51
Recommended passage 160
Passed; ayes 87, nays 0..... 208

25 By Committee on Judiciary No. 2. Filing of motions and hearing thereon in proceedings for judgments on motion.
Introduced, referred 51
Recommended passage 159
Passed; ayes 83, nays 0..... 210

Digitized by Google

H. F. Page

26 By Committee on Judiciary No. 1. Banks and loan and trust companies.
Introduced, referred 51
Recommended passage 134
Passed; ayes 98, nays 0..... 169

27 By Yager. Permit fees for beer sale in hotels.
Introduced, referred 51
Called in under rule 58..... 179
Rereferred 187
Recommended passage 322
Amendments filed 483, 492, 571
Action deferred 541, 959
To steering committee..... 977

28 By Yager. Executive council of the state to sell certain land.
Introduced, referred 51
Recommended passage 119
Amended 122
Passed; ayes 78, nays 5.. 122
Received back 546
Concurs in Senate amendments. 548
Reported enrolled 568
Signed by Speaker..... 568
Sent to Governor..... 569
Signed by Governor..... 599

29 By Hanson of Lyon. Liens on personal property.
Introduced, referred 52
Called in under rule 58..... 179
Rereferred 187
To steering committee..... 977

30 By Avery. Appointment of members of the general assembly to office.
Introduced, referred 52
Recommended indefinite postponement 160
Report adopted 351

31 By Gissel. Excise tax on oleomargarine.
Introduced, referred 52
Called in under rule 58..... 179
Rereferred 187
Recommended indefinite postponement 467
To steering committee..... 977

32 By Gissel. Definition of hotel.
Introduced, referred 52
Recommended indefinite postponement 159
Report adopted 351

33 By Goode. Motor vehicle fees.
Introduced, referred 52
Called in under rule 58..... 179
Rereferred 187
Withdrawn 279

34 By Goode. Nepotism.
Introduced, referred 52
Recommended amendment and passage 119
Amended 151, 152
Passed; ayes 81, nays 15..... 152

35 By Burgess. Liens for certain services of licensed veterinarians.
Introduced, referred 53
Called in under rule 58..... 179
Rereferred 187

H. F. Page

Recommended amendment and passage 322
Amendments adopted 962
Passed; ayes 76, nays 8 962
Received back 1526
House concurs 1532
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

36 By Burgess. Abolishing of municipal courts.
Introduced, referred 53
Recommended passage 114
Made special order..... 120
Amended 139
Failed to pass; ayes 38, nays 61. 141

37 By Mooty. License fees on motor vehicle trailers.
Introduced, referred 53
Called in under rule 58..... 179
Rereferred 187
Recommended passage 291
Amendment filed 345
Amendment lost 394
Passed; ayes 80, nays 12..... 394

38 By Johnson. Purchase of property by cities to erect buildings for police stations.
Introduced, referred 53
Considered by unanimous consent 67
Amended 67
Passed House; ayes 86, nays 4... 68
Received back 100
Reported enrolled 109
Signed by Speaker..... 109
Sent to Governor..... 109
Signed by Governor..... 143

39 By Yager. Posting of ordinances.
Introduced, referred 53
Recommended passage 114
Amended 115
Passed; ayes 83, nays 2..... 115
Received back 192
Reported enrolled 223
Signed by Speaker..... 223
Sent to Governor..... 223
Signed by the Governor..... 282

40 By Cunningham, Zylstra, McKinnon, Stimpson. Regulation of small loans.
Introduced, referred 53
Recommended passage 99
Action deferred 107
Amendment filed 116
Amended 127, 132
Passed; ayes 81, nays 20..... 132
Received back.....1355
Amendments filed 1366, 1367
Amended 1404
Motion to reconsider prevailed..1404
Amendment withdrawn 1404
Amended 1405, 1406
Concurs in amendments as amended 1406
Received back 1432
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

41 By Teter. Taxation of real estate.
Introduced, referred..... 54
Called in under rule 58..... 179

Digitized by Google

H. F. Page
Rereferred 187
To steering committee 977

42 By Roe and Mooty. Telephone service.
Introduced, referred 54
Called in under rule 58..... 179
Rereferred 187
Reported without recommendation 323
Action deferred 963
To steering committee..... 977

43 By Roe and Mooty. Telephone systems.
Introduced, referred 54
Called in under rule 58..... 179
Rereferred 187
Reported without recommendation 323
To steering committee..... 977
Withdrawn, placed on calendar.1031
Amended 1032
Passed; ayes 62, nays 34.....1032

44 By Garner. Legalizing act.
Introduced, referred 58
Recommended passage 134
Passed; ayes 83, nays 0..... 202
Proof of publication..... 215
Received back 276
Reported enrolled 302
Signed by Speaker..... 302
Sent to Governor..... 302
Signed by Governor..... 464

45 By Bowers. Liability insurance for employees operating state owned motor vehicles.
Introduced, referred 58
Recommended passage 183
Amendment filed 194
Amendments adopted 221
Action deferred 221
Amendments filed 257
Amendment lost 278
Passed; ayes 74, nays 25..... 278

46 By Avery. Bonds required for cigarette permits.
Introduced, referred 59
Recommended indefinite postponement 119
Rereferred 344
Recommended indefinite postponement 418
To steering committee..... 977

47 By Hopp, McFarlane. Trust funds set aside for the maintenance of burial places.
Introduced, referred 59
Recommended amendment and passage 239
Action deferred 391, 405
Amendment filed 415
Amendments substituted and adopted 426
Passed; ayes 84, nays 7..... 427

48 By McLean. Replacement and repair parts of machines and mechanical devices.
Introduced, referred 59
Recommended amendment and passage 161
Amendments adopted 211
Passed; ayes 81, nays 1..... 212

49 By McLean. Legalizing act.
Introduced, referred 59

H. F. Page
Recommended passage 135
Proof of Publication..... 142
Passed; ayes 94, nays 0..... 170
Received back 369
Reported enrolled 373
Signed by Speaker..... 373
Sent to Governor..... 373
Signed by the Governor..... 464

50 By Craven. Taxation of dogs.
Introduced, referred 59
Recommended indefinite postponement 309
To steering committee..... 977

51 By Humeston. Services by telephone companies to each other without discrimination.
Introduced, referred 60
Placed on calendar 336
Rereferred to telephones and telegraph 336
Withdrawn 680

52 By Dean. Ineligibility of members of the senate and house of representatives to hold certain offices.
Introduced, referred 60
Recommended indefinite postponement 161
Report adopted 351

53 By Wiese. Viaducts in cities.
Introduced, referred 60
To steering committee..... 977

54 By Wiese. Sale of nonintoxicating liquor.
Introduced, referred 60
Recommended indefinite postponement 467
To steering committee..... 977

55 By Fuester. Noxious weeds.
Introduced, referred 60
To steering committee..... 977

56 By Fuester. Refund on road poll taxes.
Introduced, referred 60
Amendments filed 100
Recommended passage 103
Amended 121
Passed; ayes 81, nays 0..... 121
Received back 593
Reported enrolled 599
Signed by Speaker..... 599
Sent to Governor..... 599
Signed by Governor..... 675

57 By Burgess, Malone and Swift. Gross income tax.
Introduced, referred 60

58 By Teter. Old age pension law.
Introduced, referred 61
Recommended indefinite postponement 184
To steering committee..... 977

59 By Craven. Replacement of losses of the county treasurer.
Introduced, referred 61
Placed on calendar 426
To steering committee..... 977

Digitized by Google

H. F. Page

60 By Craven. Abstracts of title prior to January 1, 1910.
Introduced, referred 61
Recommended indefinite postponement 161
Report adopted 352

61 By Metcalf. Permits for the construction of dams on nonnavigable streams.
Introduced, referred 62
Recommended passage 184
Made special order..... 221
Amended 232-244
Failed to pass; ayes 39, nays 66. 244

62 By Goode and Fabritz. Service rates of electric light and power companies.
Introduced, referred 62
Reported without recommendation 323
To steering committee..... 977

63 By Beswick. Payment of taxes without penalty.
Introduced, referred 70
Amendments filed 156
Recommended passage 162
Amendments lost 213
Failed to pass; ayes 31, nays 51. 213

64 By Hopp, Hanson of Lyon, Hanson of Winnebago. Interest on chattel loans up to $300.
Introduced, referred 70
Withdrawn 145

65 By Hanson of Lyon. Interest on the permanent school fund.
Introduced, referred 70
Recommended indefinite postponement 229
Rereferred 351
To steering committee..... 977

66 By Osborn. Annual levy of taxes.
Introduced, referred 71
Recommended indefinite postponement 162
To steering committee..... 977

67 By Schroeder and Dreessen. Apportioning cost of treatment of indigent persons at the hospital at State University.
Introduced, referred 71
Rereferred 145
Reported without recommendation 473
To steering committee..... 977

68 By Moore of Harrison. Limitation upon the size of school districts.
Introduced, referred 71
Recommended passage 196
Passed; ayes 96, nays 0..... 304

69 By Moore of Harrison. Location of depository banks.
Introduced, referred 71
Recommended passage 144
Passed; ayes 74, nays 15..... 173
Received back 541
Reported enrolled 543
Signed by Speaker 543

H. F. Page

Sent to Governor..... 543
Signed by Governor..... 599

70 By Foster and Alesch. Authorizing the Governor to declare an embargo on the shipment out of the state of any agricultural product produced in the state.
Introduced, referred 71
Recommended indefinite postponement 323
To steering committee..... 977

71 By Gallagher. Form in which bills shall be printed which amend sections of the code.
Introduced, referred 72
Recommended amendment and passage 290
Amendments adopted 395
Action deferred 395
Amendment filed 396
Amendment adopted 407
Passed; ayes 73, nays 15..... 407

72 By Gallagher. Relating to school age.
Introduced, referred 72
Recommended amendment and passage 309
Amendments adopted 432
Failed to pass; ayes 46, nays 53 432

73 By Donlon. Old age pension law.
Introduced, referred 72
Recommended indefinite postponement 184
To steering committee..... 977

74 By Durant and Foster. Payment of road poll tax.
Introduced, referred 72
Recommended amendment and passage 182
Amendments rejected 221
Passed; ayes 91, nays 10..... 222
Received back 745

75 By Smith. Transfer of funds in Cherokee county.
Introduced, referred 72
Proof of publication..... 224
Recommended passage 230
Passed; ayes 71, nays 24..... 365
Received back 685
Reported enrolled 697
Signed by Speaker..... 698
Sent to Governor..... 698
Signed by Governor..... 746

76 By Grau. Cost of contesting elections.
Introduced, referred 73
Recommended passage 226
Amendment offered 366
Action deferred 366
Amendment withdrawn 377
Amended 377
Passed; ayes 74, nays 26 378

77 By Cunningham, Millhone, Moore of Renton. Authorizing Mutual Insurance Companies other than life to establish a guaranty fund.
Introduced, referred..... 73
Recommended amendment and passage 183
Amendments adopted 279

Digitized by Google

H. F. Page
Passed; ayes 98, nays 2..... 280
Received back 338
House concurred 340
Reported enrolled 370
Signed by Speaker 370
Sent to Governor..... 370
Signed by the Governor..... 464

78 By Lookingbill, Rice. General executions for balance.
Introduced, referred 73
Recommended passage 229
Amended 312
Passed; ayes 94, nays 4..... 313

79 By Johnson and Mercer. Computation of workmen's compensation.
Introduced, referred 73
Recommended amendment and passage 418
To steering committee..... 977

80 By Bowers, Beath, Hook, Hultman, Thies, Hopp, Laughlin, McDermott, Malone. Killing of foxes.
Introduced, referred 94
Recommended amendment and passage 324
Amendment filed 484
To steering committee..... 977
Placed on calendar.....1035
Amended 1055
Passed; ayes 79, nays 14.....1055
Title amended 1056

81 By Dole. Regulating rates for telephones outside of cities and towns.
Introduced, referred 94
Recommended indefinite postponement 310
To steering committee..... 977

82 By Dole. Authorizing cities and towns to regulate telephone rates.
Introduced, referred 94
Recommended passage 196
Amendment filed 287
Amendment adopted 318
Amended 319
Failed to pass; ayes 49, nays 49. 340

83 By McKinnon, Fuester, Alesch, Zylstra. Extending the time in which answer may be made by defendant in real estate foreclosure actions.
Introduced, referred 94
Recommended passage 310
Amendment filed 320
Amendment adopted 356
Passed; ayes 87, nays 0..... 356

84 By Strachan. Transfer of funds in Humboldt county.
Introduced, referred 95
Recommended passage 227
Amendment filed 286
Amendment adopted 366
Passed; ayes 93, nays 0..... 367
Proof of publication..... 521
Received back 546
Reported enrolled 568
Signed by Speaker..... 568
Sent to Governor..... 569
Signed by Governor..... 599

H. F. Page
85 By Jensen, Yager, McKinnon. Creating a department of public works.
Introduced, referred 95
Recommended passage..... 399
Amendments filed 628, 785
To steering committee..... 977

86 By Peaco. Legalizing act.
Introduced, referred 96
Recommended passage 135
Proof of publication..... 142
Amended 170
Passed; ayes 83, nays 5..... 170
Received back 303
Reported enrolled 313
Signed by Speaker..... 314
Sent to Governor..... 357
Signed by Governor..... 464

87 By Committee on Banks and Banking. Capital stock of state and savings banks and trust companies.
Introduced, placed on calendar.. 96
Passed; ayes 90, nays 8..... 108
Received back 144
Refused to concur in part one of Senate amendments 147
Concurred in parts two and three of Senate amendments.. 148
Received back 155
Reported enrolled 167
Signed by Speaker..... 167
Sent to Governor..... 167
Signed by Governor..... 256

88 By Ryder. Redemption of real estate in foreclosure actions.
Introduced, referred 96
Recommended indefinite postponement 239
To steering committee..... 977

89 By Crouch. Legalizing act.
Introduced, referred 96
Proof of publication..... 223
Reported without recommendation 230
Amended 368
Passed; ayes 79, nays 13 368
Received back 784
Reported enrolled 783
Signed by Speaker..... 783
Sent to Governor..... 783
Signed by Governor..... 802

90 By Malone. Making permanent the temporary transfer of funds in Cass county.
Introduced, referred 103
Recommended passage 220
Proof of publication..... 238
S. F. 59 substituted..... 281

91 By Fuester. Expenses for the treatment of indigent persons.
Introduced, referred 103
Withdrawn 193

92 By Teter, Falvey, Craven, Augustine, Donlon, Davis, Doran, Gallagher, Goode, Mitchell, Gittinger, Millhone, Fabritz, Ostby. Preference for Iowa coal.
Introduced, referred 103
Recommended passage 120
Rereferred 153
To steering committee..... 977

Digitized by Google

H. F. Page

93 By McFarlane, Hultman, Brady, Lichty, Wolf, McDermott, Aldrich, Mooty, Bruce, Peaco, Bouska, Peet, Burgess, Ryder, Elliott, Stansell, Falvey, Fuelling, Stanzel, Schmitz, Grell, Swift, Hartman, Thiessen, Hough, Wiese. Gross income tax.
Introduced, referred 104

94 By Mercer. Compensation of employees in motor vehicle fuel tax division.
Introduced, referred 104
Recommended amendment and passage 324
Amendments adopted 534
Passed; ayes 63, nays 21..... 534
Title amended 535
Received back 1103
Reported enrolled 1113
Signed by Speaker.....1113
Sent to Governor.....1113
Signed by Governor.....1155

95 By Mercer. Men employed on switch engines.
Introduced, referred 104
Withdrawn 384

96 By Stanzel. Reduction in tax levy on real estate and personal property.
Introduced, referred 113
Recommended passage 346
Amendment filed 465
Amendment adopted 582
Passed; ayes 75, nays 8..... 582

97 By Hook. Protection of the permanent school fund.
Introduced, referred 114
Recommended passage 310
Amendment filed 396
Amended 433
Passed; ayes 92, nays 0..... 433
Received back 745
Refused to concur..... 934
Senate insistence received..... 970
Conference committee appointed 970
Conference committee report...1123
Adopted conference report.....1136
Received back 1208
Reported enrolled 1228
Signed by Speaker.....1229
Sent to Governor.....1229
Signed by Governor.....1555

98 By McCreery. Real estate brokers.
Introduced, referred 114
Recommended amendment and passage 228
Amendment adopted 386
Passed; ayes 88, nays 1..... 387
Received back 622
Concurred 1127
Reported enrolled 1149
Signed by Speaker.....1149
Sent to Governor.....1149
Signed by Governor.....1174

99 By Zylstra. Revenues from permit fees for sale of beer.
Introduced, referred 114
Recommended passage 162
Amended 219
Passed; ayes 88, nays 16..... 220

100 By Brady. Peddlers residing within the state.
Introduced, referred 120
To steering committee..... 977

H. F. Page

101 By Moore of Harrison. City aid in the purchase of land for state parks.
Introduced, referred 124
Recommended passage 228
Passed; ayes 86, nays 5..... 388

102 By Moore of Harrison. Obstructing natural water courses.
Introduced, referred 124
Recommended passage 226
Amendment offered 388
Action deferred 389
Amendment withdrawn 405
Amended 406
Passed; ayes 94, nays 0..... 406
Title amended..... 406

103 By Moore of Harrison. Collection of permit, license and inspection fees for the construction, maintenance or operation of dams.
Introduced, referred 124
To steering committee 977

104 By Moore of Harrison. United States authorized to acquire state lands for National Forests.
Introduced, referred 125
Withdrawn 471

105 By Ostby, Grell, Bouska, Lookingbill. Requiring licenses for stores.
Introduced, referred 125
Recommended indefinite postponement 325
Rereferred 375
Rereferred 404
To steering committee..... 977

106 By Koch. Legalizing act.
Introduced, referred 125
Proof of publication..... 224
Recommended amendment and passage 291
Amendment adopted 395
Passed; ayes 92, nays 0..... 395
Received back 541
Reported enrolled 543
Signed by Speaker..... 543
Sent to Governor..... 543
Signed by Governor..... 599

107 By Cunningham, Gallagher, Lookingbill, Frizzell. Gross sales tax.
Introduced, referred 125

108 By Hartman. Establishing armories by cities and towns.
Introduced, referred 135
Recommended passage 228
S. F. 65 substituted..... 375

109 By Dean, Sours. Fees charged by township clerks.
Introduced, referred 135
Recommended passage 325
To steering committee..... 977

110 By Wiese. Marking of milk bottles.
Introduced, referred 136
Recommended indefinite postponement 419
To steering committee..... 977

Digitized by Google

H. F. Page

111 By Committee on Judiciary No. 2. Warrants not paid for want of funds.
Introduced, placed on calendar. 136
Amendment offered 174
Action deferred 174
Amendments filed 194
Amended 217
Passed; ayes 99, nays 2..... 217
Received back 303
Concurred 361
Reported enrolled 373
Signed by Speaker..... 373
Sent to Governor..... 373
Signed by Governor..... 464

112 By Millhone, Speidel. Treatment of indigent persons.
Introduced, referred 136
Recommended amendment and passage 468
Made special order..... 477
Amendments filed 484, 491
Amendment withdrawn 507
Amendment lost 509
Amendments adopted 509
Passed; ayes 96, nays 2..... 513
Received back 1112
Reported enrolled 1131
Signed by Speaker.....1131
Sent to Governor 1131
Signed by Governor.....1162

113 By Foster, Brady. Salary reductions of deputy county officers.
Introduced, referred 136
Recommended indefinite postponement 310
To steering committee..... 977

114 By Jensen. Transfer of funds in Audubon county.
Introduced, referred 136
Proof of publication 286
Recommended passage 325
Amended 673
Passed; ayes 78, nays 6..... 674
Received back 1017
Reported enrolled 1027
Signed by Speaker..... 1027
Sent to Governor.....1027
Signed by Governor.....1043

115 By Treimer. Making permanent temporary transfer of funds in O'Brien county.
Introduced, referred 137
Proof of publication..... 224
Recommended passage 229
Passed; ayes 80, nays 9..... 390
Received back 685
Reported enrolled 697
Signed by Speaker..... 698
Sent to Governor..... 698
Signed by Governor..... 746

116 By Moore of Harrison. Making permanent temporary transfer of funds in Harrison county.
Introduced, referred 137
Proof of publication..... 224
Recommended indefinite postponement 228
Rereferred 240
Reported without recommendation 289
Passed; ayes 74, nays 7..... 409
Received back 950
Reported enrolled 956
Signed by Speaker..... 956
Sent to Governor..... 957
Signed by Governor..... 988

117 By Brady. Road poll tax.
Introduced, referred 148
To steering committee..... 977

118 By Garner. Transfer of funds in Butler county.
Introduced, referred 148
Recommended passage 229
Action deferred 391-405
Proof of publication filed..... 497
Passed; ayes 77, nays 4..... 520
Received back 745
Reported enrolled 746
Signed by Speaker..... 746
Sent to Governor..... 752
Signed by Governor..... 825

119 By Ryder. Compromise of taxes on real estate.
Introduced, referred 148
Recommended amendment and passage 399
To steering committee 977

120 By Ryder. Cities and towns to borrow funds from the FPWA.
Introduced, referred 148
Withdrawn 240

121 By Beswick. Passes to the Iowa State Fair.
Introduced, referred 148
Recommended indefinite postponement 326
To steering committee 977

122 By Committee on Banks and Banking. Issuance of preferred stock by banks and trust companies.
Introduced, placed on calendar. 149
Passed; ayes 88, nays 7..... 172
Received back 200
Concurred 215
Reported enrolled 223
Signed by Speaker..... 223
Sent to Governor..... 223
Signed by Governor..... 282

123 By Fuester. Repealing poll tax.
Introduced, referred 149
Recommended indefinite postponement 311
To steering committee..... 977

124 By Thies. Salaries of county officials.
Introduced, referred 149
Recommended passage 346
Amendment filed 371
To steering committee..... 977

125 By Aldrich. Making permanent temporary transfer of funds in Wright county.
Introduced, referred 150
Proof of publication..... 286
Recommended indefinite postponement 290
Report rejected 517
Passed; ayes 86, nays 6..... 519

126 By Yager. Costs of serving notices to redeem from tax sale.
Introduced, referred 165
Recommended indefinite postponement 419
To steering committee..... 977

Digitized by Google

H. F. Page
127 By Yager. Collection of costs of serving notice.
Introduced, referred 165
Recommended passage 291
Amendment filed 396
Amendment adopted 409
Passed; ayes 83, nays 1..... 410

128 By Gallagher. Soldiers' preference.
Introduced, referred 165
Recommended indefinite postponement 346
To steering committee..... 977

129 By Cunningham. Fire department maintenance levies.
Introduced, referred 165
Recommended passage 326
Amendment filed 498
S. F. 83, substituted..... 515

130 By Burgess. Judgment liens on real estate, rendered for violation of the liquor law.
Introduced, referred 166
Redrafted 471
To steering committee 977

131 By Strachan, Beswick, McLean, Felter, Crouch. Tax upon the privilege of doing business.
Introduced, referred 166
Withdrawn, placed on calendar. 725
Amendments filed..728, 729, 730, 752

132 By Dreessen, Brady. Guardianships.
Introduced, referred 166
Recommended passage 419
To steering committee..... 977

133 By Felter, Crouch, Strachan, Beswick, McLean. Limiting tax levy.
Introduced, referred 185

134 By Doran. Superintendent of banking to take possession of banking institutions without insolvency proceedings.
Introduced, referred 185
Recommended passage 311
Amendment filed 345
Amendment adopted 434
Passed; ayes 92, nays 3..... 434
Received back 802
Reported enrolled 802
Signed by Speaker..... 802
Sent to Governor..... 825
Signed by Governor..... 873

135 By Stansell, Cunningham. Restaurant licenses and inspection fees.
Introduced, referred 185
Recommended passage 420
Amendment filed 803
To steering committee..... 977
Placed on calendar.....1028
Amended 1040
Passed; ayes 73, nays 25.....1041
Received back 1407
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

H. F. Page
136 By Craven. Township licenses for places of amusement.
Introduced, referred 186
Recommended passage 420
To steering committee..... 977

137 By Maniece. Referees in probate matters.
Introduced, referred 186
Recommended passage 290
Amendment filed 415
Amendment adopted 428
Passed; ayes 64, nays 27..... 429
Title amended..... 429

138 By Burgess. Public officials to confine annual expenditures to cash income.
Introduced, referred 186
Recommended indefinite postponement 347
To steering committee..... 977

139 By Cunningham. Regulating motion picture theaters.
Introduced, referred 186
Recommended indefinite postponement 468
To steering committee 977
Placed on calendar.....1397
Rereferred 1411

140 By Ellsworth. Place of payment of public bonds and interest.
Introduced, referred 197
Recommended passage 326
To steering committee..... 977
Placed on calendar..... 1096
Passed; ayes 80, nays 0.....1132
Received back 1431
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor..... 1501
Signed by Governor.....1556

141 By Willis. Transfer of funds in Washington Consolidated Independent school district.
Introduced, referred 198
Proof of publication..... 286
Recommended passage 292
Passed; ayes 96, nays 0..... 431
Received back 546
Reported enrolled 568
Signed by Speaker..... 568
Sent to Governor..... 569
Signed by Governor..... 599

142 By Elliott. Abolishment of permanent park board.
Introduced, referred 198
Recommended passage 326
To steering committee..... 977
Placed on calendar.....1452
Passed; ayes 80, nays 18.....1515

143 By Elliott. Exceptions to mandatory tax reduction.
Introduced, referred 198
To steering committee..... 977

144 By Wiese. Dangerous structures.
Introduced, referred 198
Recommended amendment and passage 381
Amendment filed 396
To steering committee..... 977

Digitized by Google

H. F. Page
145 By Peet. Regulating endurance contests.
Introduced, referred 198
Recommended indefinite postponement 327
Withdrawn 355

146 By Craven. Hospital liens.
Introduced, referred 199
Recommended passage 327
Amendment filed 726-728
Amended 816
Passed; ayes 78, nays 0..... 816
Received back 1432
Concurred 1462
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

147 By Osborn. Bids and purchases at delinquent tax sales.
Introduced, referred 199
Recommended indefinite postponement 327
To steering committee..... 977

148 By Committee on Motor Vehicles and Transportation. Operator's and chauffeur's license law.
Introduced, placed on calendar.. 199
Amendments filed 238, 320
Action deferred 341
Action deferred 362
Amendments rejected 385
Amendment withdrawn 385
Laid on table..... 386
Motion filed to take from table. 412

149 By Committee on Motor Vehicles and Transportation. Storage affidavits, registration fees and penalties.
Introduced, placed on calendar. 199
Amendments filed 307
S. F. 93 substituted..... 343

150 By Committee on Motor Vehicles and Transportation. Reporting convictions.
Introduced, placed on calendar. 199
S. F. 94 substituted..... 343

151 By Johnson. Appropriation to defray expenses of Supreme Court.
Introduced, referred 216
Recommended passage 545
Passed; ayes 87, nays 2..... 982
Received back 1407
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor 1501
Signed by Governor.....1556

152 By Weed. State aid for standard rural schools.
Introduced, referred 216
Recommended indefinite postponement 347
To steering committee..... 977

153 By Osborn. Enrollment of animals with the Department of Agriculture.
Introduced, referred 235
Recommended indefinite postponement 420
To steering committee..... 977

H. F. Page
154 By Schmitz. Assessments of secondary roads.
Introduced, referred 235
Recommended indefinite postponement 327
To steering committee..... 977

155 By Elliott. Market houses to be financed through Federal Emergency Administration of Public Works.
Introduced, referred 235
Recommended indefinite postponement 400
To steering committee..... 977

156 By Elliott. Levies by cities for lighting streets and public places.
Introduced, referred 236
Recommended passage 328
To steering committee..... 977

157 By Felter. Landlord's lien.
Introduced, referred 236
Recommended indefinite postponement 630
To steering committee..... 977

158 By Felter. Prohibiting endurance contests.
Introduced, referred 236
Recommended passage 328
Amendment filed 345
To steering committee..... 977

159 By Durant. Regulation of sewage or waste treatment plants.
Introduced, referred 236
Recommended amendment and passage 347
To steering committee..... 977

160 By Committee on Motor Vehicles and Transportation. Motor vehicle license fees.
Introduced, placed on calendar.. 236
Amendment filed 307, 345
Amendment adopted 362
Amendment as amended adopted 362
Passed; ayes 96, nays 0..... 363
Received back 868
Reported enrolled 868
Signed by Speaker..... 868
Sent to Governor..... 868
Signed by Governor.....1162

161 By Wiese. Appropriation to Adolph Wiese.
Introduced, referred 237
To steering committee..... 977

162 By Rice, Garner, Alesch. Nonpartisan nomination and election of judges.
Introduced, referred 240
Rereferred 579
Withdrawn, placed on calendar. 824
To steering committee..... 977
Placed on calendar.....1157
Action deferred 1161
Amended 1172
Passed; ayes 61, nays 45.....1173

163 By Mitchell. Liability insurance for police and fire departments.
Introduced, referred 241
Recommended passage 328
To steering committee..... 977
Placed on calendar.....1397

Digitized by Google

H. F. Page
Amended 1450
Passed; ayes 73, nays 12..... 1451
Title amended 1452

164 By Dean. Pertaining to notice of expiration of right of redemption from tax sale.
Introduced, referred 241
To steering committee..... 977

165 By Strachan. Levying of a poor tax.
Introduced, referred 242
Recommended passage 348
Passed; ayes 83, nays 3..... 539
Received back 569
Concurred 578, 579
Reported enrolled 599
Signed by Speaker..... 599
Sent to Governor..... 599
Signed by Governor..... 675

166 By Hartman. Actions to recover taxes upon property of decedents.
Introduced referred 242
Recommended passage 329
Amendment filed 412
Amendment adopted 430
Passed; ayes 86, nays 10..... 430
Received back 482
Reported enrolled 507
Signed by Speaker..... 507
Sent to Governor..... 507
Signed by Governor..... 704

167 By Schmitz. Relating to cities which control their own tax levies for bridge purposes.
Introduced, referred 242
Recommended passage 329
S. F. 115 substituted..... 589

168 By Ostby, Dreessen, Z'pse. Landlord's lien.
Introduced, referred 242
Recommended indefinite postponement 348
To steering committee..... 977

169 By Burgess. Interstate bridges.
Introduced, referred 242
To steering committee..... 977

170 By Beswick. Jurisdiction of municipal courts.
Introduced, referred 243
To steering committee..... 977

171 By Reed. Taxation of annuity contracts.
Introduced, referred 261
Recommended amendment and passage 574
To steering committee..... 977

172 By Reed. Compensation of State Board of Health.
Introduced, referred 261
Recommended indefinite postponement 381
To steering committee..... 977

173 By Reed. Refunds on license fees on motor vehicle fuel.
Introduced, referred 261
Recommended passage 381
To steering committee..... 977

H. F. Page
174 By Reed. Contesting elections for seats in the General Assembly.
Introduced, referred 261
Withdrawn 378

175 By Reed. Election and compensation of justices of the peace and constables.
Introduced, referred 261
Recommended passage 420
To steering committee..... 977
Placed on calendar.....1175
Amendment filed 1190
Amended 1246
Tabled 1247

176 By McKinnon, Mooty, Frizzell, Bowers, Davis. Direct buyers of livestock.
Introduced, referred 261
Recommended passage 359
To steering committee..... 977

177 By Zinse. Eradication of bovine tuberculosis.
Introduced, referred 262
Recommended indefinite postponement 400
To steering committee..... 977

178 By Peet, Metcalf, Millhone. Practice of cosmetology.
Introduced, referred 262
Recommended indefinite postponement 469
Rereferred 663
Recommended amendment and passage 788
To steering committee..... 977
Placed on calendar.....1077
Amendments adopted 1080
Amended 1081
Passed; ayes 58, nays 20.....1081
Received back 1469
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

179 By Johnson. Assistant chief justice; rights, duties, powers.
Introduced, referred 262
Recommended passage 421
Amended 478
Passed; ayes 101, nays 0..... 478
Received back 868
Reported enrolled 868
Signed by Speaker..... 868
Sent to Governor..... 868
Signed by Governor..... 964

180 By Moore of Harrison, Malone. Establishing county agricultural boards.
Introduced, referred 262
Recommended passage 329
Amendment filed 412-415, 465
Rereferred to agriculture..... 481
Motion to reconsider filed..... 491
Reconsidered 552
Amendments filed 703, 742
Amendment to amendment, filed 747
To steering committee..... 977
Placed on calendar.....1017
Action deferred 1025
Amendment filed 1028
Action deferred 1030, 1037
Amendment filed 1050
Tabled 1053
Motion to take from the table filed 1067

Digitized by Google

H. F. Page
181 By Rawlings. Tax liens on certain personal property
Introduced, referred 263
Recommended passage 486
To steering committee..... 977

182 By Mitchell. Publication of notice of hearing on estimated tax levy.
Introduced, referred 263
Recommended passage 329
Rereferred 562
To steering committee..... 977

183 By Yager. Granting of receiverships by the court.
Introduced, referred 263
Recommended indefinite postponement 643
To steering committee..... 977

184 By Teter. Exemption of homesteads.
Introduced, referred 263
To steering committee..... 977

185 By Moore of Benton, Cunningham, Mitchell. Collection of license fees on motor vehicle fuel.
Introduced, referred 263
Recommended amendment and passage 330-333
Amendment filed 656
Made special order..... 752
Amendment filed 753-755, 762, 768, 769
Committee of the whole report. 774-781
Committee amendments adopted 781
Amendment withdrawn 782
Amendments adopted 782
Passed; ayes 87, nays 0..... 783
Received back 1355
Concurred 1372
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

186 By Maniece. Compensation of county officers.
Introduced, referred 264
Recommended indefinite postponement 469
To steering committee..... 977

187 By Cunningham. Licensing dental hygienists.
Introduced, referred 264
Recommended indefinite postponement 643
To steering committee..... 977

188 By Durant. Legalizing transfer of funds in Hancock county.
Introduced, referred 264
Proof of publication..... 286
Recommended passage 382
Passed; ayes 95, nays 1..... 480
Received back 784
Reported enrolled 783
Signed by Speaker..... 783
Sent to Governor..... 783
Signed by Governor..... 802

189 By Dean. Changing boundaries of school districts.
Introduced, referred 265
To steering committee..... 977

H. F. Page
190 By Wiese. Granting franchises to public utilities in special charter cities.
Introduced, referred 265
To steering committee..... 977

191 By Cunningham. Clarifying the method of making payment in case of purchase by one having an interest in the property.
Introduced, referred 265
Recommended amendment and passage 421
To steering committee..... 977

192 By Ellsworth. Legal liability of contractors on public improvements.
Introduced, referred 265
Recommended passage 502
Amendment filed 629
To steering committee..... 977

193 By Elliott. Legalizing act.
Introduced, referred 265
Proof of publication..... 319
Recommended passage 348
Passed; ayes 95, nays 0..... 353
Received back 369
Reported enrolled 370
Signed by Speaker..... 370
Sent to Governor..... 370
Signed by Governor..... 464

194 By Doran. Reimbursement of school districts because of tax-free lands.
Introduced, referred 266
Recommended passage 574
Amendments filed 676-677
Amendments adopted 681
Passed; ayes 97, nays 0..... 681
Received back 963
Reported enrolled 977
Signed by Speaker..... 977
Sent to Governor..... 977
Signed by Governor.....1006

195 By Johnson. Law of road on motor vehicles.
Introduced, referred 266
Recommended passage 400
Failed to pass; ayes 41, nays 54 479

196 By Sheridan. Maintenance of police departments.
Introduced, referred 266
Recommended amendment and passage 334
To steering committee..... 977

197 By Ellsworth. Examination of private banks.
Introduced, referred 266
Recommended passage 348
S. F. 157 substituted..... 491

198 By Hultman. Perpetual care fund of cemeteries.
Introduced, referred 266
Recommended indefinite postponement 502
To steering committee..... 977

199 By Fabritz. Assessments on mercantile business.
Introduced, referred 267
Recommended indefinite postponement 421
To steering committee..... 977

Digitized by Google

H. F. Page
200 By Ryder. Commitment of insane persons to state or private hospitals.
Introduced, referred 267
Recommended indefinite postponement 575
To steering committee..... 977

201 By Augustine, Avery. Motorized state highway patrol.
Introduced, referred 267
To steering committee..... 977

202 By Hough. Disposition of condemned liquor.
Introduced, referred 268
Recommended indefinite postponement 382
Withdrawn 651

203 By Mitchell. Authorizing certain acts of county auditor of Webster county.
Introduced, referred 268
Recommended amendment and passage 524
To steering committee..... 977

204 By Cunningham, McFarlane, Burgess, Hultman, Brady, Lichty, Wolf, McDermott, Aldrich, Mooty, Schmitz, Grell, Swift, Hartman, Hough, Malone, Bruce, Peaco, Bouska, Peet, Gallagher, Lookingbill, Frizzell, Ryder, Elliott, Stansell, Falvey, Stanzel, Fuelling, Thiessen, Wiese, Yager, Weed. Gross income tax.
Introduced, referred 268
Withdrawn, placed on calendar. 725
Amendments filed.....728, 739, 752
Amendment adopted 752

205 By Brady. Flood control.
Introduced, referred 269
Recommended indefinite postponement 334
To steering committee..... 977

206 By Brady. Power of court to limit counsel.
Introduced, referred 269
To steering committee..... 977

207 By Brady. Authorizing cities and towns to make an emergency poor relief appropriation.
Introduced, referred 269
To steering committee..... 977

208 By Brady. Flood control.
Introduced, referred 270
To steering committee..... 977

209 By Lookingbill. Powers of Boards of Education.
Introduced, referred 270
Recommended passage 660
Amendment filed 747
Amended 935
Passed; ayes 93, nays 0..... 935
Received back 1087
Concurred 1165
Reported enrolled 1189
Signed by Speaker.....1189
Sent to Governor.....1189
Signed by Governor.....1229

H. F. Page
210 By Laughlin. Authorizing a patent to real estate in Fremont County.
Introduced, referred 270
Recommended passage 382
Passed; ayes 74, nays 0..... 820
Received back 951
Reported enrolled 956
Signed by Speaker..... 956
Sent to Governor..... 957
Signed by Governor..... 988

211 By Wiese. Legalizing act.
Introduced, referred 270
Recommended passage 502
To steering committee..... 977
Placed on calendar..... 984
Passed; ayes 83, nays 0..... 985

212 By Willis. Amount of life insurance which may be written without medical examination.
Introduced, referred 270
Recommended indefinite postponement 359
To steering committee..... 977

213 By Ryder. Authorizing cities and towns to borrow funds from RFC.
Introduced, referred 271
Recommended indefinite postponement 525
Rereferred 565
To steering committee..... 977

214 By Hartman. Sale of pistols and other dangerous weapons.
Introduced, referred 271
Recommended indefinite postponement 487
To steering committee..... 977

215 By Aldrich. Right of redemption of real estate sold for taxes.
Introduced, referred 271
Withdrawn 362

216 By Mitchell. Permits to pipe line companies.
Introduced, referred 271
Recommended passage 422
Amendment filed.....483, 521, 689
To steering committee..... 977
Placed on calendar.....1028
Amended 1045, 1046
Passed; ayes 71, nays 24.....1046
Title amended 1047
Received back 1407
Concurred 1416
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

217 By Fabritz, Cunningham, McKinnon. Authorizing branch banks.
Introduced, referred 272
Recommended indefinite postponement 349
Report adopted 409

218 By Cunningham. Sale of real property for delinquent tax.
Introduced, referred 272
Withdrawn 316

Digitized by Google

H. F. Page

219 By Beswick, Grell. Examination of indigent persons for admission into hospital at state university.
Introduced, referred 272
To steering committee..... 977

220 By Elliott. License and fee for itinerant dentists.
Introduced, referred 273
Recommended indefinite postponement 560
To steering committee..... 977

221 By Roe. Authorizing executive council to purchase interstate bridges.
Introduced, referred 273
To steering committee..... 977

222 By Beswick, Grell. Practice of osteopathy and surgery.
Introduced, referred 273
Withdrawn, placed on calendar 531
To steering committee..... 977

223 By Mercer. Commission on aeronautics; powers and duties.
Introduced, referred 273
Recommended passage 575
To steering committee..... 977
Placed on calendar..... 988
Amended 1013
Passed; ayes 67, nays 26.....1014
Received back 1356
Concurred 1373
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

224 By Maniece. Legalizing transfer of funds in Emmet county.
Introduced, referred 273
Recommended indefinite postponement 349
Rereferred 361
Reported without recommendation 382
Proof of publication filed..... 498
Passed; ayes 86, nays 0..... 680
Proof of publication filed..... 687
Received back 963
Concurred 979
Reported enrolled 989
Signed by Speaker..... 989
Sent to Governor..... 989
Signed by Governor.....1018

225 By Ryder. Removing limitation of alcoholic content in beer.
Introduced, referred 274
Recommended indefinite postponement 469
Rereferred 631
To steering committee..... 977

226 By Alesch, Garner, Yager, Grell, Foster, Durant. Providing for vehicle traffic count on primary roads.
Introduced, referred 274
To steering committee..... 977

227 By Hartman. To make uniform laws relating to declaratory judgments and decrees.
Introduced and referred..... 275

H. F. Page

Recommended indefinite postponement 383
To steering committee.....977

228 By Crouch, Donlon, Foster, Hanson of Winnebago, Hook, Metcalf, Schlatter, Smith, Zylstra. Creating hydroelectric power commission.
Introduced, referred 275
Withdrawn, placed on calendar 573
Amendment filed 763, 762
To steering committee..... 977

229 By Peaco. Expenditure of public funds for employment of married women.
Introduced, referred 293
Recommended indefinite postponement 422
To steering committee..... 977

230 By Swift. Exemptions from taxation of property owned by municipalities.
Introduced, referred 293
Recommended indefinite postponement 422
Action on report deferred..... 563
To steering committee..... 977

231 By Ellsworth. Legalizing depositors agreements by public officials.
Introduced, referred 294
Recommended passage 383
Passed; ayes 86, nays 0..... 667
Received back 1431
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1555

232 Beswick, Grau, Rice, McKinnon, Lookingbill. Execution and delivery of treasurer's deeds.
Introduced, referred 294
Recommended passage 400
Amended 725
Passed; ayes 94, nays 6..... 726
Received back 1498
Concurred 1530
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

233 By Beswick. Gravel for certain rural post roads.
Introduced, referred 294
To steering committee..... 977

234 By Reed. Workmen's compensation.
Introduced, referred to labor... 294
Recommended passage 740
To steering committee..... 977

235 By Osborn. Duties of county treasurers.
Introduced, referred 294
Recommended amendment and passage 401
Amendment filed 543
Amendment adopted 583
Amendment withdrawn 583
Passed; ayes 87, nays 0..... 583
Title amended 584
Received back 738
Concurred 1020
Reported enrolled 1033

Digitized by Google

Signed by Speaker.....1033
Sent to Governor.....1033
Signed by Governor.....1089

236 By Swift. Building and loan associations.
Introduced, referred 295
Recommended passage 575
To steering committee..... 977
Placed on calendar..... 988
Passed; ayes 73, nays 12.....1015
Received back 1498
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

237 By Swift. Conversion of building and loan associations.
Introduced, referred 295
Recommended passage 705
To steering committee..... 977

238 By Brady. Suspension of penalties of taxes.
Introduced, referred 295
Recommended indefinite postponement 525
To steering committee..... 977

239 By Brady. Liability of cities and towns.
Introduced, referred 295
Recommended indefinite postponement 393
To steering committee..... 977

240 By Grell. Withholding registration of motor vehicle license.
Introduced, referred 296
Recommended indefinite postponement 349
To steering committee..... 977

241 By Brady. Financial responsibility of owners and operators of motor vehicles.
Introduced, referred 296
To steering committee..... 977

242 By Elliott. Cities authorized to acquire, operate, control, or lease street railway systems.
Introduced, referred 296
To steering committee..... 977

243 By Jensen. Drainage refunding bonds.
Introduced, referred 297
Withdrawn 491

244 By Rice, Mercer. Revocation of operators and chauffeurs licenses.
Introduced, referred 297
Recommended passage 691
To steering committee..... 977
Placed on calendar.....1077
Passed; ayes 69, nays 6.....1082

245 By Gittinger. Farm aid associations.
Introduced, referred 297
To steering committee..... 977

246 By Dreessen, Stanzel. Naturopathy; defining and regulating practice.
Introduced, referred 297

H. F. Page
Withdrawn, placed on calendar 789
To steering committee..... 977

247 By Crouch. Expense of bonds of county officers.
Introduced, referred 298
Recommended indefinite postponement 422
To steering committee..... 977

248 By Crouch. Salaries of public officials.
Introduced, referred 298
Recommended indefinite postponement 488
To steering committee..... 977

249 By Crouch. Deposits of public funds.
Introduced, referred 298
Recommended amendment and passage 576
To steering committee..... 977

250 By Foster. Taxing judgments.
Introduced, referred 298
Recommended rereference 423
Rereferred 423
To steering committee..... 977

251 By Malone. Assessment of moneys and credits.
Introduced, referred 298
Recommended indefinite postponement 423
To steering committee..... 977

252 By Malone. Repealing exemption of public bonds from taxation.
Introduced, referred 299
Recommended indefinite postponement 576
To steering committee..... 977

253 By Treimer, Schmitz. Taxation on motor vehicles.
Introduced, referred 299
To steering committee..... 977
Placed on calendar.....1366
Rereferred 1369

254 By Dean, Yager. Permits for sale of beer.
Introduced, referred 299
To steering committee..... 977

255 By Foster. Treatment of indigent persons.
Introduced, referred 299
To steering committee..... 977

256 By Hartman. Annual appropriations by cities and towns to pay dues to league of municipalities.
Introduced, referred 300
To steering committee..... 977

257 By Ellsworth. Filing claims against state sinking fund.
Introduced, referred 300
Recommended passage 560
Amendment filed 571
To steering committee..... 977
Placed on calendar.....1028
Amended 1041
Passed; ayes 90, nays 0.....1042
Received back 1431
Reported enrolled 1500
Signed by Speaker.....1500

Digitized by Google

H. F. Page
Sent to Governor.....1501
Signed by Governor.....1555

258 By Mitchell. Licensing of trucks and trailers.
Introduced, referred 300
To steering committee..... 977

259 By Alesch. Farm aid associations.
Introduced, referred 300
Recommended passage 470
To steering committee..... 977

260 By Gallagher. Boards of supervisors authorized to issue permits for sale of non-intoxicating liquors.
Introduced, referred 300
Rereferred 435
To steering committee.....977

261 By Wiese. Sale of nonintoxicating liquors.
Introduced, referred 301
To steering committee..... 977

262 By Foster. Farm aid associations.
Introduced, referred 301
To steering committee..... 977

263 By Peet, Foster, Durant, Casey, Strachan, Hanson of Lyon, Gallagher, Laughlin. Limitation of taxes levied in 1933 and 1934 by school districts.
Introduced, referred 301
To steering committee..... 977

264 By Committee on Labor. Limitation of fee by an employment agency.
Introduced, placed on calendar.. 311
Amendment offered 472
Amendment withdrawn 476
Action deferred 477
Action deferred 535
Amendment filed 476, 544
Amendment withdrawn 554
Amendments adopted 554
Passed; ayes 98, nays 0..... 555
Received back 745
Concurred 810
Reported enrolled 861
Signed by Speaker..... 862
Sent to Governor..... 862
Signed by Governor.....1162

265 By Committee on Labor. License fees of an employment agency.
Introduced, placed on calendar. 311
Passed; ayes 62, nays 29..... 477
Received back 584
Concurred 589
Reported enrolled 599
Signed by Speaker..... 599
Sent to Governor..... 599
Signed by Governor..... 675

266 By Committee on Insurance. Disposition of securities deposited with insurance commissioner.
Introduced, placed on calendar.. 312
Amendment filed 474
Action deferred 535
Rereferred 565
To steering committee..... 977

H. F. Page
267 By Committee on Schools and Textbooks. Closing schools because of lack of attendance.
Introduced, placed on calendar. 336
S. F. 91 substituted..... 375

268 By Committee on Police Regulations and Suppression of Crime and Intemperance. Police radio broadcasting system.
Introduced, referred 336
Recommended passage 576
To steering committee..... 977
Placed on calendar.....1017
Passed; ayes 64, nays 34.....1026
Received back 1077
Reported enrolled 1088
Signed by Speaker.....1088
Sent to Governor.....1088
Signed by Governor.....1104

269 By Committee on Agriculture. Weights of bread..
Introduced, placed on calendar. 337
Amendment filed 357
To steering committee..... 977
Placed on calendar..... 988
Amended 999
Action deferred 999
Amendments filed 1006
Amendments withdrawn 1009
Amended 1009
Passed; ayes 83, nays 2.....1009
Received back.....1432
Concurred 1520
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

270 By Committee on Agriculture. Iowa Swine Association.
Introduced, referred.....337
Amendment filed 357
Recommended indefinite postponement 401
To steering committee 977

271 By Committee on Labor. State cooperation with national employment system.
Introduced, referred 360
Recommended passage 560
Passed; ayes 93, nays 2..... 636
Received back 720
Reported enrolled 720
Signed by Speaker 720
Sent to Governor..... 721
Signed by Governor..... 746

272 By Committee on Emergency Relief. Chattel mortgages on crops, rents, issues and profits from real estate as additional security for real estate mortgage.
Introduced, placed on calendar.. 360
To steering committee..... 977

273 By Committee on Fish and Game. Funds for fish and game commission.
Introduced, placed on calendar. 373
Referred 384
To steering committee 977

274 By Committee on Claims. Ralph Almkuist.
Introduced, referred..... 402
Recommended passage 473

Digitized by Google

H. F. Page
Passed; ayes 76, nays 0..... 941
Received back 1174
Reported enrolled 1189
Signed by Speaker 1189
Sent to Governor.....1189
Signed by Governor.....1229

275 By Committee on Claims. James Berry and Tolbert Moore.
Introduced, referred 402
Recommended passage 474
Passed; ayes 78, nays 3..... 950
Received back 1042
Reported enrolled 1056
Signed by Speaker.....1056
Sent to Governor.....1056
Signed by Governor.....1089

276 By Committee on Emergency Legislation. Duties of state comptroller.
Introduced, placed on calendar. 402
To steering committee..... 977
Placed on calendar.....1050
Rereferred 1052

277 By Committee on Banks and Banking. Public funds in banks.
Introduced, placed on calendar. 402
S. F. 240 substituted..... 635

278 By Committee on Banks and Banking. Limitation of public claims against state sinking fund.
Introduced, placed on calendar. 402
Passed; ayes 94, nays 0..... 553
Received back 1431
Reported enrolled 1500
Signed by Speaker 1500
Sent to Governor 1501
Signed by Governor.....1555

279 By Committee on Printing. Printing and furnishing school records by the State of Iowa.
Introduced, placed on calendar. 425
To steering committee..... 977
Placed on calendar..... 988
Tabled 999

280 By Committee on Agriculture. Weed Commissioners.
Introduced, placed on calendar 425
Substitute introduced 506
Amendment filed 572, 858
House substitute 280 substituted for H. F. 280..... 822
Action deferred 823
To steering committee..... 977
Placed on calendar..... 988
Amendment withdrawn 1000
Amendment lost 1003
Amended 1004
Failed to pass; ayes 44, nays 53.1005

281 By Committee on Agriculture. Agricultural Seed.
Introduced, placed on calendar.. 425
Amendment filed 492, 544
To steering committee..... 977
Placed on calendar..... 988
Action deferred 1010
1022, 1030, 1039, 1052, 1070, 1092
Amendment filed 1096, 1105
Amendments withdrawn 1116
Amendment lost.....1116
Amended 1116
Passed; ayes 78, nays 7.....1117

H. F. Page
Received back 1498
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

282 By Committee on Agriculture. Inspection of baby chick hatcheries.
Introduced, placed on calendar.. 425
Amendment filed 465, 484
To steering committee..... 977
Withdrawn 1017

283 By Committee on Drainage. Classification of assessment in levee and drainage districts.
Introduced, placed on calendar.. 471
S. F. 232 substituted..... 483

284 By Committee on Banks and Banking. Rate of interest on public deposits.
Introduced, placed on calendar.. 471
To steering committee..... 977
Placed on calendar..... 988
Passed; ayes 90, nays 0.....1010
Received back 1431
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

285 By Committee on Motor Vehicles and Transportation. Surrendering license plates on motor vehicles.
Introduced, placed on calendar.. 489
Withdrawn 824

286 By Committee on Motor Vehicles and Transportation. Road patrol.
Introduced, placed on calendar.. 489
Rereferred 565
Amendment filed 767, 768
Recommended passage 771
To steering committee..... 977
Placed on calendar.....1212
Made special order.....1215
Substitute amendment adopted.1274
Amended 1276, 1286, 1287, 1289
Amendments filed 1278
Amendments withdrawn 1284
Tabled 1291

287 By Committee on Schools and Textbooks. Levy for repairing or replacing school property.
Introduced, placed on calendar.. 506
Amendment filed 628, 952
To steering committee..... 977

288 By Committee on Schools and Textbooks. Providing school facilities for persons who reside on the opposite side of a river that is the general boundary line of the state.
Introduced, placed on calendar. 506
To steering committee..... 977

289 By Committee on Insurance. Provisions of bonds of mutual insurance companies.
Introduced, placed on calendar.. 525
Passed; ayes 79, nays 3..... 580
Received back 1469
Reported enrolled 1500

Digitized by Google

H. F. Page
Signed by Speaker....1500
Sent to Governor....1501
Signed by Governor....1556

290 By Committee on Insurance. Investment funds of insurance companies.
Introduced, placed on calendar.. 525
To steering committee.... 977
Placed on calendar....1017
Passed; ayes 92, nays 1....1030
Received back....1087
Reported enrolled....1095
Signed by Speaker....1096
Sent to Governor....1096
Signed by Governor....1162

291 By Committee on Emergency legislation. Carrying forward delinquent real estate tax.
Introduced, placed on calendar.. 528
Passed; ayes 67, nays 0.... 528
Received back.... 542
Reported enrolled.... 543
Signed by Speaker.... 543
Sent to Governor.... 543
Signed by Governor.... 599

292 By Committee on Liquor Control. To create a liquor control commission.
Introduced, placed on calendar.. 561
Made special order.... 562
Amended.... 592
Amendments filed....593, 595, 596
Amended....620, 621
Amendments filed..623, 625, 626, 627
Motion to reconsider filed.... 629
Amendment adopted.... 633
Committee amendments adopted....633, 635
Amendments withdrawn....634, 635, 637, 645
Motion to reconsider prevailed. 637
Amendments filed....638, 640
Amendments adopted....648, 650
Amendment withdrawn.... 652
Amended....652, 653, 654
Amendments filed....654, 655, 657, 658
Action deferred.... 660
Amendment filed.... 676
Amendment lost.... 685
Amendment filed.... 687
Amendments adopted.... 693
Committee amendments adopted....696, 698
Amendments withdrawn ...696, 699
Amendment as amended adopted 702
Amendments filed....703, 704
Amended.... 710
Committee amendment adopted. 712
Amendments adopted...713, 714, 715
Amended....715, 716, 717
Amendments withdrawn.... 718
Amended.... 718
Passed; ayes 74, nays 32.... 719
Title amended.... 719
Received back....1233
Refused to concur....1244
Senate insistence received....1258
Conference committee appointed....1262
Conference report filed....1278
Conference report adopted....1281
Motion to reconsider prevailed.1286
Motion to rerefer report....1287
New report filed....1331-1333

H. F. Page
Report adopted....1336
Received back....1356
Reported enrolled....1454
Signed by Speaker....1454
Sent to Governor....1454
Signed by Governor....1555

293 By Committee on Agriculture. Regulate the sale of substitutes for lard.
Introduced, placed on calendar.. 561
To steering committee.... 977

294 By Committee on Agriculture. Making an Emergency appropriation to carry out the provisions of the Warehouse Act.
Introduced, referred.... 561
Withdrawn.... 988

295 By Committee on Drainage. Refunding drainage bonds.
Introduced, placed on calendar.. 561
To steering committee.... 977
Placed on calendar.... 988
Passed; ayes 84, nays 2....1016
Received back....1431
Reported enrolled....1500
Signed by Speaker....1500
Sent to Governor....1501
Signed by Governor....1556

296 By Committee on Appropriations. Payments to State Printing Board for work and supplies to certain state departments.
Introduced, placed on calendar.. 577
Passed; ayes 80, nays 6.... 983
Received back....1498
Reported enrolled....1544
Signed by Speaker....1545
Sent to Governor....1545
Signed by Governor....1557

297 By Committee on Judiciary No. 2. Legalizing act.
Introduced, placed on calendar.. 631
Passed; ayes 88, nays 0.... 664
Proof of publication.... 675
Received back.... 738
Reported enrolled.... 746
Signed by Speaker.... 746
Sent to Governor.... 752
Signed by Governor.... 825

298 By Committee on Insurance. Filing of schedule of rates and rules by insurance companies.
Introduced, placed on calendar.. 644
Amendment filed....742, 977
To steering committee.... 977
Placed on calendar....1397
Amended....1463
Passed; ayes 58, nays 40....1464

299 By Committee on Judiciary No. 2. Legalizing transfer of funds in Taylor County.
Introduced, placed on calendar.. 663
Passed; ayes 77, nays 2.... 940
Received back....1293
Concurred....1296
Reported enrolled....1355
Signed by Speaker....1355
Sent to Governor....1355
Signed by Governor....1433

Digitized by Google

H. F. Page

300 By Committee on Appropriations. Appropriation for the payment of extra expense of the State Printing Board incurred on account of the extra session.
Introduced, placed on calendar.. 663
Passed; ayes 85, nays 0..... 984
Received back 1498
Concurred 1532
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

301 By Committee on Judiciary No. 2. Legalizing act.
Introduced, placed on calendar.. 691
Proof of publication filed..... 738
S. F. 244 substituted..... 750

302 By Committee on Cities and Towns. Management of municipally owned utilities.
Introduced, placed on calendar.. 691
To steering committee..... 977

303 By Committee on Emergency Legislation. Tax rates and levies on widow's pension fund and court expense funds.
Introduced, placed on calendar.. 691
To steering committee..... 977

304 By Committee on Judiciary No. 2. Levy to pay interest and principal on lawful bonded indebtedness.
Introduced, placed on calendar.. 692
Passed; ayes 79, nays 0..... 810
Received back 1433
Refused to concur.....1438
Senate insistance received.....1469
Conference committee appointed 1470
Conference report filed.....1501
Adopts conference report.....1526
Received back 1539
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

305 By Committee on Judiciary No. 2. Maintenance of graves of soldiers, sailors and marines.
Introduced, placed on calendar.. 692
To steering committee..... 977

306 By Committee on Military. Military law of the state.
Introduced, placed on calendar.. 706
To steering committee..... 977

307 By Committee on Claims. C. R. Piercy.
Introduced, referred 706
Recommended passage 731
Passed; ayes 74, nays 0..... 942
Received back 1042
Reported enrolled 1056
Signed by Speaker.....1056
Sent to Governor.....1056
Signed by Governor.....1089

308 By Committee on Claims. Amos Hilton.
Introduced, referred 706
Recommended passage 731
Passed; ayes 77, nays 0..... 942
Received back 1042
Reported enrolled 1056
Sent to Governor.....1056
Signed by Governor.....1089

309 By Committee on Claims. H. C. Shaw.
Introduced, referred 706
Recommended passage 732
Passed; ayes 77, nays 0..... 943
Received back 1043
Reported enrolled 1056
Signed by Speaker.....1056
Sent to Governor.....1056
Signed by Governor.....1089

310 By Committee on Claims. Hon. Victor Felter, Trustee.
Introduced, referred 706
Recommended passage 732
Passed; ayes 73, nays 0..... 944
Received back 1174
Reported enrolled 1189
Signed by Speaker.....1189
Sent to Governor.....1189
Signed by Governor.....1229

311 By Committee on Claims. H. D. Howard.
Introduced, referred 706
Recommended pasage 732
Passed; ayes 79, nays 0..... 945
Received back 1043
Reported enrolled 1056
Signed by Speaker.....1056
Sent to Governor.....1056
Signed by Governor.....1089

312 By Committee on Claims. Mrs. E. A. Brigham and Milton W. Strickler.
Introduced, referred 706
Recommended passage 732
Passed; ayes 86, nays 0..... 946
Received back 1174
Reported enrolled 1189
Signed by Speaker.....1189
Sent to Governor. 1189
Signed by Governor.....1229

313 By Committee on Building and Loan. Investment by building and loan associations.
Introduced placed on calendar.. 707
To steering committee..... 977
Placed on calendar..... 988
Amended 1011
Passed; ayes 93, nays 0.....1011
Received back 1293
Concurred 1435
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

314 By Committee on Judiciary No. 2. Legalizing act.
Introduced, placed on calendar.. 733
S. F. 254 substituted..... 750

315 By Committee on Judiciary No. 2. Power of city or town councils to regulate dance halls.
Introduced, placed on calendar.. 733
To steering committee..... 977
Placed on calendar..... 988
Passed; ayes 85, nays 6.....1012

Digitized by Google

H. F. Page

316 By Committee on Drainage. Permitting boards of supervisors to refund surplus funds of drainage districts.
Introduced, placed on calendar 733
To steering committee..... 977
Placed on calendar..... 988
Passed; ayes 64, nays 18.....1022
Received back 1104
Reported enrolled 1113
Signed by Speaker.....1113
Sent to Governor.....1113
Signed by Governor.....1155

317 By Committee on Board of Control. Relating to unexpended appropriation of the forty-fourth and previous general assemblies made to state institutions under Board of Control.
Introduced, placed on calendar.. 740
To steering committee..... 977
Placed on calendar.....1278
Amendment filed 1333
Amended 1348
Passed; ayes 103, nays 0.....1349
Received back 1469
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

318 By Committee on Claims. Mrs. Etta Rock.
Introduced, referred 741
Recommended passage 860
Amended 946
Passed; ayes 85, nays 1..... 947
Received back 1208
Reported enrolled 1228
Signed by Speaker.....1229
Sent to Governor.....1229
Signed by Governor.....1355

319 By Committee on Agriculture. Insurance on grain stored and sealed.
Introduced, placed on calendar.. 756
S. F. 267 substituted..... 794

320 By Committee on Claims. Dr. F. C. Schadt.
Introduced, referred 756
Recommended passage 860
Passed; ayes 81, nays 7..... 948
Received back 1208
Reported enrolled 1228
Signed by Speaker.....1229
Sent to Governor.....1229
Signed by Governor.....1355

321 By Committee on Claims. Fort Madison Coal & Coke Co. and others.
Introduced, referred 756
Recommended passage 860
Passed; ayes 83, nays 0..... 949
Received back 1208
Reported enrolled 1228
Signed by Speaker.....1229
Sent to Governor.....1229
Signed by Governor.....1355

322 By Committee on Cities and Towns. Segregation of taxes paid in 1934.
Introduced, placed on calendar.. 773
S. F. 269 substituted..... 824

H. F. Page

323 By Committee on Judiciary No. 2. Legalizing act.
Introduced, placed on calendar.. 773
Passed; ayes 81, nays 0..... 814
Received back 963
Reported enrolled 977
Signed by Speaker..... 977
Sent to Governor..... 977
Signed by Governor.....1006

324 By Committee on Banks and Banking. Taxation of bank stock.
Introduced, placed on calendar.. 886
To steering committee 977
Placed on calendar.....1157
Action deferred 1161
Amended 1166
Passed; ayes 81, nays 16.....1166
Received back 1431
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1555

325 By Committee on Appropriations. Appropriation for direct relief in Iowa and for emergency relief.
Introduced, placed on calendar.. 965
Made special order..... 965
Amended 969
Reconsidered 970
Amendment withdrawn 971
S. F. 281 substituted..... 971

326 By Steering Committee. Overpayment on motor license fees.
Introduced, placed on calendar.. 984
Passed; ayes 84, nays 0..... 993
Received back 1005
Reported enrolled 1018
Signed by Speaker.....1018
Sent to Governor.....1018
Signed by Governor.....1027

327 By Steering Committee. Legalizing act.
Introduced, placed on calendar..1029
Passed; ayes 81, nays 0.....1054
Received back 1112
Reported enrolled 1131
Signed by Speaker.....1131
Sent to Governor.....1131
Signed by Governor.....1162

328 By Committee on Appropriations. Appropriation to the State Board of Education for the purpose of making repairs at School for the Blind, Vinton.
Introduced, placed on calendar..1036
Action deferred 1072, 1080
Passed; ayes 95, nays 0.....1093
Received back 1209
Reported enrolled 1228
Signed by Speaker.....1229
Sent to Governor.....1229
Signed by Governor.....1355

329 By Steering Committee. Regulating the hourly rate of work in exchange for relief.
Introduced, placed on calendar..1036
Action deferred.1072, 1080, 1116, 1129
Passed; ayes 73, nays 33.....1503
Received back 1545
Reported enrolled 1554

Digitized by Google

Signed by Speaker.....1554
Sent to Governor.....1554
Signed by Governer.....1557

330 By Steering Committee. Corporate stocks and bonds as investment for insurance companies.
Introduced, placed on calendar..1051
Passed; ayes 94, nays 0.....1073
Received back 1087
Reported enrolled 1095
Signed by Speaker.....1096
Sent to Governor.....1096
Signed by Governor.....1162

331 By Steering Committee. Waiver by "certificate holders" of the income of banks and trust companies.
Introduced, placed on calendar..1051
Passed; ayes 86, nays 2.....1074
Received back 1104
Reported enrolled 1113
Signed by Speaker.....1113
Sent to Governor.....1113
Signed by Governor.....1155

332 By Steering Committee. Issuance of bonds requiring city elections, for certain purposes.
Introduced, placed on calendar..1108
Failed to pass; ayes 49, nays 43.1137
Motion to reconsider filed.....1139
Motion to reconsider prevailed..1143
Action deferred 1143, 1247
Amended 1291
Passed; ayes 66, nays 20.....1291
Title amended 1292

333 By Steering Committee. Aid in advancement of projects by Reconstruction Finance Corporation.
Introduced, placed on calendar..1108
Passed; ayes 78, nays 4.....1138
Received back 1431
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1500
Signed by Governor.....1555

334 By Steering Committee. Financing of sewage and garbage works by cities and towns.
Introduced, placed on calendar..1108
Amended 1144
Passed; ayes 85, nays 11.....1145
Received back 1490
Concurred 1492
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

335 By Steering Committee. Securing benefits of the National Industrial Recovery Act.
Introduced, placed on calendar..1108
Passed; ayes 78, nays 7.....1147

336 By Steering Committee. Manufacture, sale and distribution of beer.
Introduced, placed on calendar..1124
Made special order.....1129, 1145
Amendments filed .....
.....1139, 1140, 1155, 1156, 1162

H. F. Page
Amendment lost 1186
Amended 1187
Amendments withdrawn.....
.....1187, 1188, 1198
Amendments filed .....
.....1190, 1191, 1210, 1211
Substitute amendment adopted..1199
Amendment as amended adopted 1201
Amended 1203, 1204, 1205
Substitute amendment adopted.1207
Amended 1208
1216, 1219, 1220, 1221, 1222, 1223
Amendments withdrawn .....
.....1217, 1224, 1226
Amendment to amendment lost 1218 1221
Substitute amendment adopted.1225
Amended 1226, 1227
Passed; ayes 62, nays 42.....1228
Received back 1479
Concurred 1486
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

337 By Steering Committee. Permitting co-operative associations unlimited time to reinstate.
Introduced, placed on calendar..1141
Passed; ayes 73, nays 0.....1159

338 By Steering Committee. Authorizing Secretary of State to compromise statutory penalties imposed upon distressed corporations.
Introduced, placed on calendar..1142
Action deferred 1159
Passed; ayes 77, nays 16.....1167

339 By Steering Committee. Secretary of State to verify annual reports of corporations.
Introduced, placed on calendar..1142
Passed; ayes 59, nays 12.....1160

340 By Committee on Emergency Legislation. Delay on foreclosure actions.
Introduced, referred.....1142
Placed on calendar.....1212
Failed to pass; ayes 51, nays 44.1248
Motion to reconsider failed....1292

341 By Committee on Emergency Legislation. Extending time of redemption on foreclosed real estate mortgages.
Introduced, referred 1142
Placed on calendar.....1212
Action deferred 1258, 1303
Passed; ayes 76, nays 30.....1339

342 By Committee on Appropriations. Appropriation to reimburse Iowa City.
Introduced, placed on calendar..1142
Action deferred 1161
Passed; ayes 89, nays 0.....1164
Received back 1553
Reported enrolled 1554
Signed by Speaker.....1554
Sent to Governor.....1554
Signed by Governor.....1557

Digitized by Google

H. F. Page
343 By Steering Committee. Savings banks to invest in bonds of the Home Owners' Loan Corporation.
Introduced, placed on calendar..1213
Amendment filed 1250
Amended 1259
Passed; ayes 72, nays 2.....1259
Received back 1431
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1555

344 By Steering Committee. Nature of waivers by certificate holders.
Introduced, placed on calendar..1213
Passed; ayes 71, nays 0.....1262
Received back 1386
Concurred 1386
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1555

345 By Committee on Emergency Legislation. Sale of real estate for taxes.
Introduced, referred 1213

346 By Committee on Appropriations. Appropriation to Dr. E. E. Munger.
Introduced, placed on calendar..1253
Passed; ayes 93, nays 4.....1347
Received back 1527
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

347 By Steering Committee. Authorizing the finance committee of the State Board of Education to compromise obligations growing out of notes and mortgages.
Introduced, placed on calendar..1282
Passed; ayes 95, nays 0.....1328
Received back 1432
Reported enrolled 1500
Signed by Speaker.....1500
Sent to Governor.....1501
Signed by Governor.....1556

348 By Steering Committee. Salaries of county treasurers.
Introduced, placed on calendar..1282
Passed; ayes 97, nays 0.....1329

349 By Steering Committee. Permitting Boards of Supervisors to sell products or by-products of stone quarries.
Introduced, placed on calendar..1282
Amended 1329
Passed; ayes 89, nays 9.....1330
Received back 1469
Reported enrolled 1544
Signed by Speaker.....1545
Sent to Governor.....1545
Signed by Governor.....1557

350 By Steering Committee. Authorizing municipalities to establish and operate armories.
Introduced, placed on calendar..1283
Passed; ayes 92, nays 2.....1350
Title amended 1350
Received back 1431

H. F. Page
Reported enrolled 1434
Signed by Speaker.....1434
Sent to Governor.....1434
Signed by Governor.....1555

351 By Committee on Emergency Legislation. Board of embalming examiners.
Introduced, referred 1283

352 By Committee on Emergency Legislation. Conveyance of real property of insane persons.
Introduced, referred 1400
Placed on calendar.....1470
Passed; ayes 91, nays 4.....1493
Received back 1545
Reported enrolled 1554
Signed by Speaker.....1554
Sent to Governor.....1554
Signed by Governor.....1557

353 By Committee on Emergency Legislation. Sale of real estate by guardians.
Introduced, referred 1400
Placed on calendar.....1470
Passed; ayes 92, nays 4.....1493
Received back 1545
Reported enrolled 1554
Signed by Speaker.....1554
Sent to Governor.....1554
Signed by Governor.....1557

354 By Steering Committee. Taxation and exemptions of certain associations from business tax on corporations.
Introduced, placed on calendar..1400
S. F. 326 substituted.....1494

355 By Steering Committee. Cooperating with National Recovery Act.
Introduced, placed on calendar..1436
Amended 1468
Action deferred 1512
Amendments adopted 1521
Passed; ayes 82, nays 25.....1522
Received back 1553

356 By Steering Committee. Taxation of motor vehicles.
Introduced, placed on calendar..1461
Action deferred 1507
Withdrawn 1537

357 By Steering Committee. Redemption of mortgages on real estate mortgaged after January 1, 1934.
Introduced, placed on calendar..1461
Passed; ayes 73, nays 30.....1489
Received back 1548
Reported enrolled 1554
Signed by Speaker.....1554
Sent to Governor.....1554
Signed by Governor.....1557

358 By Steering Committee. State banking board to carry out provisions of law relating to staff of department.
Introduced, placed on calendar..1487
Action deferred 1505
Amended 1525
Passed; ayes 104, nays 0.....1525
Title amended 1526
Received back 1541
Concurred 1542
Reported enrolled 1548
Signed by Speaker.....1549

Digitized by Google

Sent to Governor.....1549
Signed by Governor.....1557

359 By Steering Committee. Compensation of members of the State Board of Assessment and Review.
Introduced, placed on calendar..1507
Action deferred 1514
Refused to consider.....1533-1535

360 By Committee on Appropriations. Appropriation to the City of Des Moines.
Introduced, placed on calendar..1524
Passed; ayes 88, nays 0.....1538
Received back 1548
Reported enrolled 1554
Signed by Speaker.....1554
Sent to Governor.....1554
Signed by Governor.....1557

Digitized by Google

HISTORY OF SENATE BILLS IN HOUSE

SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

12, 17, 18, 19, 20, 24, 26, 27, 28, 41, 42, 51, 59, 63, 65, 68, 69, 70, 71, 74, 79, 80, 83, 85, 90, 91, 93, 94, 95, 97, 102, 103, 105, 108, 109, 113, 115, 118, 122, 123, 126, 132, 141, 148, 149, 153, 157, 168, 169, 177, 181, 182, 184, 203, 206, 221, 223, 224, 226, 227, 228, 229, 232, 233, 234, 235, 238, 239, 240, 241, 242, 243, 244, 246, 248, 249, 251, 252, 254, 255, 256, 257, 258, 259, 260, 261, 263, 266, 267, 268, 269, 270, 273, 276, 277, 278, 279, 280, 281, 283, 285, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 303, 304, 305, 306, 307, 308, 309, 310, 311, 314, 321, 322, 324, 326, 327, 328. S. J. R. 1, 2, 3.

RECORD OF EACH SENATE BILL

Senate File No. — Page

3 By Bennett, Nelson, Valentine. Co-operative corporations.
Received, referred 200
Reported without recommendation 501
To steering committee..... 977
Request for consideration filed..1471

12 By Shangle. Redemption by debtor of real property from execution sale.
Received, referred 802, 805
To steering committee..... 977
Placed on calendar.....1028
Passed; ayes 80, nays 0.....1044
Signed by Speaker.....1077

15 By Schmidt. Capitalization of state banks.
Received, referred 951, 957
To steering committee..... 977

17 By Schmidt. Mileage of sheriffs and deputies.
Received, referred 824, 826
Recommended amendment and passage 885
Rereferred 951
To steering committee..... 977
Placed on calendar.....1050
Made special order.....1055
Amendment filed 1096
Committee amendments adopted 1099
Amended 1101
Passed; ayes 67, nays 33.....1103
Senate concurrence received....1170
Signed by Speaker.....1210

18 By Schmidt. Safety-glass on motor vehicles.
Received, referred 1026, 1030
Placed on calendar.....1434
Passed; ayes 80, nays 9.....1466
Signed by Speaker.....1545

19 By Tripp. Sewer fund for construction and repair of sewage disposal plants.
Received, referred 243, 276
Recommended passage 334
Passed; ayes 87, nays 0..... 538
Signed by Speaker..... 568

20 By Tripp. Sewer bonds for purifying plants.
Received, referred 243, 276
Recommended passage 335
Amended 540
Passed; ayes 89, nays 0..... 541
Concurrence received 557
Signed by Speaker..... 568

24 By Doze. Telephone companies to furnish service to each other without discrimination.
Received, referred 338, 339
Recommended amendment and passage 401
Amendment lost 551
Passed; ayes 92, nays 5..... 552
Signed by Speaker..... 570

26 By Committee on Rules. Duties of the superintendent of printing and the secretary of state in connection with printing local legalizing acts.
Received, referred 74
Recommended passage 99
Passed; ayes 97, nays 0..... 109
Signed by Speaker..... 126

27 By Committee on Rules. Rules of parliamentary practice in use by the General Assembly.
Received, referred 74
Recommended passage 99
Passed; ayes 98, nays 0..... 110
Signed by Speaker..... 126

28 By Anderson. Prohibiting inquiry concerning religious affiliations of persons seeking official positions.
Received, referred 1331, 1337
Placed on calendar.....1397
Passed; ayes 64, nays 33.....1465
Signed by Speaker.....1545

40 By Reese. Additions to general exemption.
Received, referred 379, 383
Recommended passage 630
To steering committee..... 977

41 By Stanley. Selection and platting of a homestead.
Received, referred 337, 338
Recommended passage 913
To steering committee..... 977
Placed on calendar..... 988
Passed; ayes 89, nays 0.....1023
Signed by Speaker.....1043

42 By Frailey, Kimberly. Old age pension.
Received, referred 1233, 1254

Digitized by Google

Senate File No. Date
Recommended passage 1295
Amendments filed 1262, 1278, 1294, 1367
Made special order.....1303
Amendments withdrawn 1378
Amendment lost 1379
Amended 1380, 1382
Committee to consider amendment 1385
Amendment filed 1398
Action deferred 1401
Report of committee.....1408
Committee amendments adopted 1417, 1427
Amended.....1419, 1420, 1424-1426
Motion to reconsider filed.....1434
Amendment filed 1434
Amended 1440, 1441, 1444, 1445, 1446, 1449
Amendments withdrawn..... .....1442, 1443, 1449
Reconsidered 1447
Amended 1448, 1449
Passed; ayes 100, nays 7.....1449
Senate concurrence received...1469
Signed by Speaker.....1545

51 By Stevens of Wapello. Motor vehicle license fees.
Received, referred 200, 201
Recommended passage 227
Passed; ayes 83, nays 9..... 342
Signed by Speaker..... 370

54 By Frailey. Non-intoxicating liquors.
Received, referred 337, 339
Recommended passage 501
To steering committee..... 977

57 By Hill. Assessment of moneys and credits.
Received, referred 379, 384
Recommended indefinite postponement 788
To steering committee..... 977

59 By Booth. Transfer of funds in Cass County.
Received, placed on calendar 280, 281
Substituted for H. F. 90..... 281
Passed; ayes 66, nays 33..... 281
Signed by Speaker..... 353

60 By Miller of Buchanan. Debt named in a mortgage upon real estate to be certain and specific amount.
Received, referred 868, 886
To steering committee..... 977

63 By Miller of Buchanan. Memorial buildings and monuments.
Received, referred 370, 373
Withdrawn, placed on calendar. 565
Passed; ayes 83, nays 0..... 587
Signed by Speaker..... 635

65 By Topping. Armories.
Received, referred 369, 374
Substituted for H. F. 108..... 375
Passed; ayes 89, nays 0..... 390
Motion filed to reconsider..... 396
Amendment filed 397
Motion to reconsider prevailed.. 403
Vote on passage reconsidered.. 403
Third reading reconsidered..... 403
Amendment adopted 404
Passed; ayes 97, nays 0..... 404
Signed by Speaker..... 491

Senate File No. Date
66 By Valentine, Beatty, Beardsley, Shangle, Reese, Aschenbrenner, Stevens of Wapello, Stevens of Decatur, Wilson, Nelson, Calhoun, Doze, Coykendall. Preference for Iowa coal and other domestic materials.
Received, referred 1469, 1476

68 By Chrystal, Schmidt. Appropriation for the State Board of Conservation.
Received, referred 1386, 1401
Recommended amendment, and without further recommendation 1460
Amendment adopted 1528
Passed; ayes 100, nays 5.....1529
Received back 1542
Concurred 1543
Signed by Speaker.....1555

69 By Ritchie. Sealing fees under the unbonded agricultural warehouse act.
Received, placed on calendar... 316
Passed; ayes 98, nays 2..... 317
Signed by Speaker..... 353

70 By Ritchie. Delinquent tax sales.
Received 137
Considered by unanimous consent 138
Amended 138
Passed; ayes 99, nays 1..... 138
Title amended 139
Signed by Speaker..... 167

71 By Chrystal. State lands for National Forests.
Received, referred 337, 339
Recommended passage 470
Action deferred 539
Passed; ayes 90, nays 5..... 557
Signed by Speaker.....570

74 By Chrystal. Purchase of land in cities for state parks.
Received, referred 337, 339
Recommended passage 471
Passed; ayes 82, nays 1..... 674
Signed by Speaker..... 720

79 By Ritchie. Notice of tax sale.
Received, placed on calendar 154, 155
Passed; ayes 94, nays 0..... 155
Signed by Speaker..... 167

80 By Carden. Requisition of motor vehicles by county or city.
Received, referred 275, 276
Recommended amendment and passage 335
To steering committee..... 977
Placed on calendar..... 988
Committee amendments adopted 1023
Amended 1023
Passed; ayes 95, nays 0.....1024
Senate concurrence received....1112
Signed by Speaker.....1113

83 By Wilson. Limiting millage rate for fire department maintenance.
Received, placed on calendar 503, 515

Digitized by Google

Senate File No. Date
Substituted for H. F. 129..... 515
Passed; ayes 87, nays 13..... 516
Signed by Speaker..... 527

84 By Committee on Agriculture. Standards as to weight of bread.
Received, referred 192, 193
To steering committee..... 977

85 By Committee on Agriculture. Iowa Butter Trademark.
Received, referred 192, 193
Recommended amendment and passage 423-425
Committee amendments adopted 565
Title amended .....?..... 565
Passed; ayes 89, nays 9..... 567
Received back 685
Concurred 808
Signed by Speaker..... 931

88 By Miller of Buchanan. Transfer of funds in Buchanan county.
Received, referred 569-577
Recommended passage 661
Failed to pass; ayes 21, nays 60. 819

90 By Elthon. Transportation of pupils in consolidated school districts.
Received, referred 482, 490
Recommended passage 804
To steering committee..... 977
Placed on calendar..... 984
Passed; ayes 70, nays 7..... 987
Signed by Speaker.....1018

91 By Hopkins. Closing of schools because of lack of attendance.
Received, referred 369, 374
Substituted for H. F. 267..... 375
Passed; ayes 61, nays 31..... 672
Signed by Speaker..... 720

93 By Committee on Motor Vehicles. Storage affidavits on motor vehicles.
Received, referred 231, 237
Recommended passage 291
Substituted for H. F. 149..... 343
Passed; ayes 97, nays 0..... 343
Signed by the Speaker..... 370

94 By Committee on Motor Vehicles. Suspension of Operator's or Chauffeur's licenses.
Received, referred 231, 237
Recommended passage 290
Substituted for H. F. 150..... 343
Passed; ayes 95, nays 1..... 344
Signed by Speaker..... 370

95 By Hopkins. Salaries of deputy county officials.
Received, referred 1095 1098
Placed on calendar.....1175
Amendments filed 1189, 1250
Action deferred 1247, 1254
Amended 1298
Reconsidered 1300
Amendment lost 1301
Passed; ayes 70, nays 33.....1302
Received back 1397
Refused to recede.....1412
Conference committee appointed 1412

Senate File No. Date
Conference committee report filed 1454
Received back 1469
Conference committee report rejected 1479
New conference committee appointed 1517
Received back 1539
Conference committee report adopted 1541
Signed by Speaker.....1555

97 By Carden. Condemnation of intoxicating liquors.
Received, referred 303, 312
Recommended passage 425
Passed; ayes 85, nays 0..... 536
Signed by Speaker..... 568

102 By Committee on Highways. Legalizing construction of secondary roads.
Received, referred 231, 237
Recommended passage 292
Passed; ayes 94, nays 0..... 298
Signed by Speaker..... 358

103 By Harrington. Negotiable revenue bonds issued by municipally owned public utilities.
Received, referred 1249, 1254
Amendment filed 1250, 1294
Placed on calendar.....1278
Amendment withdrawn 1323
Amended 1325
Passed; ayes 94, nays 4.....1326
Senate concurrence received....1356
Signed by Speaker.....1397

104 By Tripp. Collection of taxes.
Received, referred 1077, 1079

105 By Committee on Highways. Financing of primary road bonded indebtedness.
Received, referred 316, 338
Recommended indefinite postponement 418
Committee report rejected..... 759
Made special order..... 761
Amendments filed 761, 785
Amendment lost 791
Amended 792, 794, 800
Passed; ayes 64, nays 42..... 801
Received back 925
Concurred 933
Signed by Speaker.....956

108 By Irwin. Regulating beer contents.
Received, referred 963, 967
To steering committee..... 977
Placed on calendar.....1175
Action deferred 1247
Passed; ayes 68, nays 18.....1257
Signed by Speaker.....1330

109 By Irwin. Limitation of expenditures by certain municipalities.
Received, referred 584, 586
Recommended passage 691
Passed; ayes 73, nays 5..... 707
Signed by Speaker..... 741

113 By Wenner. Probate powers of the Clerk of the District Court.
Received, referred 1027, 1029

Digitized by Google

Senate File
No. Date
Placed on calendar.....1050
Passed; ayes 91, nays 1.....1075
Signed by Speaker.....1096

115 By Klemme. Tax levies in cities for bridge purposes.
Received, referred 370, 374
Substituted for H. F. 167..... 589
Passed; ayes 84, nays 0..... 589
Signed by Speaker..... 635

118 By Committee on Claims. Ed A. Schmidt.
Received, referred 541, 546
Recommended passage 577
Passed; ayes 89, nays 1.....1038
Signed by Speaker.....1077

122 By Geske. Legalizing act.
Received, referred 369, 374
Recommended passage 486
Passed; ayes 84, nays 0..... 533
Signed by Speaker..... 568

123 By Irwin. Legalizing act.
Received, referred 686, 692
Recommended passage 771
Passed; ayes 83, nays 0..... 815
Signed by Speaker..... 898

125 By Baldwin, Harrington. Compromise of taxes on real estate.
Received, referred 745, 749
To steering committee..... 977
Placed on calendar.....1294
Action deferred 1350
Failed to pass; ayes 20, nays 82.1375

126 By Valentine. Rule for mental examination of persons who affirmatively plead their own mental disability.
Received, referred 584, 586
Recommended passage 914
To steering committee..... 977
Placed on calendar 1028
Passed; ayes 90, nays 0.....1047
Signed by Speaker.....1077

129 By Committee on Motor Vehicles. Portable flare equipment.
Received, referred 303, 312
Recommended passage 487
Amendments filed 498, 521
To steering committee..... 977

132 By Aschenbrenner. Legalizing act.
Received, referred 482, 490
Recommended passage 631
Passed; ayes 73, nays 0..... 821
Signed by Speaker..... 898

140 By McArthur. Criminal fees of police judges.
Received, referred 824, 827
To steering committee..... 977

141 By Mullaney. Legalizing act.
Received, referred 584, 586
Recommended passage 661
Passed; ayes 94, nays 0..... 724
Signed by Speaker..... 741

148 By Committee on Claims. Mercy Hospital, Oelwein, Iowa.
Received, referred 784, 788
Recommended passage 860
Passed; ayes 80, nays 2..... 936
Signed by Speaker..... 977

Senate File
No. Date
149 By Committee on Claims. Robert A. Turpin.
Received, referred 541, 546
Recommended passage 577
Passed; ayes 92, nays 0.....1039
Signed by Speaker.....1077

153 By Wilson. Discontinuance of stamp-note plan.
Received, referred 584, 587
Recommended amendment and passage 732
Committee amendments adopted 960
Amended 960
Passed; ayes 87, nays 0..... 960
Title amended 960
Senate concurrence received...1033
Signed by Speaker.....1043

155 By Chrystal, Roelofs. Licensing direct buyers of livestock.
Received, referred 1407, 1411

157 By Husted. Regulation of private banks.
Received 482
Substituted for H. F. 197..... 491
Passed; ayes 87, nays 0..... 581
Signed by Speaker..... 635

168 By Topping. Preference for domestic materials, products and supplies.
Received, referred 824, 826
To steering committee..... 977
Placed on calendar.....1035
Amendment filed 1050
Amended 1065, 1066
Passed; ayes 83, nays 8.....1067
Title amended 1067
Senate concurrence received....1087
Signed by Speaker.....1096

169 By Schmidt. Prohibiting endurance contests.
Received, referred 569, 578
To steering committee..... 977
Placed on calendar.....1139
Passed; ayes 92, nays 0.....1154
Signed by Speaker.....1175

177 By Committee on Claims. Violet Bencke and others.
Received, referred 784, 788
Recommended passage 860
Passed; ayes 80, nays 0..... 937
Signed by Speaker..... 977

181 By Committee on Judiciary No. 2. Relating to settlement of poor persons.
Received, referred 369, 374
Recommended passage 885
To steering committee..... 977
Placed on calendar..... 984
Passed; ayes 90, nays 0..... 997
Signed by Speaker.....1027

182 By Committee on Judiciary No. 2. Relating to the office of State Comptroller.
Received, referred 369, 374
Recommended passage 487
To steering committee..... 977
Placed on calendar..... 984
Passed; ayes 89, nays 0..... 997
Signed by Speaker.....1027

Digitized by Google

Senate File No. — Date

183 By Committee on Judiciary No. 2. "Stamp Notes."
Received, referred 369, 375
Recommended passage 631
To steering committee..... 977

184 By Committee on Judiciary No. 2. Auditing of financial records of counties, schools, cities and towns.
Received, referred 369, 375
Recommended passage 577
To steering committee..... 977
Placed on calendar..... 984
Passed; ayes 89, nays 0..... 996
Signed by Speaker.....1027

185 By Stevens of Wapello. Assessments of mercantile businesses.
Received, referred 592, 599
To steering committee..... 977

203 By Hicklin. Duties of State Fair Board.
Received, referred 1432, 1437
Placed on calendar.....1498
Passed; ayes 92, nays 2.....1516
Signed by Speaker.....1554

206 By Geske. Conversion of building and loan associations.
Received, referred 802, 805
To steering committee..... 977
Placed on Calendar.....1105
Passed; ayes 82, nays 3.....1136
Signed by Speaker.....1171

221 By Committee on Motor Vehicles. Surrendering license plates on motor vehicles.
Received, referred 369, 375
Placed on calendar..... 536
Amendment adopted 537
Passed; ayes 89, nays 0..... 537
Title amended 538
Senate concurrence received.... 542
Signed by Speaker..... 543

223 By Committee on Elections. Qualifications of absent voters.
Received, referred 1087, 1090
Placed on calendar.....1096
Passed; ayes 86, nays 0.....1133
Signed by Speaker.....1171

224 By Committee on Elections. Compensation of election boards.
Received, referred 1087, 1090
Placed on calendar.....1096
Passed; ayes 88, nays 0.....1134
Signed by Speaker.....1171

226 By Committee on Highways. State Highway Commission to cooperate with the Federal Government.
Received, referred 482, 490
Recommended passage 502
Passed; ayes 80, nays 0..... 532
Signed by Speaker..... 568

227 By Committee on Banks and Banking. Regulating sale of securities, bonds and trust funds.
Received, referred 951, 957
To steering committee..... 977

Senate File No. — Date

Placed on calendar.....1294
Made special order.....1303
Passed; ayes 97, nays 7.....1354
Signed by Speaker.....1501

228 By Committee on County and Township Affairs. Transfer of funds in Winneshiek County.
Received, referred 546, 562
Recommended passage 661
To steering committee..... 977
Placed on calendar.....1077
Passed; ayes 69, nays 3.....1083
Signed by Speaker.....1104

229 By Committee on County and Township Affairs. Legalizing Act.
Received, referred 482, 490
Recommended passage 661
Passed; ayes 85, nays 0..... 665
Signed by Speaker..... 720

231 By Committee on Public Schools. Providing school facilities for Iowa and Nebraska children.
Received, referred 1095, 1098

232 By Committee on drainage. Classification of levees and drainage districts.
Received 482
Substituted for H. F. 283..... 483
Amendment filed 543
To steering committee..... 977
Placed on calendar..... 988
Amended 1024
Passed; ayes 89, nays 2.....1025
Senate concurrence received....1087
Signed by Speaker.....1096

233 By Committee on Drainage. Appointment of conservator for drainage districts in default to holders of bonds.
Received, referred 951, 958
Recommended passage 967
To steering committee..... 977
Placed on calendar.....1124
Amendment filed 1139
Amended 1147
Passed; ayes 88, nays 1.....1148
Received back 1249
Concurred 1272
Signed by Speaker.....1330

234 By Committee on Cities and Towns. Legalizing Act.
Received, referred 686, 692
Recommended passage 771
Passed; ayes 81, nays 1..... 813
Signed by Speaker..... 898

235 By Committee on Agriculture. Emergency appropriation to Department of Agriculture.
Received, referred 557, 562
Recommended passage 733
Passed; ayes 89, nays 2..... 981
Signed by Speaker.....1018

236 By Committee on Judiciary No. 2. Examination of financial transactions of school districts.
Received, referred 542, 546
Recommended passage 662
To steering committee..... 977

Digitized by Google

Senate File No. — Date

237 By Committee on Judiciary No. 2. License fee on motor vehicle fuel.
Received, referred 542, 546
Recommended passage 662
To steering committee..... 977

238 By Committee on Appropriations. For payment of the expenses of the special corporation commission authorized by the 44th G. A.
Received, referred 542, 547
Recommended passage 662
Passed; ayes 81, nays 1..... 668
Title amended 668
Senate concurrence received... 720
Signed by Speaker..... 720

239 By Committee on County and Township Affairs. Providing limitation of boundaries of benefited water districts.
Received, referred 593 600
To steering committee..... 977
Placed on calendar 1124
Action deferred 1150, 1160
Amendment filed 1162, 1190
Amendment withdrawn 1231
Amended 1231
Passed; ayes 79, nays 14.....1232
Title amended 1232
Senate concurrence received....1293
Signed by Speaker.....1330

240 By Committee on Banks and Banking. Public funds in a bank whose deposit liabilities have been assumed by another bank.
Received, referred 593, 600
Substituted for H. F. 277..... 635
Passed; ayes 63, nays 2..... 823
Signed by Speaker..... 898

241 By Committee on Judiciary No. 2. Legalizing Act.
Received, referred 651, 663
Recommended passage 772
Passed; ayes 74, nays 0..... 822
Signed by Speaker..... 898

242 By Committee on Fish and Game. Protection of fish and game.
Received, referred 686, 692
Recommended amendment and passage 805
To steering committee..... 977
Placed on calendar.....1035
Committee amendments adopted 1070
Amended 1071
Passed; ayes 94, nays 0.....1072
Title amended 1072
Senate concurrence received....1112
Signed by Speaker.....1113

243 By Committee on Fish and Game. Increasing license fees.
Received, referred 964, 967
To steering committee..... 977
Placed on calendar.....1452
Passed; ayes 55, nays 50.....1497
Signed by Speaker..... 1554

244 By Committee on Judiciary No. 2. Legalizing Act.
Received, referred 745, 749
Substituted for H. F. 301..... 750
Passed; ayes 80, nays 0..... 812
Signed by Speaker..... 898

245 By Committee on Judiciary No. 2. Procedure under the Workmen's Compensation Act.
Received, referred 951, 958
To steering committee..... 977

246 By Committee on Judiciary No. 2. Legalizing Act.
Received, referred 745, 749
Recommended passage 772
Passed; ayes 82, nays 0..... 938
Signed by Speaker..... 977

248 By Committee on Cities and Towns. Legalizing Act.
Received, referred 951, 958
To steering committee..... 977
Placed on calendar.....1077
Amended 1084
Passed; ayes 75, nays 0.....1085
Senate concurrence received....1112
Signed by Speaker.....1113

249 By Committee on Claims. I. N. Saylers.
Received, referred 1027, 1030
Recommended passage 1068
Failed to pass; ayes 62, nays 9..1086
Motion to reconsider filed.....1089
Reconsidered 1321
Passed; ayes 86, nays 0.....1322
Signed by Speaker.....1434

251 By Committee on County and Township Affairs. Legalizing Act.
Received, referred 745, 749
Recommended passage 772
Passed; ayes 83, nays 0..... 812
Signed by Speaker..... 898

252 By Committee on Agriculture. Grain warehouse Sealing Fees.
Received, referred 726, 734
Recommended indefinite postponement 805
To steering committee..... 977
Placed on calendar.....1157
Amendment filed 1174
Amended 1245
Passed; ayes 72, nays 21.....1245
Senate concurrence received....1270
Signed by Speaker.....1330

254 By Committee on County and Township Affairs. Legalizing act.
Received, referred 746, 749
Substituted for H. F. 314..... 750
To steering committee..... 977
Placed on calendar..... 984
Passed; ayes 69, nays 4..... 986
Signed by Speaker.....1018

255 By Committee on County and Township Affairs. Legalizing act.
Received, referred.....784, 788
To steering committee..... 977
Placed on calendar.....1096
Passed; ayes 74, nays 12.....1135
Signed by Speaker.....1171

Digitized by Google

Senate File No. Date

256 By Committee on Claims. City of Waterloo.
Received, referred 1034, 1036
Recommended passage 1068
Passed; ayes 78, nays 0.....1118
Signed by Speaker.....1171

257 By Committee on Claims. Soldier Valley Telephone and Telegraph Company.
Received, referred 1034, 1036
Recommended passage 1069
Passed; ayes 78, nays 0.....1118
Signed by Speaker.....1171

258 By Committee on Claims. B. Agard.
Received, referred 1174, 1177
Recommended passage 1251
Passed; ayes 85, nays 2.....1304
Signed by Speaker.....1434

259 By Committee on Claims. Robert A. Miller.
Received, referred 1034, 1037
Recommended passage 1069
Passed; ayes 81, nays 0.....1119
Signed by Speaker.....1171

260 By Committee on Claims. Dan Rhodes.
Received, referred 1034, 1037
Recommended passage 1069
Passed; ayes 81, nays 0.....1120
Signed by Speaker.....1171

261 By Committee on Claims. Lewis G. Rodman.
Received, referred 1174, 1178
Recommended passage 1251
Passed; ayes 72, nays 4.....1305
Signed by Speaker.....1434

263 By Committee on Claims. Cornell College.
Received, referred 1034, 1037
Recommended passage 1069
Passed; ayes 79, nays 1.....1121
Signed by Speaker.....1171

265 By Committee on Drainage. Jurisdiction of the State Board of Conservation over streams and lakes.
Received, referred 1356, 1369
Placed on calendar.....1470
Failed to pass; ayes 26, nays 71.1504

266 By Committee on Claims. Appropriation to certain employes of the Department of Agriculture.
Received, referred 1035 1037
Recommended passage 1069
Passed; ayes 77, nays 11.....1122
Signed by Speaker.....1171

267 By Committee on Agriculture. Insurance on grain stored and sealed.
Received, referred 784, 789
Substituted for H. F. 319..... 794
Passed; ayes 98, nays 0..... 795
Signed by the Speaker..... 825

268 By Committee on Cities and Towns. Financing swimming pools, bathing beaches, bath houses, armories, ice rinks under commission form of government.
Received, referred 802, 806
Recommended passage 861
Passed; ayes 76, nays 0..... 939
Signed by Speaker..... 977

269 By Committee on Cities and Towns. Segregating taxes paid in 1934, due and owing prior to January 1, 1934.
Received, referred 802, 806
Substituted for H. F. 322..... 824
Passed; ayes 78, nays 5..... 961
Signed by Speaker..... 989

270 By Committee on Appropriations. Appropriation to the state board of education from the primary road fund.
Received, referred 784, 789
Recommended amendment and passage 861
Amendment withdrawn 891
Passed; ayes 99, nays 0..... 892
Signed by Speaker..... 931

273 By Committee on Highways. Boards of supervisors to close certain secondary roads against vehicular traffic.
Received, referred.....951, 959
To steerng committee..... 977
Placed on calendar.....1028
Substitution made 1048
Amended 1049
Passed; ayes 87, nays 0.....1049
Ttle amended 1050
Received back 1088
House insists 1128
Conference committee appointed 1128
Report filed.....1229
Received back 1249
Conference report adopted.....1269
Signed by Speaker.....1330

276 By Committee on Military Law of the state
Received, referred 1112, 1125
Recommended passage 1265
Made special order.....1323
Passed; ayes 76, nays 29.....1346
Signed by Speaker.....1434

277 By Committee on Insurance. Investment of insurance funds in bonds of Federal Home Loan Banks and Home Owners' Loan Corporation.
Received, referred 1271, 1295
Placed on calendar.....1366
Passed; ayes 90, nays 0.....1374
Signed by Speaker.....1501

278 By Committee on Claims. Viva Thackrey and others.
Received, referred 1035, 1037
Recommended passage 1070
Failed to pass; ayes 70, nays 28.1130
Motion to reconsider filed.....1139
Reconsidered 1313
Passed; ayes 75, nays 23.....1314
Signed by Speaker.....1434

279 By Committee on Claims. D. F. Wolfe.
Received, referred 1174, 1178
Recommended passage 1252
Passed; ayes 74, nays 3.....1305
Signed by Speaker.....1434

Digitized by Google

Senate File No. Date

280 By Committee on Claims. Secretary of War.
Received, referred 1035, 1037
Recommended passage 1070
Passed; ayes 73, nays 13.....1123
Signed by Speaker.....1171

281 By Committee on Appropriations. Appropriation for direct relief or work relief.
Received, placed on calendar... 971
Substituted for H. F. 325..... 971
Amended 972, 975
Passed; ayes 88, nays 13..... 975
Received back 979
Insisted on its amendments..... 980
Conference committee appointed 980
Received back 989
Conference committee report... 989
Report adopted 991
Signed by Speaker.....1005

283 By Committee on Cities and Towns. Cities acting under commission form of government may take title to privately owned armories.
Received, referred 1017, 1019
Placed on calendar.....1077
Passed; ayes 71, nays 0.....1085
Signed by Speaker.....1104

285 By Committee on Judiciary No. 2. Legalizing act.
Received, referred 1017, 1020
Placed on calendar.....1050
Passed; ayes 93, nays 0.....1076
Signed by Speaker.....1096

287 By Committee on Claims. Elmer Williams.
Received, referred 1188, 1198
Recommended passage 1252
Passed; ayes 82, nays 0.....1307
Signed by Speaker.....1434

288 By Committee on Claims. Ben Terhark.
Received, referred 1188, 1198
Recommended passage 1252
Passed; ayes 84, nays 0.....1308
Signed by Speaker.....1434

289 By Committee on Claims. Staley Sales Corporation.
Received, referred 1188, 1198
Recommended passage 1252
Passed; ayes 87, nays 1.....1309
Signed by Speaker.....1434

290 By Committee on Claims. O. D. Scholl.
Received, referred 1188, 1198
Recommended passage 1252
Passed; ayes 91, nays 0.....1310
Signed by Speaker.....1434

291 By Committee on Claims. Roscoe W. Wilson.
Received, referred 1209, 1214
Recommended passage 1252
Passed; ayes 87, nays 1.....1310
Signed by Speaker.....1434

292 By Committee on Claims. Mrs. Olina Waltz.
Received, referred 1209, 1214
Recommended passage 1253
Passed; ayes 87, nays 0.....1311
Signed by Speaker.....1434

Senate File No. Date

293 By Committee on Emergency Legislation. Powers of river front commissions to erect public buildings.
Received, placed on calendar 989, 992
Passed; ayes 78, nays 0..... 992
Signed by Speaker.....1005

294 By Committee on Appropriations. To pay the necessary expenses of the Iowa Commission to Study Liquor Control Legislation.
Received, referred 1113, 1125
Recommended passage 1524
Passed; ayes 70, nays 15.....1537
Signed by Speaker.....1554

295 By Committee on Cities and Towns. Police and Firemen's Pension and Retirement System.
Received, referred 1088, 1091
Placed on calendar.....1124
Passed; ayes 80, nays 2.....1152
Signed by Speaker.....1229

296 By Committee on Cities and Towns. Appointment of a sanitation and quarantine officer.
Received, referred 1104, 1108
Placed on calendar.....1278
Passed; ayes 95, nays 1.....1327
Signed by Speaker.....1434

297 By Committee on Cities and Towns. Cities and towns to procure insurance for the benefit of members of volunteer fire departments.
Received, referred 1472, 1477
Placed on calendar.....1498
Passed; ayes 95, nays 4.....1517
Signed by Speaker.....1554

298 By Committee on Cities and Towns. Appointment of police matrons.
Received, referred 1258, 1271
Placed on calendar.....1366
Action deferred 1375
Passed; ayes 97, nays 0.....1376
Signed by Speaker.....1501

299 By Committee on Ways and Means. Patent to real estate in Polk County.
Received, referred 1027, 1030
Placed on calendar.....1105
Passed; ayes 90, nays 0.....1146
Signed by Speaker.....1175

303 By Committee on Claims. Lyon County.
Received, referred 1209, 1214
Recommended passage 1253
Passed; ayes 95, nays 0.....1312
Signed by Speaker.....1434

304 By Committee on Claims. Inter City Bus Line.
Received, referred 1209, 1214
Recommended passage 1253
Passed; ayes 94, nays 2.....1315
Signed by Speaker.....1434

Digitized by Google

Senate File No. Date

305 By Committee on Claims. Nettie Mae Bennett and E. D. Marshall.
Received, referred 1209, 1214
Recommended passage 1265
Passed; ayes 88, nays 4.....1316
Signed by Speaker.....1434

306 By Committee on Claims. I. J. Petrie.
Received, referred.....1209, 1214
Recommended passage 1265
Passed; ayes 91, nays 0.....1317
Signed by Speaker.....1434

307 By Committee on Claims. A. R. Walton.
Received, referred 1209, 1214
Recommended passage 1266
Passed; ayes 90, nays 0.....1318
Signed by Speaker.....1434

308 By Committee on Claims. W. F. Bellamy.
Received, referred 1432, 1437
Recommended passage 1461
Passed; ayes 95, nays 0.....1523
Signed by Speaker.....1554

309 By Committee on Claims. Dallas County News and C. W. Havenstein.
Received, referred 1209, 1214
Recommended passage 1266
Passed; ayes 87, nays 0.....1319
Signed by Speaker.....1434

310 By Committee on Claims. Leonard and Richard Ruback.
Received, referred 1209, 1215
Recommended passage 1266
Passed; ayes 88, nays 0.....1319
Signed by Speaker.....1434

311 By Committee on Judiciary No. 2. Legalizing act.
Received, referred 1431, 1437
Placed on calendar.....1452
Passed; ayes 89, nays 0.....1453
Signed by Speaker.....1545

314 By Committee on Claims. Robert Harrison.
Received, referred 1209, 1215
Recommended passage 1266
Passed; ayes 84, nays 4.....1320
Signed by Speaker.....1434

316 By Committee on Emergency Legislation. Nature of certificates provided for in Depositors' Agreement on waivers.
Received, referred 1271, 1296

318 By Committee on Cities and Towns. Street improvement and sewers in cities under commission form of government.
Received, referred 1432, 1437

Senate File No. Date

319 By Committee on Cities and Towns. Gas, water and other connections by cities and towns when owner fails to make connections.
Received, referred 1432, 1437

321 By Committee on Emergency Legislation. Exemption of property from taxation.
Received 1258
Action deferred 1258
Amended 1260
Passed; ayes 65, nays 20.....1261
Senate concurrence received....1271
Signed by Speaker.....1330

322 By Committee on Emergency Legislation. Uniform cost accounting and financial record of schools.
Received, referred 1270, 1271
Placed on calendar 1366
Passed; ayes 92, nays 8.....1377
Signed by Speaker.....1501

323 By Committee on Judiciary No. 1. Compensation of the members of the State Board of Assessment and Review.
Received, referred 1397, 1401
Placed on calendar.....1434
Failed to pass; ayes 49, nays 47 1467
Motion to reconsider filed.....1475
Refused to reconsider.....1481

324 By Committee on Cities and Towns. Legalizing act.
Received, referred 1498, 1507
Placed on calendar.....1535
Passed; ayes 97, nays 0.....1536
Signed by Speaker.....1554

326 By Committee on Tax Revision and Reorganization. Relating to taxation and to exempt certain associations from the provisions imposing a tax on corporations doing business in Iowa.
Received 1494
Substituted for H. F. 354.....1494
Passed; ayes 96, nays 0.....1495
Signed by Speaker.....1545

327 By Committee on Appropriations. Omnibus bill; miscellaneous expenses.
Received 1545
Placed on calendar.....1546
Passed; ayes 74, nays 0.....1547
Signed by Speaker.....1555

328 By Committee on Aircraft Transportations and Railroads. Tenure of office of members of the commission on aeronautics.
Received 1542
Placed on calendar.....1547
Passed; ayes 96; nays 0.....1548
Signed by Speaker.....1555

Digitized by Google

HOUSE RECORD ON HOUSE JOINT RESOLUTIONS

H. J. R. Page

1 By Garner. Child Labor Law.
Introduced, passed on file..... 22
Referred 47
Recommended indefinite postponement 93
Rereferred 120
Withdrawn 472

2 By Mercer, Wolf. Public use of State University Hospital.
Introduced, referred 186
Recommended passage 469
To steering committee..... 977

3 By Burgess. Investigation of the State Banking Department.
Introduced, referred 264
Recommended indefinite postponement 349
To steering committee..... 977

HOUSE RECORD ON SENATE JOINT RESOLUTIONS

S. J. R. Page

1 By Hopkins, Pendray. Child labor.
Received, referred 200, 201
Reported without recommendation 226
Made special order..... 279
Passed; ayes 61, nays 42..... 305
Signed by the Speaker..... 353

2 By Special Committee on Salaries. Compensation of officers and employees of the 45th General Assembly in extraordinary session.
Received, placed on calendar... 75
Amended 75, 76
Passed; ayes 90, nays 4..... 77
Received back 88
Refused to recede..... 89
Conference committee appointed 89
Conference report adopted..... 91
Signed by Speaker..... 100

3 By Harrington. Amending Senate Joint Resolution No. 2.
Received, referred 192, 193
Recommended passage 196
Passed; ayes 83, nays 0..... 197
Signed by Speaker..... 238

Digitized by Google

RESOLUTIONS

ACTION ON HOUSE CONCURRENT RESOLUTIONS

No. 1—For joint convention November 7th, 4, 7, 8.
No. 2—Committee for additional employees, 8, 9.
No. 3—Preference be given legislation suggested in Governor's message, 75, 137.
No. 4—Both chambers to resolve themselves into a committee of the whole for consideration of tax revision bills, 144, 192.
No. 5—Printing report of Brookings Institution, 164, 190, 209, 231.
No. 6—Adjournment for Thanksgiving, 164, 187, 243.
No. 7—To memorialize the President on the control of agricultural surplus, 233, 335.
No. 8—For investigation of insurance department, 282-285.
No. 9—On the Federal processing tax, 302, 318, 354.
No. 10—On the closing of the Des Moines Land Bank, 750, 788, 824.
No. 11—Importation of foreign oils, 827, 862, 864.
No. 12—Broadcasting from Senate and House, 1079, 1094.
No. 13—On temporary adjournment of House, 1099, 1107.
No. 14—On final adjournment, 1142, 1267, 1277, 1412, 1413, 1555.
No. 15—Joint convention for address by Edward A. Hayes, National Commander American Legion, 1150, 1162.
No. 16—Memorializing President for a Subsistence Homesteads Experimental Project for Dallas county, 1178, 1269, 1293.
No. 17—Committee on highway patrol, 1439, 1455.
No. 18—Purchase of chairs by members of the G. A., 1487, 1519, 1542.

RESOLUTIONS

ACTION ON SENATE CONCURRENT RESOLUTIONS

No. 1—Appointment of a committee to fix the compensation of officers and employees of the 45th G. A. in extra session, 7, 8.
No. 4—For Christmas adjournment, 503, 505.
No. 5—For committee to revise rules, 503, 722.
No. 7—Distribution of reports of Brookings Institution, 529, 530.
No. 8—Birthday congratulations to President Roosevelt, 968, 969.
No. 10—On the Iowa exhibit at the Century of Progress Exposition, 1249, 1459, 1460.
No. 14—Final adjournment, 1453, 1457, 1458, 1459.
No. 15—Services of employees after adjournment, 1470, 1476.

HOUSE RESOLUTIONS

No. 1—To Hon. Victor Felter, 28.
No. 2—Authorizing speaker to pass on distribution of literature on members' desks, 162.
No. 3—For prompt action on tax revision bills, 231.
No. 4—For Christmas adjournment, 483, 488, 504.
No. 5—For investigation of live stock buying, 489, 527.
No. 6—To Hon. Irving H. Knudson, 644.
No. 7—To family of James W. Holden, 1215.

Digitized by Google

HOUSE MEMORIAL RESOLUTIONS

No. 1—Hon. G. S. Toliver, 62, 1570.
No. 2—Hon. Thomas F. Griffin, 74, 1560.
No. 3—Hon. Willis Hall Thornley, 97, 1569.
No. 4—Hon. H. O. Weaver, 97, 1571.
No. 5—Hon. Boyd Francis Read, 98, 1567.
No. 6—Hon. Clifford B. Paul, 105, 1564.
No. 7—Hon. Bruce B. Mills, 105, 1562.
No. 8—Hon. Frank S. Payne, 163, 1566.
No. 9—Hon. Dallas D. Rorick, 163, 1568.
No. 10—Hon. T. P. Harrington, 185, 1561.
No. 11—Hon. W. E. Hager, 240, 1560.
No. 12—Hon. Henry N. Newell, 744, 1563.
No. 13—Hon. Fred B. Witt, 1337, 1572.

Digitized by Google

TOPICAL INDEX TO HOUSE BILLS

(Figures denote House File numbers except as stated otherwise.)

ABSTRACTS OF TITLE—
Unnecessary before January 1, 1910. 60, Craven.

ACTIONS—
Limitation against insurer. 15, committee on judiciary No. 2.
Real estate foreclosure. 83, McKinnon, Fuester, Alesch, Zylstra.
Extension of redemption period. 88, Ryder.
To recover taxes from decedents. 166, Hartman.
Notice in partition proceedings. 191, Cunningham.

ADOPTION—
Of children. 24, committee on judiciary No. 1.

AERONAUTICS—
Creating commission. 223, Mercer.

AGRICULTURE—
Liens on livestock. 29, Hanson of Lyon.
Oleomargarine; inspection of; tax. 31, Gissel.
Noxious weeds; commissioners. 55, Fuester; 280 and House substitute for 280, committee on agriculture.
Embargo on farm products. 70, Foster, Alesch.
Marking of milk bottles. 110, Wiese.
Registered animals for public service. 153, Osborn.
Licensing buyers of live stock. 176, McKinnon, Mooty, Frizzell, Bowers, Davis.
Bond furnished by veterinarians before testing. 177, Zipse.
Establishing county boards. 180, Moore of Harrison, Malone.
Farm aid associations. 245, Gittinger; 259, Alesch; 262, Foster.
Regulating weights of bread. 269, committee on agriculture.
Production and marketing of swine. 270, committee on agriculture.
Crops under mortgage. 271, committee on emergency legislation.
Agricultural seeds; regulating sale. 281, committee on agriculture.
Inspection of hatcheries. 282, committee on agriculture.
Excise tax on lard substitutes. 293, committee on agriculture.
Method of defraying expenses of unbonded warehouse act. 294, committee on agriculture.

AGRICULTURE, DEPARTMENT OF—
(See department of agriculture.)

ALMKUIST, RALPH—
Claim of. 274, committee on claims.

AMUSEMENTS—
Township licenses for places of. 136, Craven.
Motion picture regulation; fire prevention. 139, Cunningham.

ANNUITY CONTRACTS—
Taxation of, held by educational institutions. 171, Reed.

APPROPRIATIONS—
Expenses supreme court and judges. 151, Johnson.
Adolph Wiese. 161, Wiese.
For farm aid associations. 245, Gittinger.
To League of Iowa Municipalites. 256, Hartman.
To farm aid associations. 259, Alesch.
Police radio broadcasting system. 268, committee on police regulation.
Production and marketing of swine. 270, committee on agriculture.

Digitized by Google

Cooperation with federal employment system. 271, committee on labor.
Ralph Almkuist. 274, committee on claims.
James Berry and Tolbert Moore. 275, committee on claims.
For Liquor Control Commission. 292, committee on liquor control.
Defraying expenses of warehouse act. 294, committee on agriculture.
Expense of printing; extra session. 300, committee on appropriations.
C. R. Piercy. 307, committee on claims.
Amos Hilton. 308, committee on claims.
H. C. Shaw. 309, committee on claims.
Hon. Victor Felter. 310, committee on claims.
H. D. Howard. 311, committee on claims.
Mrs. E. A. Brigham and Milton Strickler. 312, committee on claims.
Disposition of unexpended appropriations to Board of Control. 317, committee on claims.
Mrs. Etta Rock. 318, committee on claims.
Dr. F. C. Schadt. 320, committee on claims.
Ft. Madison Coal & Coke Co. and others. 321, committee on claims.
Direct relief and care of unemployed. 325, committee on appropriations.
Iowa State Board of Education for use and benefit of School for Blind. 328, steering committee.
Iowa City. 342. committee on appropriations.
Dr. E. E. Munger. 346, committee on appropriations.
City of Des Moines. 360, committee on appropriations.

ARBITRATION COMMITTEE—

Under real estate foreclosure actions. 83, McKinnon, Fuester, Alesch, Zylstra.

ARMORIES—

Power to establish. 108, Hartman.
Authorizing cities and towns to finance armories through public works funds and issue revenue bonds. 350, steering committee.

ASSESSMENTS—

Relating to assessments of bank stock. 87, committee on banks and banking.
Levied for financing secondary roads. 154, Schmitz.
Mercantile business. 199, Fabritz.
Of mortgages. 251, Malone.
Classifying of, in levee and drainage districts. 283, committee on drainage.

ASSOCIATIONS—

Fraternal; investment of funds. 22, committee on judiciary No. 1.
Employers' Indemnity. 234, Reed.
Farm aid. 245, Gittinger; 259, Alesch; 262, Foster.

AUCTIONEERS—

Exemption from license. 98, McCreery.

AUDUBON COUNTY—

Legalizing transfer. 114, Jensen.

AUTOMOBILES—

(See motor vehicles.)

BABY CHICK HATCHERY—

(See hatcheries.)

BANKS, PRIVATE—

(See private banks.)

BANKS AND BANKING—

Investigation of banking department. J. R. 3, Burgess.

Digitized by Google

Remission of taxes in case of loss. 6, Johnson.
Repealing superfluous sections on. 26, committee on judiciary No. 1.
Relating to small loans. 40, Zylstra, McKinnon, Stimpson, Cunningham.
Trust funds for maintenance of graves; preference. 47, Hopp, McFarlane.
Interest on small loans. 64, Hopp, Hanson of Lyon, Hanson of Winnebago.
Depository banks; location. 69, Moore of Harrison.
State or savings banks or trust companies, organization of. 87, committee on banks and banking.
Issuance of preferred stock by. 122, committee on banks and banking.
Superintendent of banking to take possession of banking institutions without insolvency proceedings. 134, Doran.
Examinations of. 197, Ellsworth.
Branch banking. 217, Fabritz, Cunningham, McKinnon.
Legalizing depositors' agreements and providing for state sinking fund. 231, Ellsworth; 324, committee on banks and banking.
Deposits and trust funds. 249, Crouch.
Manner of filing claims against State Sinking Fund. 257, Ellsworth.
Public funds; liability when assumed by another bank. 277, committee on banks and banking.
Assignment of assets of State Sinking Fund to Reconstruction Finance Corporation. 278, committee on banks and banking.
Rate of interest on public deposits. 284, committee on banks and banking.
Taxation of bank stock. 324, committee on banks and banking.
Investment by insurance companies in bank stock. 330, steering committee.
To aid in advancement by Reconstruction Finance Corporation. 333, steering committee.
Authorizing savings banks to invest in bonds of Home Owners' Loan Bonds and Federal Deposit Insurance Corporation. 343, steering committee.
Correction of House File No. 331, in extra session. 344, steering committee.
State Banking Board to carry out provisions of law relative to department and employees. 358, steering committee.

BEER—

Fees; hotels, inns, taverns. 27, Yager.
Sale during certain hours. 54, Wiese.
Revenues from permit fees to general fund. 99, Zylstra.
Alcoholic content by weight. 225, Ryder.
Permit for sale of. 254, Dean, Yager.
Powers of boards of supervisors. 260, Gallagher.
Relating to sales. 261, Wiese.
Governing manufacture, sale and distributon of. 336, steering committee.

BENTON COUNTY AGRICULTURAL SOCIETY—

Legalizing act. 297, committee on judiciary No. 2.

BERRY, JAMES—

Claim of. 275, committee on claims.

BOARDS AND COMMISSIONS—

Old age pension commisson. 58, Teter; 73, Donlon.
State Highway Commission; abolishment. 85, Yager, Jensen, McKinnon.
Creating aeronautic commission. 223, Mercer.
Iowa Hydro Electric Power Commission. 228, Crouch, Donlon, Foster, Hanson of Winnebago, Hook, McKinnon, Metcalf, Schlatter, Smith, Zylstra.
Creating liquor control commission. 292, committee on liquor control.
Relating to board of embalming examiners. 351, steering committee.
Salaries of members of Board of Assessment and Review. 359, steering committee.

BOARD OF EDUCATION—

(See state board of education.)

Digitized by Google

BOARD OF EMBALMER EXAMINERS—

Additional member. 351, committee on emergency legislation.

BOARD OF RAILROAD COMMISSIONERS—

Regulation of light and power companies. 62, Goode, Fabritz.
Number of men employed on switch engines. 95, Mercer.
Supervision of pipe line companies. 216, Mitchell.
Taxation of motor vehicle carriers. 253, Treimer, Schmitz.

BOARD OF SUPERVISORS—

Legalizing acts of, in Lee county. 8, Paisley.
Employment of county engineer by. 9, Gissel.
Listing additional noxious weeds. 55, Fuester; 280, committee on agriculture.
Refund of poll tax. 56, Fuester.
Annual levy of taxes. 66, Osborn.
Regulation of telephones. 81, Dole.
Treatment of indigent persons. 112, Millhone, Speidel.
Real estate taxes of 1932 and prior. 119, Ryder.
Limitation of tax levies. 133, Felter, Crouch, Strachan, Beswick, McLean.
License for amusement places. 136, Craven.
County may be purchaser at delinquent tax sale. 147, Osborn.
Refund assessments for surfacing secondary roads. 154, Schmitz.
Levies for poor relief. 165, Strachan.
To issue beer permits. 225, Ryder; 254, Dean, Yager; 260, Gallagher.
To issue drainage refunding bonds. 243, Jensen; 295, committee on drainage.
Farm aid associations. 245, Gittinger.
Bonds for county officers. 247, Crouch.
Appropriation for farm aid assocations. 259, Alesch.
Sale of non-intoxicating liquor. 261, Wiese.
Providing for destruction of weeds. 280, committee on agriculture.
Liquor control commission. 292, committee on liquor control.
Soldiers' graves. 305, committee on judiciary No. 2.
Authority to refund surplus funds in drainage districts. 316, committee on drainage.
Permit boards to sell products of stone quarries to furnish employment. 348, steering committee.

BONDS, INDEMNIFYING—

Cigarettes; bonds and sureties for. 46, Avery.
In contests for seats in General Assembly. 174, Reed.
By veterinarians before testing. 177, Zipse.
By contractors for public mprovements. 192, Ellsworth.
Covering responsibility of owners and operators of motor vehicles. 241, Brady.
Required by county officers. 247, Crouch.
Of certain insurance companies. 289, committee on insurance.

BONDS, PUBLIC—

Issuance; cities for erection of jails or police stations. 38, Johnson.
Cities authorized to issue "Revenue bonds" for public works. 120, 213, Ryder.
Place of payment. 140, Ellsworth.
Judgment bonds issued under mandatory tax reductions. 143, Elliott.
Revenue bonds for public markets. 155, Elliott.
To purchase interstate bridges by counties and cities. 169, Burgess.
To acquire street railways by cities. 242, Elliott.
Refunding bonds; drainage. 243, Jensen; 295, committee on drainage.
Repealing exemption. 252, Malone.
Levy for interest and principal on school bonds. 304, committee on judiciary No. 2.
Building and loan associations may accept bonds of Home Owners' Loan corporation. 313, committee on building and loan.

Digitized by Google

For certain purposes; by cities and towns. 332, steering committee.
For sewage plants by cities and towns. 334, steering committee.
Public bodies to issue, for benefits under National Recovery Act. 335, steering committee.
Revenue bonds to construct armories. 347, steering committee.

BRANCH BANKING—

Right to operate; supervision. 217, Fabritz, Cunningham, McKinnon.

BREAD—

Regulating weight. 269, committee on agriculture.

BRIDGES—

Cities controlling levies for. 167, Schmitz.
Interstate; cooperation by public bodies. 169, Burgess.
Interstate; by Executive Council. 221, Roe.

BRIGHAM, MRS. E. A.—

Claim of. 312, committee on claims.

BROKERS—

Relating to auctioneers. 98, McCreery.

BUILDING AND LOAN ASSOCIATIONS—

Chief examiner; powers, duties compensation. 236, Swift.
Authorizing conversion; to be known as "Home Owners' Loan Act." 237, Swift.
Acceptance of bonds of Home Owners' Loan Corporation. 313, committee on building and loan.

BULK SALES—

Lien on property in case of. 181, Rawlings.

BUREAU OF LABOR—

Old age pension. 58, Teter.

BUTLER COUNTY—

Legalizing transfer. 118, Garner.

CANDIDATES—

Nomination of, for all public offices. 3, Gallagher.

CASS COUNTY—

Legalizing transfer. 90, Malone.

CEMETERIES—

Covering trust funds for care of graves. 47, Hopp, McFarlane.
Disposition of perpetual care funds. 198, Hultman.
Soldiers' graves. 305, committee on judiciary No. 2.

CERTIFICATE HOLDERS—

Rights of, in reorganizing banks. 122, committee on banks and banking.
Means for acceptance of provisions of Federal Deposit Insurance Corporation. 331, steering committee.
Correction of House File No. 331, extra session. 344, steering committee.

CHAIN STORES—

Establishment, operation, maintenance, license for. 105, Lookingbill, Ostby, Grell, Bouska.

CHATTEL MORTGAGES—

(See mortgages.)

Digitized by Google

CHAUFFEURS—

License for; age limit. 148, committee on motor vehicles and transportation.
License withheld. 240, Grell.
Suspension of license. 244, Rice, Mercer.

CHEROKEE COUNTY—

Legalizing transfer. 75, Smith.

CHICK HATCHERY—

(See hatcheries.)

CHILDREN—

Child labor; ratifying amendment to U. S. constitution. J. R. 1, Garner.
Adoption of. 24, committee on judiciary No. 1.

CIGARETTES—

Bonds and sureties for permits. 46, Avery.

CITIES AND TOWNS—

Right of way for traffic. 16, committee on judiciary No. 1.
Abolishing municipal courts. 36, Burgess.
Property; purchase by. 38, Johnson.
Ordinances; posting of notices. 39, Yager.
Public utilities; telephone service. 42, Roe, Mooty.
Public utilities; telephone systems. 43, Roe, Mooty.
Licensing dogs. 50, Craven.
Viaducts. 53, Wiese.
Regulating hours of sale of beer. 54, Wiese.
Depository banks. 69, Moore of Harrison.
Regulation of telephones. 82, Dole.
Retention of fees for beer permits. 99, Zylstra.
Aid in purchase of land for state parks. 101, Moore of Harrison.
Armories; power to establish. 108, Hartman.
Authority to borrow funds from Federal Public Works Adminstration. 120, Ryder.
Funds for fire department; right to levy. 129, Cunningham.
To confine expenditures to cash income. 138, Burgess.
Regulate motion pictures. 139, Cunningham.
Permanent park boards; abolishment of. 142, Elliott.
Mandatory tax levies; exceptions. 143, Elliott.
Dangerous structures; non-resident owners. 144, Wiese.
Relating to public markets. 155, Elliott.
Lighting streets and public places. 156, Elliott.
Sewer bonds for purifying plants. 159, Durant.
Authorizing, to indemnify employees of police and fire departments against liability. 163, Mitchell.
Controlling tax levies for bridges. 167, Burgess.
Interstate bridges; levying taxes and issuing bonds. 169, Burgess.
Changing boundaries effecting school district. 189, Dean.
Cities under special charter; election on granting franchise. 190, Wiese.
Levy for maintenance of police department. 196, Sheridan; 268, committee on police regulation and suppression of crime and intemperance.
Flood control. 205, 208, Brady.
Emergency relief. 207, Brady.
Borrow funds from Reconstruction Finance Corporation. 213, Ryder.
Personal injuries. 239, Brady.
Acquiring and operating street railways. 242, Elliott.
Dues in League of Iowa Municipalities. 256, Hartman.
Management of municipally owned utilities. 302, committee on cities and towns.
Regulating dance halls. 315, committee on judiciary No. 2.

Digitized by Google

Issuance of bonds for certain purposes. 332, steering committee.
Authority to establish sewer and garbage plants. 334, steering committee.
Enabling, to secure benefits of National Recovery Act. 335, steering committee.
Permits to manufacture beer. 336, steering committee.
To operate armories. 350, steering committee.
Appropriation to City of Des Moines. 360, committee on appropriations.

CITIES UNDER COMMISSION FORM—

(See cities and towns.)

CLAIMS—

Ralph Almkuist. 274, committee on claims.
James Berry, Tolbert Moore. 275, committee on claims.
C. R. Piercy. 307, committee on claims.
Amos Hilton. 308, committee on claims.
H. C. Shaw. 309, committee on claims.
Hon. Victor Felter, trustee. 310, committee on claims.
H. D. Howard. 311, committee on claims.
Mrs. E. A. Brigham, Milton W. Stickler. 312, committee on claims.
Mrs. Etta Rock. 318, committee on claims.
Dr. F. O. Schadt. 320, committee on claims.
Fort Madison Coal & Coke Co., Harry Harding, LaVerne Harding, Clyde Fee, The Electrical Store, Jensen-Dunn Co., Reformatory for Men at Anamosa, Yates American Machine Co., H. J. Nazett, W. H. Frazer, Warden, T. H. Metfessel. 321, committee on claims.
Iowa City. 342, committee on appropriations.
Dr. E. E. Munger. 346, committee on appropriations.
Des Moines. 360, committee on appropriations.

CLINTON INDEPENDENT SCHOOL DISTRICT—

Legalizing act. 86, Peaco.

COAL—

(See domestic products.)

CODE—

Corrections on motor vehicle classification. 18, committee on judiciary No. 1.
Corrections on duties of county auditor. 21, committee on judiciary No. 2.
Correction of code section numbers. 22, committee on judiciary No. 1.
Corrections on banking. 26, committee on judiciary No. 1.
Form of amendments to. 71, Gallagher.

COMMISSIONS—

(See boards and commissions.)

COMPENSATION—

Of state board of education and employees of institutions. 172, Reed.
Of justices of the peace and constables. 175, Reed.
Of county officers. 186, Maniece.
State board of assessment and review. 359, steering committee.

COMPTROLLER, STATE—

(See state comptroller.)

CONSERVATION, BOARD OF—

(See state board of conservation of natural resources.)

CONTESTS, ELECTION—

Costs of. 76, Grau.
For seats in General Assembly. 174, Reed.

Digitized by Google

CONTESTS, ENDURANCE—
Mental and personal. 145, Peet; 158, Felter.

CONTRACTORS—
Liability of, on public improvements. 192, Ellsworth.

CONVICTS—
Prohibiting sale of goods made by. 11, Fabritz.

COOPERATIVE ASSOCIATIONS—
Unlimited time to reinstate and right of compromise in penalty. 337, steering committee.

CORN-HOG PROGRAM—
Production and marketing of swine. 270. committee on agriculture.

CORPORATIONS—
Business tax on. 1, Dean, Fabritz, Grau, Mercer, Rice, Speidel.
Secretary of State to compromise penalties. 338, steering committee.
Secretary of State to verify annual reports of. 339, steering committee.

CORYDON, INDEPENDENT SCHOOL DISTRICT OF—
Legalizing act. 301, committee on judiciary No. 2.

COSMETOLOGY—
Relating to rules by department of health. 178, Peet, Metcalf, Millhone.

COUNSEL—
Power of court to limit time of argument. 206, Brady.

COUNTY AGRICULTURAL BOARDS—
Establishment. 180, Moore of Harrison, Malone.

COUNTY OFFICERS—
Refunding poll tax. 4, Durant.
Employment of engineer. 9, Gissel.
Duties of county auditor. 21, committee on judiciary No. 2.
Gross income tax. 57, Burgess, Malone, Swift.
Replacement of losses of county treasurer. 59, Craven.
Deferring second installment of taxes payable in 1933. 63, Beswick.
County auditor; interest on permanent school fund. 65, Hanson of Lyon.
County Superintendent; minimum limitation size of school district. 68, Moore of Harrison.
Location of depository banks. 69, Moore of Harrison.
Contesting elections; costs of. 76, Grau.
Salaries and compensation of. 113, Foster, Brady; 124, Thies.
Gross income tax on business; treasurer; duties. 131, Strachan, Beswick, McLean, Felter, Crouch.
Recording landlords' lien. 157, Felter.
Compensation of. 186, Maniece.
County superintendent; duties on change of school district boundaries. 189, Dean.
Duties in partition sales. 191, Cunningham.
Assessment of mercantile businesses. 199, Fabritz.
Authorizing, to isue warrants. 203, Mitchell.
Extending time of redemption from tax sale. 215, Aldrich.
Notice of sale for delinquent tax. 218, Cunningham.
Relating to delivery of tax deeds. 232, Beswick, Grau, Rice, McKinnon, Lookingbill.
State auditor to authorize county treasurer to discontinue carrying certain items. 235, Osborn.
Suspension of penalties on taxes. 238, Brady.

Digitized by Google

Unpaid delinquent taxes. 240, Grell.
Bonds for. 247, Crouch.
County treasurer; carrying forward delinquent taxes. 291, committee on emergency legislation.
Segregation of taxes owing prior to January 1, 1934 and paid in 1934. 322, committee on cities and towns.
County treasurer; delinquent tax sales. 345, committee on emergency legislation.
Relating to salary of county treasurer and auditor. 349, steering committee.

COUNTIES AND TOWNSHIPS—

Taxation of real estate; limitation. 41 Teter.
Re-classification of peddlers. 100, Brady.
Fees of township clerks. 109, Dean, Sours.
Payment of poll tax in labor. 117, Brady.
Repealing poll tax. 123, Fuester.
Township licenses for places of amusement. 136, Craven.
Counties may bid and purchase at tax sale. 147, Osborn.
Refund assessments for surfacing secondary roads. 154, Schmitz.
Levies for poor relief. 165, Strachan.
Cooperation by, in purchasing interstate bridges. 169, Burgess.
Election and compensation of justices of the peace and constables. 175, Reed.
Establishing county agricultural boards. 180, Moore of Harrison, Malone.
Exemption of homestead. 184, Teter.
Commitment of insane persons. 200, Ryder.
Counties to issue drainage refunding bonds. 243, Jensen.
Indigent persons. 255, Foster.
Relating to farm aid associations. 262, Foster.
Duties of assessors; relating to military affairs. 306, committee on military affairs.
National Recovery Act; enabling counties and townships to secure benefits of. 335, steering committee.
Permit boards to furnish employment by sale of quarry products. 349, steering committee.

COURT REPORTERS—

Shorthand translations; filing costs. 19, committee on judiciary No. 2.

COURTS—

Directed verdicts. 5, Johnson.
Search warrants. 14, committee on judiciary No. 1.
Adoption of children. 24, committee on judiciary No. 1.
Filing of motions and hearing thereon. 25, committee on judiciary No. 2.
Abolishing municipal courts. 36, Burgess.
Examination of persons under guardianship. 132, Dreessen, Brady.
Appointment of referees in probate matters. 137, Maniese.
Duties of, reporting conviction of chauffeurs and operators. 150, committee on motor vehicles and transportation.
Jurisdiction of municipal. 170, Beswick.
Granting receiverships. 183, Yager.
Condemned liquors. 202, Hough.
Limiting argument of counsel. 206, Brady.
Jurisdiction over pipe line companies. 216, Mitchell.
Enforcement aeronautics regulations. 223, Mercer.
Declaratory judgments. 227, Hartman.
Commitment of indigents. 255, Foster.
Adjusting tax rates and levies on expense fund of. 303, committee on emergency legislation.

CROP REPORTERS—

Passes to state fair. 121, Beswick.

Digitized by Google

CUSTODIAN, PUBLIC BUILDINGS AND GROUNDS—
Abolishment of. 85, Jensen, Yager, McKinnon.

DAIRY PRODUCTS—
Marking of milk bottles. 110, Wiese.

DAMS—
Construction; maintenance, etc. 61, Metcalf.
Collection of permit, license and inspection fees. 103, Moore of Harrison.
Establishment of a hydro-electric power commission. 228, Crouch, Donlon, Foster, Hanson of Winnebago, Hook, McKinnon, Metcalf, Schlatter, Smith, Zylstra.

DANCE HALLS—
Regulation by cities and towns. 315, committee on judiciary No. 2.

DANGEROUS STRUCTURES—
In cities and towns; non-resident owners. 144, Wiese.

DAVENPORT—
Legalizing act. 211, Wiese.

DECEDENTS—
Recovery of taxes from. 166, Hartman.

DEEDS, TAX—
Legalizing; collection of costs of serving notice. 127, Yager.
Prohibiting delivery of; extending period of redemption. 232, Beswick, Grau, Rice, McKinnon, Lookingbill.

DENTISTS—
Educational requirements. 187, Cunningham.
Itinerant. 220, Elliott.

DEPARTMENT OF ADJUTANT GENERAL—
Aeronautics division. 223, Mercer.

DEPARTMENT OF AGRICULTURE—
Defining hotels. 32, Gissel.
Liens in favor of veterinarians. 35, Burgess.
Marking of milk bottles. 110, Wiese.
Restaurants; inspection fee. 135, Stansell, Cunningham.
Direct buying of livestock. 176, McKinnon, Mooty, Frizzell, Bowers, Davis.
Veterinarians to furnish bond before testing. 177, Zipse.
County agricultural boards. 180, Moore of Harrison, Malone.
Weight of bread. 269, committee on agriculture.
Iowa State Swine Producers' Association. 270, committee on agriculture.
Inspection of chick hatcheries. 282, committee on agriculture.
Excise tax on lard substitutes. 293, committee on agriculture.
Agriculture warehouse act. 294, committee on agriculture.

DEPARTMENT OF PUBLIC WORKS—
Creating body. 85, Jensen, Yager, McKinnon.

DEPOSITS—
Legalizing depositors' agreements. 231, Ellsworth.
Public funds. 249, Crouch.
Of public funds when assumed by another bank. 277, committee on banks and banking.
Assignment and re-assignment of public funds. 278, committee on banks and banking.
Rate of interest on public funds. 284, committee on banks and banking.

Digitized by Google

DES MOINES—

Legalizing act. 193, Elliott.
Claim of. 360, committee on appropriations.

DIRECT BUYING OF LIVESTOCK—

Licensing. 176, McKinnon, Mooty, Friszell, Bowers, Davis.

DISCRIMINATION—

In the replacement of machinery parts. 48, McLean.
Between telephone companies. 51, Humeston.

DOGS—

Taxation, license. 50, Craven.

DOMESTIC PRODUCTS—

Use of. 92, Teter, Falvey, Craven, Augustine, Donlon, Davis, Doran, Gallagher, Goode, Mitchell, Gittinger, Millhone, Fabritz, Ostby.

DRAINAGE—

Disposal of waste into natural water courses. 102, Moore of Harrison.
Refunding bonds. 243, Jensen.
Classification of drainage districts. 283, committee on drainage.
Refunding drainage bonds. 295, committee on drainage.
Refunding of surplus funds of drainage district. 316, committee on drainage.

EDUCATIONAL INSTITUTIONS—

Taxation of annuity contracts held by. 171, Reed.

ELECTIONS—

Primary, repeal of. 3, Gallagher.
Contesting; cost of. 76, Grau.
On permanent park board in certain cities. 142, Elliott.
Judges; nonpartisan. 162, Rice, Garner, Alesch.
Contests. 174, Reed.
Of justice of the peace. 175, Reed.
Granting franchise for certain public utilities. 180, Wiese.
To acquire street railways by cities. 242, Elliott.
By cities and towns for bond issues. 332, steering committee.

ELECTRICAL STORE—

Claim of. 321, committee on claims.

EMBARGO—

On agricultural products. 70, Foster, Alesch.

EMERGENCY RELIEF—

For Webster county deficiencies. 203, Mitchell.
Appropriation from general funds. 207, Brady.
Legalizing depositors' agreements. 231, Ellsworth.
Prohibiting delivery of tax deeds until December 2, 1935. 232, Beswick, Grau, Rice, McKinnon, Lookingbill.
Appropriation for expenses under Agricultural Warehouse Act. 294, committee on agriculture.
For payment of certain warrants not paid for want of funds. 322, committee on cities and towns.
Relief for poor and needy. 325, committee on emergency legislation.
Waiver by certificate holders in banks. 331, steering committee.
Financing public works through federal grants. 334, steering committee.
Delay in foreclosures. 340, committee on emergency legislation.
Financing public improvements as emergency measure. 350, steering committee.
Recognition of economic emergency. 355, steering committee.

Digitized by Google

EMMET COUNTY—

Legalizing act. 224, Maniece.

EMPLOYEES—

Number of men on switch engines. 95, Mercer.
Married women; restrictions as employees in public capacity. 229, Peaco.

EMPLOYERS' INDEMNITY ASSOCIATION—

Creation. 234, Reed.

EMPLOYMENT AGENCIES—

License fee. 264, committee on labor.
Limitation of fee. 265, committee on labor.
Cooperation with federal system. 271, committee on labor.

ENGINEER, COUNTY—

Employment by county. 9, Gissel.
Gravel for surfacing secondary roads; duties of, in connection with. 233, Beswick.

EXAMINATIONS—

Of persons having knowledge of property under guardianship. 132, Dreessen, Brady.
Of private banks. 197, Ellsworth.
Amount of insurance without medical. 212, Willis.

EXECUTIONS—

General, for balances. 78, Lookingbill, Rice.
Real estate foreclosures. 83, McKinnon, Fuester, Alesch, Zylstra.

EXECUTIVE COUNCIL—

Authority to sell certain lands. 28, Yager.
Construction of mill dams. 61, Metcalf.
Consent of, necessary in taking charge of banks without insolvency proceedings. 134, Doran.
Purchase of interstate bridges. 221, Roe.

FAIR BOARD, STATE—

(See state fair board.)

FARM ORGANIZATIONS—

Farm aid associations. 245, Gittinger; 259, Alesch; 262, Foster.
Relating to taxation and exemption of certain associations. 354, steering committee.

FEDERAL AID—

Secured under mandatory tax reduction. 143, Elliott.
Cities and towns holding elections to provide bond issues. 332, steering committee.
Securing aid from Reconstruction Finance Corporation. 333, steering committee.
Financing public improvements. 334, steering committee.
Securing federal aid through National Recovery Act. 335, steering committee.

FEDERAL DEPOSIT INSURANCE CORPORATION—

Means of acceptance of provisions of. 331, steering committee.
Banks permitted to invest in bonds of. 343, steering committee.

FEDERAL EMERGENCY RELIEF ADMINISTRATION—

Appropriation for. 325, committee on appropriations.
Regulating hourly wage for unemployed. 329, steering committee.

Digitized by Google

FEDERAL PUBLIC WORKS ADMINISTRATION—
Cities authorized to borrow funds from, and issue bonds. 120, 213, Ryder.
Municipalities operating public markets. 155, Elliott.
Municipalities to purchase and erect armories. 350, steering committee.

FEE, CLYDE—
Claim of. 321, committee on claims.

FEES—
Motor vehicle. 2, Burgess; 10, Avery, Yager; 33, Goode.
License, on trucks with pneumatic tires. 13, Avery, Yager.
Permit, for beer sale. 27, Yager.
Inspection, on oleomargarine. 31, Gissel.
Motor vehicle trailer. 37, Mooty.
Disposition of, for beer permits. 99, Zylstra.
By township clerks for reporting fires. 109, Dean, Sours.
Restaurants. 135, Stansell, Cunningham.
Operators' and chauffeurs' license. 148, committee on motor vehicles and transportation.
On motor vehicles in storage during 1933. 149, committee on motor vehicles and transportation.
Reduction of motor vehicle license. 160, committee on motor vehicles and transportation.
On motor vehicle fuel used on construction and maintenance work paid for from public funds. 173, Reed.
On motor vehicle fuel. 185, Moore of Benton, Cunningham, Mitchell.
For truck overload. 258, Mitchell.
Limitation of, by employment agencies. 264, committee on labor.
Increasing hunting and fishing license. 273, committee on fish and game.
Inspection, on lard substitutes. 293, committee on agriculture.
On motor trucks, per ton-mile. 356, steering committee.

FELTER, HON. VICTOR, TRUSTEE—
Claim of. 310, committee on claims.

FERMENTED MALT LIQUORS—
(See beer.)

FIREARMS—
Licensing retail dealers. 214, Hartman.

FIRE DEPARTMENT—
Levies for. 129, Cunningham.
Providing indemnity for liability of members. 163, Mitchell.

FIRE PREVENTION—
Regulation of motion picture theaters. 139, Cunningham.

FISH AND GAME—
Killing foxes. 80, Bowers, Beath, Hook, Hultman, Thies, Hopp, Laughlin, McDermott, Malone.
Relating to national forests. 104, Moore of Harrison.
Increasing license fees. 273, committee on fish and game.

FLOOD CONTROL—
Changing provisions. 205, 208, Brady.

FORECLOSURE—
On real estate mortgages, moratorium. 83, McKinnon, Fuester, Alesch, Zylstra.
Extension of time of redemption after. 88, Ryder.
Chattel mortgage feature of real estate mortgage not effective until after

Digitized by Google

action to foreclose on latter has been started. 272, committee on emergency legislation.
Emergency delay. 340, committee on emergency legislation.
Extension. 341, committee on emergency legislation.

FORT MADISON COAL & COKE COMPANY—

Claim of. 321, committee on claims.

FOXES—

Killing of. 80, Bowers, Beath, Hook, Hultman, Thies, Hopp, Laughlin, McDermott, Malone.

FRANCHISES—

Elections for, in special charter cities. 190, Wiese.

FRATERNAL SOCIETIES—

(See societies.)

FRAZER, W. H., WARDEN—

Claim of. 321, committee on claims.

FREMONT COUNTY—

Patent to land in. 210, Laughlin.

FREMONT TOWNSHIP, WINNESHIEK COUNTY, RURAL INDEPENDENT SCHOOL DISTRICT, NO. 2—

Legalizing act. 314, committee on judiciary No. 2.

FUNDS, PUBLIC—

(See public funds.)

GASOLINE—

(See motor vehicle fuel.)

GENERAL ASSEMBLY—

Members of; appointment to office barred. 30, Avery; 52, Dean.
Contesting election; cost of. 76, Grau.
Contesting elections to General Assembly. 174, Reed.
Appropriation for expense, account of extra session. 300, committee on appropriations.

GOVERNOR—

Barred from appointing members of the General Assembly. 30, Avery; 52, Dean.
Embargo on shipments of agricultural products. 70, Foster, Alesch.

GRAIN—

Insurance of, stored and sealed. 319, committee on agriculture.

GRAND JUNCTION—

Legalizing act. 89, Crouch.

GRAVES—

Trust funds for care and maintenance. 47, Hopp, McFarlane.
Maintenance and care of soldiers'. 305, committee on judiciary No. 2.
Perpetual care funds. 198, Hultman.

GROSS INCOME—

(See income; also taxation.)

GROSS SALES TAX—

(See sales tax.)

Digitized by Google

GUARDIANSHIP—

Examination as to property or effects under control. 132, Dreessen, Brady.
Conveyance of real estate, by guardians. 353, committee on emergency legislation.

HANCOCK COUNTY—

Legalizing transfer. 188, Durant.

HARDING, HARRY AND LA VERNE—

Claims of. 321, committee on claims.

HARRISON COUNTY—

Legalizing transfer. 116, Moore of Harrison.

HATCHERIES—

Inspection of. 282, committee on agriculture.

HEALTH—

(See public health.)

HEIBERG BREWING COMPANY—

Legalizing act. 106, Koch.

HIGHWAYS—

(See roads and highways.)

HIGHWAY COMMISSION, STATE—

(See state highway commission.)

HILTON, AMOS—

Claim of. 308, committee on claims.

HOME OWNERS LOAN CORPORATION—

Transfer of assets. 237, Swift.
Acceptance of bonds of. 313, committee on building and loan.
Savings banks to invest funds in. 343, steering committee.

HOMESTEADS—

Exemption of. 184, Teter.
Of insane persons. 352, committee on emergency legislation.

HOSPITALS—

Treatment of indigent persons at State University Hospital. 67, Dreessen, Schroeder.
Warrants for treatment. 91, Fuester.
Treatment of indigent persons. 112, Millhone, Speidel; 255, Foster.
Liens for care of patients. 146, Craven.
Commitment of insane patients. 200, Ryder.
Condemned liquors for. 202, Hough.
Examination of indigent persons. 219, Beswick, Grell.
Removal of restrictions on public use and patronage at State University Hospital. J. R. 2, Mercer, Wolf.

HOTEL—

Defining. 32, Gissel.

HOWARD, H. D.—

Claim of. 311, committee on claims.

HUDSON COOPERATIVE DAIRY ASSOCIATION—

Legalizing act. 323, committee on judiciary No. 2.

Digitized by Google

HUMBOLDT COUNTY—
Transfer of funds. 84, Strachan.

HUNTING—
License fee increased. 273, committee on fish and game.

INCOME TAX—
Administration bill. 1, Dean, Fabritz, Grau, Mercer, Rice, Speidel.
Gross. 57, Burgess, Malone, Swift; 93, McFarlane, Hultman, Brady, Lichty, Wolf, McDermott, Aldrich, Mooty, Bruce, Peaco, Bouska, Peet, Burgess, Ryder, Elliott, Stansell, Falvey, Stanzel, Fuelling, Schmitz, Grell, Swift, Hartman, Thiessen, Hough, Wiese.
Gross. 131, Strachan, Beswick, McLean, Felter, Crouch.
Gross. 204, Cunningham, Bruce, McFarlane, Peaco, Burgess, Bouska, Hultman, Peet, Brady, Gallagher, Lichty, Lookingbill, Wolf, Frizzell, McDermott, Ryder, Aldrich, Elliott, Mooty, Stansell, Schmitz, Falvey, Grell, Stanzel, Swift, Fuelling, Hartman, Thiessen, Hough, Wiese, Malone, Weed.

INDEPENDENT SCHOOL DISTRICT OF CORYDON—
Legalizing act. 301, committee on judiciary No. 1.

INDIGENT PERSONS—
Treatment at State University Hospital. 67, Dreessen, Schroeder.
Warrants for treatment. 91, Fuester.
Treatment of. 112, Millhone, Speidel; 255, Foster.
Examination of. 219, Beswick, Grell.

INDUSTRIAL COMMISSIONER—
Computation of workmen's compensation. 79, Johnson, Mercer.

INDUSTRIAL PLANTS—
Requiring construction of sewage plants. 159, Durant.

INSANE PERSONS—
Commitment of. 200, Ryder.
Conveying real property of. 352, committee on emergency legislation.
Relating to sale or mortgage of real estate of. 353, committee on emergency legislation.

INSPECTION—
Oleomargarine; excise tax. 31, Gissel.
Restaurants; fees. 135, Stansell, Cunningham.
Baby chick hatcheries. 282, committee on agriculture.

INSURANCE—
Inurement of policies. 15, committee on judicary No. 2.
Investment of funds by fraternal societies. 22, committee on judiciary No. 1.
Liability for operation of state owned motor vehicles. 45, Bowers.
Advancement of funds to mutual companies. 77, Millhone, Moore of Benton, Cunningham.
Written without medical examination. 212, Willis.
Insurance for payment under workmen's compensation. 234, Reed.
Disposition of securities deposited. 266, committee on insurance.
Provision of bonds of certain insurance companies. 289, committee on insurance.
Investment of funds of insurance companies. 290, committee on insurance; 330, steering committee.
Requiring filing of schedule of rates of insurance companies and prohibiting rebates. 298, committee on insurance.
On grain stored and sealed. 319, committee on agriculture.

Digitized by Google

INTEREST—
On small loans. 40, Zylstra, McKinnon, Stimpson, Cunningham; 64, Hopp, Hanson of Lyon, Hanson of Winnebago.
On permanent school fund. 65, Hanson of Lyon.
Rate on public deposits. 284, committee on banks and banking.

INTOXICANTS—
(See liquor control.)

INVESTIGATION—
Of state banking department. J. R. 3, Burgess.

INVESTMENT—
Of funds of insurance companies. 290, committee on insurance.

IOWA HYDRO-ELECTRIC POWER COMMISSION—
Creation of. 228, Crouch, Donlon, Foster, Hanson of Winnebago, Hook, McKinnon, Metcalf, Schlatter, Smith, Zylstra.

IOWA LEAGUE OF MUNICIPALITIES—
(See League of Iowa Municipalities.)

IOWA LIQUOR CONTROL COMMISSION—
(See liquor control.)

IOWA SCHOOL FOR THE BLIND—
Appropriation for repairs. 328, committee on appropriations.

IOWA STATE BOARD OF NATUROPATHY—
Establishment of. 246, Dreessen, Stanzel.

IOWA STATE FAIR BOARD—
(See state fair board.)

IOWA STATE SWINE PRODUCERS ASSOCIATION—
Recognition of. 270, committee on agriculture.

JENSEN-DUNN CO.—
Claim of. 321, committee on claims.

JUDGES—
Appropriation for expenses of supreme court and. 151, Johnson.
Nonpartisan election of. 162, Rice, Garner, Alesch.
Assistant chief justice. 179, Johnson.

JUDGMENTS—
Entering of, in certain cases. 5, Johnson.
Motions; filing; hearings. 25, committee on judiciary No. 2.
Deficiency. 78, Lookingbill, Rice.
Relative to, against policemen and firemen in performance of duty. 163, Mitchell.
Declaratory; decrees. 227, Hartman.
Taxing, in excess of amount for which mortgaged property was sold. 250, Foster.

KEOKUK BASE BALL GROUNDS ASSOCIATION—
Legalizing act. 327, steering committee.

KINDERGARTEN—
Length of course. 72, Gallagher.

Digitized by Google

LABOR—

Limitation of employment fee. 264, committee on labor.
Employment license fee. 265, committee on labor.
Child labor amendment to U. S. constitution. J. R. 1, Garner.

LANDLORDS—

Liens. 157, Felter; 168, Ostby, Dreessen, Zipse.

LANDS—

Executive council authorized to sell, acquired through highway improvements. 28, Yager.
Cities to aid in purchase of, for state parks. 101, Moore of Harrison.
U. S. to acquire state, for national forests. 104, Moore of Harrison.
Patent to, in Fremont county. 210, Laughlin.

LARD—

Tax on substitutes. 293, committee on agriculture.

LEAGUE OF IOWA MUNICIPALITIES—

Dues. 256, Hartman.

LEE COUNTY—

Legalizing act. 8, Paisley.

LEGALIZING ACTS—

Practice of Naprapathy. 7, Johnson.
Lee county transfers. 8, Paisley.
Pooley Lumber Co., Greene. 44, Garner.
Marshalltown Manufacturing Company. 49, McLean.
Cherokee county transfers. 75, Smith.
Humboldt county transfers. 84, Strachan.
Clinton Independent School District bonds. 86, Peaco.
Grand Junction, Greene county, election. 89, Crouch.
Cass county transfers. 90, Malone.
Heiberg Brewing Company. 106, Koch.
Audubon county transfers. 114, Jensen.
O'Brien county transfers. 115, Treimer.
Harrison county transfers. 116, Moore of Harrison.
Butler county transfers. 118, Garner.
Wright county transfers. 125, Aldrich.
Certain tax deeds. 127, Yager.
Washington Consolidated Independent School District of Dallas county. 141, Willis.
Hancock county transfers. 188, Durant.
City of Des Moines. 193, Elliott.
City of Davenport. 211, Wiese.
Emmet county transfers. 224, Maniece.
Depositors' agreements. 231, Ellsworth.
Benton County Agricultural Society. 297, committee on judiciary No. 2.
Taylor county transfers. 299, committee on judiciary No. 2.
Independent School District of Corydon. 301, committee on judiciary No. 2.
Independent School District No. 2, Fremont township, Winneshiek county. 314, committee on judiciary No. 2.
Hudson Cooperative Dairy Association. 323, committee on judiciary No. 2.
Keokuk Baseball Grounds Association. 327, steering committee.

LEGISLATURE—

(See General Assembly.)

LEVIES—

Limitation of total tax. 133, Felter, Crouch, Strachan, Beswick, McLean.
For lighting streets in cities of 100,000 or more. 156 Elliott.

Digitized by Google

For poor relief. 165, Strachan.
Cities controlling, for bridge purposes. 167, Schmitz.
Notice of hearing on tax. 182, Mitchell.
For flood control. 208, Brady.
Limitation of, for schools. 263, Peet, Foster, Durant, Casey, Strachan, Hanson of Lyon, Gallagher, Laughlin.
For sinking fund for replacing school property. 287, committee on schools and textbooks.
For widows' pension fund. 303, committee on emergency legislation.
For interest on and principal of school bonds. 304, committee on judiciary No. 2.

LICENSE—

Fees on motor vehicles. 2 Burgess; 10, Avery, Yager.
Annual fee for trucks with pneumatic tires. 13, Yager, Avery.
Fee on trailers. 37, Yager.
Business of making small loans. 40, Zylstra, McKinnon, Stimpson, Cunningham.
On dogs, 50, Craven.
Exempting auctioneers. 98, McCreery.
Relating to, for peddlers. 100, Brady.
For stores. 105, Ostby, Grell, Bouska, Lookingbill.
Restaurants; inspection. 135, Stansell, Cunningham.
Amusement places. 136, Craven.
Operators' and chauffeurs'. 148, committee on motor vehicles and transportation.
Suspension of, for chauffeurs and operators. 150, committee on motor vehicles and transportation.
Motor vehicles; reduction of fees. 160, committee on motor vehicles and transportation.
Motor vehicle fuel; fees. 173, Reed.
Motor vehicle fuel. 185, Moore of Benton, Cunningham, Mitchell.
Dental hygienists. 187, Cunningham.
Sale of fire arms. 214, Hartman.
Itinerant dentists. 220. Elliott.
Osteopaths. 222, Beswick, Grell.
Chauffeurs' license withheld. 240, Grell.
Chauffeurs' license suspended. 244, Rice, Mercer.
Naturopaths. 246, Dreessen, Stanzel.
Trucks and trailers for overload. 258, Mitchell.
Employment fee. 265, committee on labor.
Increasing fish and game fee. 273, committee on fish and game.
Surrender of motor vehicle license plates. 285, committee on motor vehicles and transportation.
Overpayment of motor vehicle license fees. 326, steering committee.

LIENS—

Personal property taxes, on real estate. 17, committee on judiciary No. 2.
On personal property. 29, Hanson of Lyon.
For veterinarians. 35, Burgess.
Judgments; collection of. 130, Burgess.
Hospital, for care of patients. 146, Craven.
Landlords'. 157, Felter; 168, Ostby, Dreessen, Zipse.
Upon certain personal property. 181, Rawlings.
Unpaid taxes to constitute lien upon mortgages. 251, Malone.

LIGHTING—

Levies for, public streets in cities of 100,000 or more. 156, Elliott.

LIQUOR—

Providing for terminating judgment liens on real estate. 180, Burgess.
Disposition of condemned liquor. 202, Hough.

Digitized by Google

Suspension of drivers' license. 244, Rice, Mercer.
Liquor control commission. 292, committee on liquor control.

LIVESTOCK—

Licensing buyers of. 176, McKinnon, Mooty, Frizzell, Bowers, Davis.
Veterinarians to furnish bond before testing. 177, Zipse.

LOANS—

Small loans. 40, Zylstra, McKinnon, Stimpson, Cunningham.
Interest on small loans. 64, Hopp, Hanson of Lyon, Hanson of Winnebago.

MACHINERY—

Sale of replacement parts. 48, McLean.

MALT LIQUORS—

(See beer.)

MARKETS—

(See public markets.)

MARSHALLTOWN MANUFACTURING COMPANY—

Legalizing act. 49, McLean.

MARTIN, LLOYD—

Patent to land in Fremont county. 210, Laughlin.

MEMORIALS—

Index to on page 1608.

METFESSEL, T. H.—

Claim of. 321, committee on claims.

MILITARY AFFAIRS—

Military state law. 306, committee on military affairs.

MILK—

Marking of bottles. 110, Wiese.

MONEYS AND CREDITS—

Taxation of. 96, Stanzel.
Assessment of mortgages in counties where property is located. 251, Malone.

MOORE, TOLBERT—

Claim of. 275, committee on claims.

MORTGAGES—

Deficiency judgments. 78, Lookingbill, Rice.
Moratorium on foreclosures. 83, McKinnon, Fuester, Alesch, Zylstra.
Extension of redemption rights. 88, Ryder.
Taxing judgments in excess of amount of sale of mortgaged property. 250, Foster.
Assessment of, in county where property is located. 251, Malone.
Chattel mortgages on crops as additional security. 272, committee on emergency legislation.
Emergency delay in foreclosure actions. 340, committee on emergency legislation.
Extending time of redemption on real estate foreclosures. 341, committee on emergency legislation.
State Board of Education to compromise on. 347, steering committee.
Relating to redemption of real estate mortgaged after January 1, 1934. 357, steering committee.

Digitized by Google

MOTION PICTURES—

(See theaters.)

MOTOR VEHICLE FUEL—

Code correction. 23, committee on judiciary No. 2.
Compensation of employees in motor vehicle fuel tax divison. 94, Malone.
License fees. 173, Reed.
License. 185, Moore of Benton, Cunningham, Mitchell.
Permit to pipeline companies. 216, Mitchell.

MOTOR VEHICLES—

Fees. 2, Burgess; 10, Avery, Yager; 33, Goode.
Maximum rate of speed. 12, Mooty.
Fees; trucks with pneumatic tires. 13, Yager, Avery.
Classification; changing. 18, committee on judiciary No. 1.
Fees; motor vehicle trailers. 37, Mooty.
Insurance; liability; state owned motor vehicles. 45, Bowers.
Fuel tax division, employees of. 94, Mercer.
Relating to operators' and chauffeurs' licenses. 148, committee on motor vehicles and transportation.
Storage affidavits on motor vehicles. 149, committee on motor vehicles and transportation.
Chauffeurs and operators; suspension of license. 150, committee on motor vehicles and transportation.
Annual reduction of fees. 160, committee on motor vehicles and transportation.
Operation of, by policemen and firemen. 163, Mitchell.
Law of the road. 195, Johnson.
Creating highway patrol. 201, Augustine, Avery, Schmitz; 286, committee on motor vehicles and transportation.
Registration withheld by county treasurer. 240, Grell.
Financial responsibility of owners and operators. 241, Brady.
Road route-mile tax on carriers. 253, Treimer, Schmitz.
Computation of overload fee. 258, Mitchell.
Surrender of license plates. 285, committee on motor vehicles and transportation.
Overpayment of motor license fees. 326, committee on motor vehicles and transportation.
Regulating taxation on. 356, steering committee.

MUNGER, DR. E. E.—

Appropriation for. 346, committee on appropriations.

MUNICIPAL COURTS—

Abolishment. 36, Burgess.
Jurisdiction. 170, Beswick.

MUNICIPALITIES—

Employment of married women prohibited in public offices. 229, Pesco.
Exemption from taxation on property. 230, Swift.
Legalizing depositors' agreements. 231, Ellsworth.
Exemption on bonds. 252, Malone.
Management of municipally owned utilities. 302, committee on cities and towns.
Authorizing, to finance armories through federal funds. 350, steering committee.

NATIONAL FORESTS—

Establishment of. 104, Moore of Harrison.

NATIONAL GUARD—

Provisions for the. 306, committee on military affairs.

Digitized by Google

NAPRAPATHY—
Practice of. 7, Johnson.

NATUROPATHY—
Legalizing. 7, Johnson.
Practice of. 246, Dreessen, Stansel.

NAZETT, H. J.—
Claim of. 321, committee on claims.

NEPOTISM—
Relating to. 34, Goode.

NOMINATIONS—
Judges; non-partisan. 162, Rice, Garner, Alesch.

NON-RESIDENT—
Owning dangerous structures; duties. 144, Wiese.
Notice to, upon expiration of right of redemption from tax sale. 164, Dean.

NOTICES—
Costs of serving notice to redeem from tax sale. 126, Yager.
Collection of costs of serving notice on tax deeds. 127, Yager.
Relating to redemption from tax sale. 164, Dean.
Publication of, upon hearings on tax levy. 182, Michell.
Real property for delinquent tax. 218, Cunningham.

NOXIOUS WEEDS—
(See weeds).

O'BRIEN COUNTY—
Legalizing transfer. 115, Treimer.

OLD AGE PENSION—
Creating commission; provide tax. 58, Teter; 73, Donlon.

OLEOMARGARINE—
Inspection and excise tax. 31, Gissel.

OPERATORS, MOTOR VEHICLES—
(See chauffeurs.)

ORDINANCES—
Posting of notices. 39, Yager.

OSTEOPATHY—
Regulating practice. 222, Beswick, Grell.

PARK BOARDS—
Permanent, abolishment of. 142, Elliott.

PARTITION SALES—
Method of procedure. 191, Cunningham.

PATENTS—
To land in Fremont county. 210, Laughlin.

PEACE OFFICERS—
Justices of the peace and constables; election and compensation. 175, Reed.

PEDDLERS—
Classification. 100, Brady.

Digitized by Google

PENSIONS—

Old age. 58, Teter; 73, Donlon.
Adjusting levies for widow's pension fund. 303, committee on emergency legislation.

PERMANENT SCHOOL FUND—

Interest on loans. 65, Hanson of Lyon.
Protection of. 97, Hook.

PERMITS—

Fees for beer sale. 27, Yager.
Relating to bond for cigarette. 46, Avery.
Disposition of fees for beer. 99, Zylstra.
Beer; by boards of supervisors. 225, Ryder; 254, Dean, Yager; 260, Gallagher.
Beer manufacture; cities and towns. 336, steering committee.

PERSONAL INJURIES—

Liability of cities. 239, Brady.

PERSONAL PROPERTY—

Taxes upon; lien against real estate. 17, committee on judiciary No. 2.
Liens on. 29, Hanson of Lyon.
Levy for taxes reduced. 96, Stanzel.
Lien on, in case of bulk sale. 181, Rawlings.

PIERCY, C. R.—

Claim of. 307, committee on claims.

PIPE LINES—

Permits for. 216, Mitchell.

POLICE DEPARTMENTS—

Purchase of property for erection of stations. 38, Johnson.
Indemnifying employees in performance of duty. 168, Mitchell.
Maintenance; levy and collection. 196, Sheridan.
Radio broadcasting system. 268, committee on police regulation and suppression of crime and intemperance.

POLL TAXES—

Refunding overpayment. 4, Durant.
Lien on real estate. 17, committee on judiciary No. 2.
Refund. 56, Fuester.
Changing county poll tax. 66, Osborn.
Reducing amount. 74, Durant.
Payment in labor. 117, Brady.
Repealing. 123, Fuester.

POOLEY LUMBER COMPANY—

Legalizing act. 44, Garner.

POOR—

Support of, by tax. 165, Strachan.
Cities and towns authorized to establish funds. 207, Brady.
Direct relief and emergency relief. 325, committee on appropriations; 329, steering committee.

POSTING—

Of ordinances. 39, Yager.
Of notices of hearing on estimated tax levies. 182, Mitchell.

Digitized by Google

PREFERENCE—

For Iowa products. 92, Teter, Falvey, Craven, Augustine, Donlon, Davis, Doran, Gallagher, Goode, Mitchell, Gittinger, Millhone, Fabritz, Ostby.
For soldiers as to school appointments. 128, Gallagher.

PRIMARY ELECTIONS—

Abolishing. 3, Gallagher.

PRIMARY ROADS—

(See roads and highways.)

PRINTING—

Manner of printing code amendments. 71, Gallagher.
Furnishing school records. 279, committee on printing.
Payments to printing board by state departments. 296, committee on appropriations.
Expenses of Forty-fifth General Assembly, extra session. 300, committee on appropriations.

PRINTING BOARD—

(See state printing board.)

PRISON MADE GOODS—

Prohibiting sale of. 11, Fabritz.

PRIVATE BANKS—

Examination of. 197, Ellsworth.

PROBATE MATTERS—

Appointment of referees. 137, Maniece.

PUBLIC FUNDS—

Prohibiting use of, for employment of married women. 229, Peaco.
Duties of county treasurer in carrying certain items. 235, Osborn.
Deposit of. 249, Crouch.
Liability of, when assumed by another bank. 278, committee on banks and banking.
Rate of interest on public deposits. 284, committee on banks and banking.

PUBLIC HEALTH—

Naprapathy; legalizing. 7, Johnson.
Sewage and disposal plants. 159, Durant.
Cosmetology. 178, Peet, Metcalf, Millhone.
Dental hygienists. 187, Cunningham.
Itinerant dentists. 220, Elliott.
Osteopathy; regulating practice. 222, Beswick, Grell.
Naturopathy; practice of. 246, Dreessen, Stanzel.
Relating to embalming examiners. 351, steering committee.

PUBLIC IMPROVEMENT—

Legal liability of contractor. 192, Ellsworth.

PUBLIC MARKETS—

Financing by cities and towns. 155, Elliott.

PUBLIC OFFICIALS—

Appointment of members of the General Assembly barred. 30, Avery; 52, Dean.
Relating to nepotism. 34, Goode.
Relating to warrants not paid for want of funds. 111, committee on judiciary No. 2.

Digitized by Google

Place of payment of public bonds and interest. 140, Ellsworth.
Duties on homestead exemption. 184, Teter.
Fixing salaries of. 248, Crouch.

PUBLIC REVENUE—

Apportion certain losses among taxing districts. 225, Osborn.

PUBLIC UTILITIES—

Telephone service. 42, Roe, Mooty.
Telephone systems. 43, Roe, Mooty.
Service between telephone companies. 51, Humeston.
Establishing and regulating rates on electric light and power. 62, Goode, Fabritz.
Telephones; regulation by boards of supervisors. 81, Dole.
Telephones; regulation by cities and towns. 82, Dole.
Granting franchises. 190, Wiese.
Permits to pipe line companies. 216, Mitchell.
Hydro-electric power commission. 228, Crouch, Donlon, Foster, Hanson of Winnebago, Hook, McKinnon, Metcalf, Schlatter, Smith, Zylstra.
Cities to acquire and operate street cars. 242, Elliott.
Relating to management of. 302, committee on cities and towns.

PUBLIC WORKS, DEPARTMENT OF—

Establishment; powers; duties. 85, Jensen, Yager, McKinnon.

RADIO—

Broadcasting systems for police departments. 268, committee on police regulation and suppression of crime and intemperance.

RAILROADS—

Switch engine crew. 95, Mercer.

RAILROAD COMMISSIONERS—

(See board of railroad commissioners.)

REAL ESTATE—

Personal property tax and poll tax; lien on. 17, committee on judiciary No. 2.
Taxation; basis of limitation. 41, Teter.
Abstracts of title prior to January 1, 1910. 60, Craven.
Foreclosure actions. 83, McKinnon, Fuester, Alesch, Zylstra.
Extending period for redemption in foreclosure actions. 88, Ryder.
Levy on real estate and personal property reduced. 96, Stanzel.
Brokers; excluding auctioneers. 98, McCreery.
Taxes for 1932 and prior; compromise; redemption from tax sale. 119, Ryder.
Costs of serving notice to redeem from tax sale. 126, Yager.
Collection of certain judgment liens on. 130, Burgess.
Taxation of annuity contracts for. 171, Reed.
Notice in partition proceedings. 191, Cunningham.
Redemption under tax sale. 215, Aldrich.
Providing notice in delinquent tax sale. 218, Cunningham.
Extending period of redemption under tax sale. 232, Beswick, Grau, Rice, McKinnon, Lookingbill.
Suspension of penalty on taxes on. 238, Brady.
Chattel mortgage on rents, crops as additional security for. 272, committee on emergency legislation.
Relating to carrying forward delinquent real estate taxes. 291, committee on emergency legislation.
Extending time of redemption on foreclosures. 341, committee on emergency legislation.
Extending time for tax sale. 345, committee on emergency legislation.
Conveyance of, by insane. 352, committee on emergency legislation.
Sale of, by guardians. 353, committee on emergency legislation.

Digitized by Google

REBATING—

By insurance companies. 298, committee on insurance.

RECEIVERSHIPS—

Granting of, by courts. 183, Yager.

RECONSTRUCTION FINANCE CORPORATION—

Authorizing cities and towns to borrow funds from. 213, Ryder.
Assets of State Sinking Fund. 278, committee on banks and banking.
Clarifying laws to cooperate with. 333, steering committee.

REDEMPTION—

Extension of period. 88, Ryder; 215, Aldrich.
From tax sales. 119, Ryder.
Costs of serving notice to redeem from tax sale. 126, Yager.
Expiration of right of redemption. 164, Dean.
Of land sold for drainage assessments. 295, committee on drainage.
Extension of period for. 341, committee on emergency legislation.

REFEREES—

Appointment of, in probate matters. 137, Maniece.

REFORMATORY FOR MEN AT ANAMOSA—

Claim of. 321, committee on claims.

RESOLUTIONS—

(See "Resolutions" in General Index, page 1662.)

RESTAURANTS—

Licensing—creating separate fund—use. 135, Stansell, Cunningham.
Regulation of, where dancing is allowed. 315, committee on judiciary No. 2.

RETAIL SALES TAX—

Administration bill. 1, Dean, Fabritz, Grau, Mercer, Rice, Speidel.

REVENUE BONDS—

(See bonds.)

ROADS AND HIGHWAYS—

Maximum rate of speed on. 12, Mooty.
Right of way. 16, judiciary No. 1.
Funds for secondary road construction. 23, judiciary No. 1.
Executive council to sell certain lands. 28, Yager.
Reducing road poll tax. 74, Durant, Foster.
Financing of secondary roads. 154, Schmitz.
Speed of motor vehicles. 195, Johnson.
Creating highway patrol. 201, Augustine, Avery, Schmitz; 286, committee on motor vehicles and transportation.
Purchasing of interstate bridges by executive council. 221, Roe.
Vehicle traffic count—primary roads. 226, Alesch, Garner, Yager, Grell, Foster, Durant.
Gravel for, by state highway commission. 233, Beswick.

ROCK, MRS. ETTA—

Claim of. 318, committee on claims.

SALARIES—

Of superintendent hospital for epileptics and school for feeble-minded. 20, committee on judiciary No. 1.
Deputy county officers. 113, Foster, Brady.
County officers—increasing. 124, Thies.

Digitized by Google

Of officers and employees of institutions under State Board of Education. 172, Reed.
State, county and city officers. 248, Crouch.
Of county treasurers. 348, steering committee.
Board of assessment and review. 359, steering committee.

SALES TAX, GROSS—

Providing. 107, Cunningham, Gallagher, Lookingbill, Frizzell.

SALES TAX, RETAIL—

Administration bill. 1, Dean, Fabritz, Grau, Mercer, Rice, Speidel.

SCHADT, DR. F. C.—

Claim of. 320, committee on claims.

SCHOOLS—

Interest on permanent school fund reduced. 65, Hanson of Lyon.
School districts—limitation of size. 68, Moore of Harrison.
Depository banks. 69, Moore of Harrison.
School age. 72, Gallagher.
Sale of real estate postponed. 97, Hook.
Preference in appointments. 128, Gallagher.
Tuition—limitation. 133, Felter, Crouch, Strachan, Beswick, McLean.
Expenditures confined to cash income. 138, Burgess.
State aid—standard rural schools—payment and expenditure. 152, Weed.
Changing boundary lines. 189, Dean.
Reimbursement on tax-free lands. 194, Doran.
Inventions by students, instructors and officials. 209, Lookingbill.
Limitation of tax levy for. 263, Peet, Foster, Durant, Casey, Strachan, Hanson of Lyon, Gallagher, Laughlin.
Closing of, for lack of attendance. 267, committee on schools and textbooks.
Repealing the furnishing of records by the state. 279, committee on printing.
Rate of interest on public deposits. 284, committee on banks and banking.
Replacing school property and providing levy. 287, committee on schools and text books.
Providing facilities for children living on changed state boundary. 288, committee on schools and textbooks.
Interest and principal on bonds. 304, committee on judiciary No. 2.
Appropriation for school for the blind. 328, committee on appropriations.
To secure benefits under the National Recovery Act. 335, steering committee.

SEARCH WARRANTS—

Providing uniform statute for proceedings. 14, committee on judiciary No. 1.

SECONDARY ROADS—

(See roads and highways.)

SECRETARY OF STATE—

Reinstating of cooperative societies. 337, steering committee.
Compromising with corporations on failure to make reports. 338, steering committee.
To determine on compliance of corporations with law. 339, steering committee.

SECURITIES—

Disposition of. 266, committee on insurance.

SEEDS—

Regulating sale of agricultural. 281, committee on agriculture.

Digitized by Google

SEWERS—
Sewage disposal plants. 159, Durant; 334, steering committee.

SHAW, H. C.—
Claim of. 309, committee on claims.

SHORTHAND REPORTER—
Translations—filing—costs. 19, committee on judiciary No. 2.

SOCIETIES, FRATERNAL—
Investment of funds. 22, committee on judiciary No. 1.

SOLDIERS—
Relating to preference in appointments. 128, Gallagher.
Care of graves of. 305, committee on judiciary No. 2.

SMALL LOANS—
Relating to. 40, Zylstra, McKinnon, Stimpson, Cunningham.
Interest on. 64, Hopp, Hanson of Lyon, Hanson of Winnebago.

SPEED—
Maximum on highways. 12, Mooty.
Of motor vehicles. 195, Johnson.

STALLIONS—
Enrollment of, with department of agriculture. 153, Osborn.

STANDARD SEED COMPANY—
Claim of. 321, committee on claims.

STATE AID—
Rural schools. 152, Weed.

STATE AUDITOR—
To authorize county treasurers to discontinue carrying certain items. 235, Osborn.
Duties relating to building and loan associations. 236, Swift.

STATE BANKING DEPARTMENT—
Investigation of. J. R. 3, Burgess.
Relating to staff and employees. 358, steering committee.

STATE BOARD OF ASSESSMENT AND REVIEW—
Retail sales tax. 1, Dean, Fabritz, Grau, Mercer, Rice, Speidel.
Gross income tax on business. 131, Strachan, Beswick, McLean, Felter, Crouch.
Tax levies—limitations. 133, Felter, Crouch, Strachan, Beswick, McLean.
Salaries of. 359, steering committee.

STATE BOARD OF CONSERVATION OF NATURAL RESOURCES—
Abolishment of. 85, Jensen, Yager, McKinnon.
Disposal of waste into natural water courses. 102, Moore of Harrison.
Construction of dams. 103, Moore of Harrison.
Relating to national forests. 104, Moore of Harrison.

STATE BOARD OF CONTROL—
Abolishment of. 85, Jensen, Yager, McKinnon.
Unexpended portions of appropriations for. 317, committee on board of control.

Digitized by Google

STATE BOARD OF EDUCATION—
Abolishment of. 85, Jensen, Yager, McKinnon.
Salaries of officers and employees of. 172, Reed.
Inventions by students. 209, Lookingbill.
Appropriation for school for the blind. 328, committee on appropriations.
Authorized to compromise obligations on notes and mortgages. 347, steering committee.
Actions restricting use of University Hospital, withdrawal of. J. R. 2, Mercer, Wolf.

STATE BUREAU OF LABOR—
Cooperation with national employment system. 271, committee on labor.

STATE COMPTROLLER—
Protection of permanent school fund. 97, Hook.
Funds for fire departments, approval of. 129, Cunningham.
Approval of limitation of tax levy. 263, Peet, Foster, Durant, Casey, Strachan, Hanson of Lyon, Gallagher, Laughlin.
Defining duties. 276, committee on emergency legislation.

STATE FAIR BOARD—
Abolishment of. 85, Jensen, Yager, McKinnon.
Passes to state fair for crop reporters and weather observers. 121, Beswick.
Permits to sell beer. 260, Gallagher.

STATE HIGHWAY COMMISSION—
Abolishment of. 85, Jensen, Yager, McKinnon.
Relating to interstate bridges. 169, Burgess.
Vehicular traffic count on primary roads. 226, Alesch, Garner, Yager, Grell, Foster, Durant.
Furnish gravel for secondary roads. 233, Beswick.

STATE HIGHWAY PATROL—
Creating. 201, Augustine, Avery, Schmitz.
Appointment of. 286, committee on motor vehicles and transportation.

STATE HOSPITAL—
(See University Hospital of the State of Iowa.)

STATE HOSPITALS FOR THE INSANE—
Commitment of insane persons. 200, Ryder.

STATE PARKS—
Aid by cities in the purchase of. 101, Moore of Harrison.

STATE SINKING FUND—
Proof, certification, amount and manner of filing claims. 231, Ellsworth.
Filing of claims against. 257, Ellsworth.
Assignment of assets to Reconstruction Finance Corporation. 278, committee on banks and banking.

STATE TREASURER—
Motor vehicle fuel tax division—employees. 94, Mercer.
Licensing stores—powers and duties. 105, Ostby, Grell, Bouska, Lookingbill.
Restaurant fund. 135, Stansell, Cunningham.
Motor vehicle tax fuel. 185, Moore of Benton, Cunningham, Mitchell.
Cemetery funds. 198, Hultman.

STATE WELFARE DEPARTMENT—
Old age pension bill. 73, Donlon.

STOCKS AND BONDS—
(See also bonds.)
Reorganizing banks. 122, committee on banks and banking.
Taxation of bank stock. 324, committee on banks and banking.
Investment in, by insurance companies. 330, steering committee.

Digitized by Google

STORAGE—

Of motor vehicles in 1933. 119, committee on motor vehicles and transportation.

STORES—

Establishment, operation, maintenance, license for. 105, Ostby, Grell, Bouska, Lookingbill.

STREETS—

Lighting. 156, Elliott.

STREET RAILWAYS—

Cities may acquire and operate. 242, Elliott.

STRICKLER, MILTON W.—

Claim of. 312, committee on claims.

SUPREME COURT—

Prescribing practice in reviewing judgments entered under certain conditions. 5, Johnson.
Appropriation for expense. 151, Johnson.
Providing for assistant chief justice. 179, Johnson.

SWINE—

Production and marketing of. 270, committee on agriculture.

TAX—

Excise tax on oleomargarine. 31, Gissel.
Excise tax on lard substitutes. 293, committee on agriculture.

TAXATION—

Administration bill. 1, Dean, Fabritz, Grau, Mercer, Rice, Speidel.
Remission of taxes. 6, Johnson.
Tax rates—computation. 21, committee on judiciary No. 2.
Oleomargarine—excise tax and inspection fee. 31, Gissel.
Erection of jails or police stations. 38, Johnson.
Real estate—basis for limitation. 41, Teter.
Dogs—double taxation. 50, Craven.
Gross income tax. 57, Burgess, Malone, Swift.
Second installment of taxes—payment deferred. 63, Beswick.
Annual levy in counties. 66, Osborn.
Gross income tax. 93, McFarlane, Hultman, Brady, Lichty, Wolf, McDermott, Aldrich, Mooty, Bruce, Peaco, Bouska, Peet, Burgess, Ryder, Elliott, Stansell, Falvey, Stanzel, Fuelling, Schmitz, Grell, Swift, Hartman, Thiessen, Hough, Wiese.
Levy on real estate and personal property reduced. 96, Stanzel.
Gross sales tax. 107, Cunningham, Gallagher, Lookingbill, Frizzell.
Real estate taxes, 1932 and prior, compromised. 119, Ryder.
Gross income tax on business. 131, Strachan, Beswick, McLean, Felter.
Limitation of tax levies. 133, Felter, Crouch, Strachan, Beswick, McLean.
Mandatory tax reductions—exemptions. 143, Elliott.
Levies for poor relief. 165, Strachan.
Presumption of ownership of property of deceased. 166, Hartman.
Tax levies by cities for bridges. 167, Schmitz.
For purchase of interstate bridges. 169, Burgess.
Annuity contracts. 171, Reed.
Lien on certain personal property. 181, Rawlings.
Publishing notice on estimated levy. 182, Mitchell.
Homestead exemption. 184, Teter.
Reimbursement to school districts. 194, Doran.
Levy for maintenance of police departments. 196, Sheridan.
Mercantile business. 199, Fabritz.

Digitized by Google

Gross income. 204, Cunningham, Bruce, McFarlane, Peaco, Burgess, Bouska, Hultman, Peet, Brady, Gallagher, Lichty, Lookingbill, Wolf, Frizzell, McDermott, Ryder, Aldrich, Elliott, Mooty, Stansell, Schmitz, Falvey, Grell, Stanzel, Swift, Fuelling, Hartman, Thiessen, Hough, Wiese, Malone, Weed.
Notice of sale for delinquent taxes. 218, Cunningham.
Exemption from taxation of property owned by municipalities. 230, Swift.
Suspension of tax penalties. 238, Brady.
Relating to unpaid personal taxes. 240, Grell.
Of deficiency judgments. 250, Foster.
Repealing exemptions on certain bonds. 252, Malone.
Road route-mile tax from motor carriers. 253, Treimer, Augustine.
Limitation on, for schools. 263, Peet, Foster, Durant, Casey, Strachan, Hanson of Lyon, Gallagher, Laughlin.
Classifying assessments in levee and drainage districts. 283, committee on drainage.
Providing levy for replacing school property. 287, committee on schools and textbooks.
Carrying forward delinquent taxes on real estate. 291, committee on emergency legislation.
Rates for widows' pension fund and court expense fund. 303, committee on emergency legislation.
Levy to pay interest and principal on bonded indebtedness. 304, committee on judiciary No. 1.
Segregation of taxes due prior to January 1, 1934, and paid in 1934. 322, committee on cities and towns.
Of bank stock. 324, committee on banks and banking.
Manufacture of beer. 336, steering committee.
Exemption of farm associations from business tax. 354, steering committee.
Relating to taxation on motor vehicles. 356, steering committee.

TAXES, POLL—

Refund. 4, Durant; 56, Fuester.
Liens. 17, committee on judiciary No. 2.
Reduction of amount. 74, Durant.
Payment in labor. 117, Brady.
Repealing tax. 123, Fuester.

TAX SALES—

Redemption from. 119, Ryder.
Costs of serving notice to redeem from. 126, Yager.
Counties may bid and purchase at. 147, Osborn.
Notice of expiration of right of redemption. 164, Dean.
Extension of time for redemption. 215, Aldrich; 232, Beswick, Grau, Rice, McKinnon, Lookingbill.
Manner of serving notice of sale for delinquent tax. 218, Cunningham.
Extension of time for. 345, committee on emergency legislation.

TAYLOR COUNTY—

Legalizing transfer. 299, committee on judiciary No. 2.

TEACHERS—

Closing of schools. 267, committee on schools and textbooks.

TELEPHONES—

Regulation of service. 42, Roe, Mooty.
Regulation of systems. 43, Roe, Mooty.
Service between companies. 51, Humeston.
Regulation in counties. 81, Dole.
Regulation by cities and towns. 82, Dole.

THEATERS—

Motion picture regulation and fire prevention. 139, Cunningham.

Digitized by Google

TOWNS—

(See cities and towns.)

TOWNSHIPS—

(See counties and townships.)

TOWNSHIP OFFICERS—

Fees, mileage, charged by clerks. 109, Dean, Sours.
Licenses for amusement places. 136, Craven.

TRAFFIC—

Right of way. 16, committee on judiciary No. 1.
Highway patrol. 201, Augustine, Avery, Schmitz; 286, committee on motor vehicles and transportation.
Vehicle count on primary roads. 226, Alesch, Garner, Yager, Grell, Foster, Durant.

TRANSFERS—

Cherokee county. 75, Smith.
Humboldt county. 84, Strachan.
Cass county. 90, Malone.
Audubon county. 114, Jensen.
O'Brien county. 115, Treimer.
Harrison county. 116, Moore of Harrison.
Butler county. 118, Garner.
Wright county. 125, Aldrich.
Washington consolidated independent school district of Dallas county. 141, Willis.
Hancock county. 188, Durant.
Emmet county. 224, Manlece.
Taylor county. 299, committee on judiciary No. 2.

TREASURER, COUNTY—

Refund of poll tax. 4, Durant.
Replacement of losses in office of. 59, Craven.

TRUCKS AND TRAILERS—

(See motor vehicles.)

TRUST COMPANIES—

(See banks and banking.)

TRUST FUNDS—

Deposited with public officials. 249, Crouch.

TUBERCULOSIS—

Eradication of bovine. 177, Zipse.

TUITION—

Limitation. 131, Strachan, Beswick, McLean, Felter, Crouch.
For children living along changed state boundary lines. 288, committee on schools and textbooks.

UNITED STATES CONSTITUTION—

Child labor amendment. J. R. 1, Garner.

UNIVERSITY MEDICAL HOSPITAL OF THE STATE OF IOWA—

Removal of restrictions on patronage. J. R. 2, Mercer, Wolf.
Treatment of indigent persons at. 67, Schroeder, Dreessen.
Warrants for treatment at. 91, Fuester.
Method of investigation of hearings on treatment of indigent persons. 112, Millhone, Speidel.

Digitized by Google

VETERINARIANS—
Liens for services. 35, Burgess.
Furnish bond before testing for bovine tuberculosis. 177, Zipse.

VIADUCTS—
Powers of special charter cities. 53, Wiese.

WALKATHONS—
Prohibiting walkathons and other endurance contests. 145, Peet; 158, Felter.

WAREHOUSE ACT—
Making appropriation for. 294, committee on agriculture.
Relating to insurance on grain stored. 319, committee on agriculture.

WARRANTS—
Defining search warrants. 14, committee on judiciary No. 1.
Public treasury—not paid for want of funds. 111, committee on judiciary No. 2.
County auditor of Webster county to issue warrants to meet emergency. 203, Mitchell.
Provision for payment of certain warrants. 322, committee on cities and towns.

WASHINGTON CONSOLIDATED INDEPENDENT SCHOOL DISTRICT OF DALLAS COUNTY—
Legalizing act. 141, Willis.

WATER COURSES—
Obstruction of, and public drains. 102, Moore of Harrison.

WEAPONS—
Licensing retail dealers to sell. 214, Hartman.

WEATHER AND CROP SERVICE—
School of instruction by. 121, Beswick.

WEATHER OBSERVERS—
Passes to state fair. 121, Beswick.

WEBSTER COUNTY—
Emergency legislation. 203, Mitchell.

WEEDS—
Certain noxious. 55; Fuester; 280, committee on agriculture.
Defining. 281, committee on agriculture.

WIDOWS' PENSION FUND—
(See pension.)

WIESE, ADOLPH—
Appropriation for. 161, Wiese.

WOMEN—
Married; employment of in public offices. 229, Peaco.

WORKMEN'S COMPENSATION—
Method of computing average wages. 79, Johnson, Mercer.
Insurance for payment. 234, Reed.

WRIGHT COUNTY—
Legalizing transfer. 125, Aldrich.

YATES AMERICAN MACHINE COMPANY—
Claim of. 321, committee on claims.

Digitized by Google

GENERAL INDEX

(Figures after "Bills Introduced" indicate House File numbers; all other figures indicate page numbers.)

ADDITIONAL EMPLOYEES—
Committee on, appointed 8
Report of committee 21, 111, 245, 307, 411

ADDRESSED THE HOUSE—
Louis H. Cook on tax revision 751
L. E. Powers, counsel for special committee on gasoline tax refunds 751
Col. Russell C. Martin, Commander-in-chief of the Grand Army of the Republic 1040
P. F. Hopkins, Public Works Administrator for Iowa 1144
Ray Murray, State Secretary of Agriculture 1179
Mrs. Anna Dickie Oleson, member of the National Emergency Committee 1283
Walter Hutchinson of the State Securities Department 1351

ADDRESSED JOINT CONVENTION—
Governor Clyde L. Herring 11
E. H. Mulock, chairman State Emergency Relief 735
Edward A. Hayes, National Commander of the American Legion .. 1168

ADJOURNMENT—
For Thanksgiving 164, 187, 243
For Christmas 483, 488, 503, 504, 505
On temporary adjournment 1099, 1107
On final adjournment .....
..... 1142, 1267, 1277, 1412, 1413, 1453, 1457, 1458, 1459, 1555

AGRICULTURE, COMMITTEE ON—
Bills introduced—Nos. 269, 270, 280, 281, 282. H. S. for 280, 293, 294, 319

ALDRICH, R. E. LEE—Representative Seventy-fifth District.
Bills introduced—Nos. 93, 125, 204, 215.
Committee assignments 35, 185
Petitions presented 57, 321, 485, 1163, 1335, 1455
Amendments offered 156, 179, 703
Resolutions offered 488, 644, 1079
Motions made 212, 518, 519, 1465 (2), 1471, 1475
Asked unanimous consent 362, 518
Leave of absence granted 24

ALESCH, GUSTAVE—Representative Eightieth District.
Bills introduced—Nos. 70, 83, 162, 226, 259.
Committee assignments 35, 277, 744
Petitions presented 157, 308, 485, 494, 523
Amendments offered 179, 276, 483, 640, 1254, 1340, 1344, 1527
Resolutions offered 283, 744, 1079
Motions made 27, 276, 483, 549, 637, 647, 744, 1186, 1254, 1274, 1313, 1322, 1340, 1344, 1446, 1471, 1527
Asked unanimous consent 617, 744
Rose to a question of personal privilege 617
Remarks by 621

APPROPRIATIONS, COMMITTEE ON—
Bills introduced—Nos. 296, 300, 325, 328, 342, 346, 360.

ATTORNEY GENERAL—
Communication from 495

Digitized by Google

AUGUSTINE, FRED D.—Representative Seventh District.
Bills introduced—Nos. 92, 201.
Committee assignments....3, 35
Petitions presented....58, 321
Amendments offered.... 179
Resolutions offered....28, 488, 1079
Motions made....341, 342 (2), 343, 344, 1273, 1471
Asked unanimous consent....343 (2), 362, 824, 993, 1537

AVERY, A. H.—Representative Eighty-third District.
Credentials presented 2
Bills introduced—Nos. 10, 13, 30, 46, 201.
Committee assignments 36, 744
Petitions presented....102, 308
Amendments offered ....
.... 388, 476, 544, 696, 972, 1190, 1220, 1227, 1273, 1413
Resolutions offered 488
Motions made ....
107, 386, 535, 554, 696, 744, 751, 946, 972, 987,
1024, 1025, 1140, 1203, 1220, 1227, 1273, 1382, 1413, 1430, 1459, 1471
Asked unanimous consent....344, 388, 405, 476, 483, 554, 1413
Leave of absence granted.... 133
Explanation of vote.... 116

BANKS AND BANKING, COMMITTEE ON—
Bills introduced—Nos. 87, 122, 277, 278, 284, 324.

BEATH, F. H.—Representative Thirteenth District.
Bills introduced—No. 80.
Committee assignments 36
Petitions presented 157, 731
Resolutions offered 488
Motions made 1471
Leave of absence granted....24, 1158

BESWICK, C. L.—Representative Second District.
Bills introduced—Nos. 63, 121, 131, 133, 170, 219, 222, 232, 233
Committee assignments 36, 97
Petitions presented 239, 500
Amendments offered ....
....156, 345, 492, 682, 728, 800, 1006, 1032, 1175, 1211, 1398
Resolutions offered 97, 488, 1079
Motions made ....
..97, 213 (2), 362, 541, 682, 725, 800, 1032, 1245 (2), 1246, 1423
Asked unanimous consent....97, 351, 724, 800, 1009, 1226
Leave of absence granted....24, 1019
Served as Chaplain....787, 1231

BILLS—
Index to House Files.... 1574
Index to Senate Files received in House.... 1597

BOARD OF CONTROL, COMMITTEE ON—
Bills introduced—No. 317.

BONNSTETTER, A. H.—Representative Eighty-fifth District.
Committee assignments 36, 89, 185, 544, 744, 1556
Petitions presented 157, 494, 598, 787, 1231
Amendments offered ....
....75, 179, 465, 617, 638, 965, 1050, 1097, 1412, 1477
Resolutions offered 185, 1079, 1142
Motions made....64, 75, 89, 91, 111, 185,
197, 238, 287, 499, 521, 568, 617, 634, 635, 699, 730, 800,
807, 964, 965 (3), 975, 976, 980, 983 (2), 984, 999, 1093 (2)

Digitized by Google

1097, 1161, 1164, 1250, 1257, 1412, 1414, 1450, 1454, 1471, 1477, 1513, 1521, 1522, 1523, 1527 (2), 1537, 1538 (2), 1539, 1546 (2), 1549
Asked unanimous consent.....
.....185, 197, 534, 667, 718, 806, 891, 988, 1538, 1546
Leave of absence granted.....1068, 1177, 1213, 1265, 1281, 1295
Presided at sessions of the House..... 963

BOUSKA, JOSEPH D.—Representative Ninety-second District.
Bills introduced—Nos. 93, 105, 204.
Committee assignments 3, 36, 1517
Amendments offered 179
Resolutions offered 1079
Motions made 549, 552, 1471
Leave of absence granted..... 24
Motion to reconsider..... 491

BOWERS, L. C.—Representative Fourteenth District.
Bills introduced—Nos. 45, 80, 176.
Committee assignments 36
Petitions presented 157, 500
Amendments offered 179, 484, 591, 1063
Resolutions offered 1079
Motions made 172, 278, 279, 591, 1055 (2), 1063, 1471

BRADY, JOHN F.—Representative Thirty-first District.
Bills introduced—Nos. 93, 100, 113, 117, 132, 204, 205, 206, 207, 208, 238, 239, 241.
Committee assignments 36, 544, 1412
Petitions presented 118 (2), 157, 288, 321, 359, 380, 398, 466, 475, 476, 642, 743, 913, 978, 1068
Amendments offered 179, 257, 396, 491, 710, 1227, 1324, 1508
Resolutions offered 1079
Motions made 169, 181, 211, 277, 365, 393, 394, 407, 473, 509, 570, 710, 998, 1128, 1181, 1227, 1302, 1303, 1324, 1399, 1411, 1420, 1464, 1471, 1478, 1504, 1505, 1508, 1512
Asked unanimous consent.....1200, 1247, 1478
Leave of absence granted.....6, 642, 660, 826, 1008, 1078
Presided at House sessions..... 1065
Raised point of order..... 1298

BRUCE, MARION—Representative Seventy-seventh District.
Bills introduced—Nos. 93, 204.
Committee assignments 36, 741, 980
Petitions presented 118
Amendments offered 345, 1250
Resolutions offered 488, 1079
Motions made 394, 811, 1225, 1232, 1325, 1471
Asked unanimous consent..... 811
Presided at sessions 570
Remarks by 1113

BUILDING AND LOAN, COMMITTEE ON—
Bills introduced—No. 313.

BURGESS, JAMES—Representative Fifty-eighth District.
Bills introduced—Nos. 2, 35, 36, 57, 93, 130, 138, 169, 204, J. R. 3.
Committee assignments 3, 36, 74, 976
Petitions presented 158, 225, 466, 475, 485, 523, 1106
Amendments offered 139, 179, 1139, 1333, 1380
Motions made..3, 139, 141, 962, 977, 1085, 1089, 1147, 1348, 1380, 1531
Asked unanimous consent.....279, 1052, 1531

CALL OF THE HOUSE—
On committee report on S. F. 105.....464, 758
On House File 292..... 703

Digitized by Google

On Senate File 105 761
On House File 1 896
On Senate File 281 971
On conference committee report on Senate File 281 990
On House File 180 1052
On House File 162 1164
On House File 336 1182
For February 28, March 1 and 2 1306
On Senate File 42 1440
On House File 355 1471
On House File 323 1482
For evening session, March 8 1502
For convening, March 9 1540

CASEY, JAMES G.—Representative Ninety-third District.
Bills introduced—No. 268.
Committee assignments 3, 37, 1128
Petitions presented 181, 260, 494 (2), 913
Amendments offered 179
Resolutions offered 1487
Motions made 1471
Leave of absence granted 143

CHAPLAINS—
Alexander, J. A., of Des Moines 523
Aurand, R. H., of Des Moines 804
Barlow, W., of Ames 966
Barnstable, R. L. L., of Des Moines 124, 586, 1051
Bash, Floyd Allan, of Des Moines 630
Bash, Lawrence, of Des Moines 913
Bauer, Theodore, of Des Moines 372, 1335
Bennett, Arthur E., of Fayette 1036
Bessinger, A. J., Des Moines 705
Beswick, C. L., of Stockport 787, 1231
Burdine, C. E., of West Liberty 1213
Cadwell, Albert Burns, of Des Moines 485
Caldwell, Dean, of Des Moines 740
Carmen, N. H., of Des Moines 216
Carriel, C. A., of Dubuque 57
Carson, Thomas, of Hampton 28
Elliott, E. A., of Des Moines 398, 978
Ewing, W. L., of Des Moines 531, 1519
Freedline, J. H., of Brooklyn 1411
Fulton, S. A., of Des Moines 19, 417, 1106
Goodwin, Levi P., of Des Moines 133
Gorman, D. A., of Nevada 1163
Hanson, A. C., of Inwood 1540
Harvey, H. E., of Rowan 1090
Higbee, M. V., of Boone 743
Husted, O. E., of Truro 932
Kempe, J. Walton, of Des Moines 321
Lair, Loren E., of Taylor county 1019
Laird, E. J., of Des Moines 6
Lookingbill, C. E. of Nevada 118, 473, 678, 771, 1019
McClerg, William of Corning 559
McCraven, Henry of Des Moines 24, 260, 475, 494, 573, 642, 722, 859, 1158, 1400
McDermott, P. N., of Atlantic 380
McPherson, Aimee Semple, of Los Angeles 1
Mack, William, of Des Moines 195, 288
Mitchell, H. A., of Des Moines 1068
Moore, Clarence, of New Virginia 545
Parker, W. H., of Cotter 93

Digitized by Google

Rayhill, C. B., of Leon 157
Richey, John R., of Des Moines 1435
Robinson, H. D., of Des Moines 308
Schaffer, E. L., of Des Moines 995
Sessions, W. A., of Corydon 885
Shenton, Stacy L., of Des Moines 660, 1265
Shiffler, Harry C., of Des Moines 748
Shipman, Raymond M., of Des Moines 1126
Shutt, Phillip, of Independence 500, 826, 1008, 1196, 1281, 1455
Smith, Dilman, of Des Moines 181, 1141
Spiller, Edwin L., of Des Moines 102, 346, 1295
Stevens, P. R., of Des Moines 225
Strock, Dr. J. Ray, of South India 70
Swan, Eric P., of Des Moines 466
Thomas, Percy M., of Des Moines 358, 1029
Wadding, S. C., of Des Moines 731
Weed, A. R., of Winterset 143, 239, 598, 756, 956, 1078, 1251, 1369, 1553
Weertz, Frederick J., of Des Moines 690
Williams, E. G., of Des Moines 7, 1476
Young, C. L., of Des Moines 1177

CHIEF CLERK—
Virgil Lekin made acting 1
Virgil Lekin made permanent 3
To redraft bills 471
Appointment of page 68, 752
Appointment of clerk 68
Presentation of gift to 1540

CITIES AND TOWNS, COMMITTEE ON—
Bills introduced—Nos. 302, 322.

CLAIMS, COMMITTEE ON—
Bills introduced—Nos. 274, 275, 307, 308, 309, 310, 311, 312, 318, 320, 321.

COMMITTEE CLERKS—
Appointment of committee on 3
Report of committee on ..19, 69, 116, 194, 355, 370, 379, 558, 593
For Speaker and chief clerk 68
Resignation of 345, 585, 994, 1028, 1104, 1174, 1250, 1262, 1278, 1331, 1410

COMMITTEES, CONFERENCE—
On House File 17 544
On House File 21 544
On House File 97 970
On Senate File 281 980
On House File 1 1095
On Senate File 273 1128
On House File 292 1262
On Senate File 95 ..... 1412, 1517
On House File 304 1470

COMMITTEE ROOMS—
Committee on, appointed 54
Report of committee on 55

COMMITTEES, SPECIAL—
To notify Governor 3, 11, 1556
To notify Senate 3, 10, 1556
To select committee clerks 3
On mileage 3

Digitized by Google

On payment of salaries 8
On selection of additional employees 8
On committee rooms 55
Special Gasoline Tax Refund Committee, report of 174
To amend report of Special Gasoline Tax Refund Committee 277
To study emergency relief 741
To invite Louis H. Cook to address House 744

COMMITTEES, STANDING—
Appointment of 28

COMMITTEE OF THE WHOLE—
On tax revision 344, 734, 738, 741, 744, 751
On Iowa Highway Commission 372, 483
On liquor control bills 506
On House File 292 ..... 565, 585
On House File 185 774
On House File 325 968

COMMUNICATIONS FROM—
Secretary of State, credentials of newly elected representatives ... 2
Attorney General 495
Senator Knudson 723
Governor Clyde L. Herring 964

CONCURRENT RESOLUTIONS—
Index to 1607

CONSTITUTIONAL CONVENTION—
Minutes of 1557, 1508, 1559

CRAVEN, J. E.—Representative Thirty-eighth District.
Bills introduced—Nos. 50, 59, 60, 92, 136, 146.
Committee assignments 37
Petitions presented 157, 358
Amendments offered 179, 540, 726, 1139, 1189, 1211
Resolutions offered 144, 488, 827, 1079
Motions made ..352, 538, 540 (2), 742, 816 (2), 862, 1297, 1462, 1471
Asked unanimous consent 426, 538, 540, 816, 1188, 1224, 1461
Leave of absence granted 195, 358, 473, 660, 1078, 1158, 1411

CREDENTIALS—
Presented 2

CROUCH, S. B.—Representative Fifty-fourth District.
Bills introduced—Nos. 89, 131, 133, 228, 247, 248, 249.
Committee assignments 37, 62
Petitions presented 143, 1196
Amendments offered 179, 728, 762, 1428
Resolutions offered 62, 1079, 1215
Motions made 6, 18, 56, 62, 180, 187, 341, 368 (2), 388, 516, 884, 1215 (2), 1428, 1445, 1471
Leave of absence granted 630, 826, 1052, 1149, 1251, 1287, 1303
Asked unanimous consent 62, 368
Explanation of vote 319

CUNNINGHAM, PAUL H.—Representative Thirty-seventh District.
Bills introduced—Nos. 40, 77, 107, 129, 135, 139, 185, 187, 191, 204, 217, 218.
Committee assignments 37, 1168, 1556
Petitions presented 143, 158, 195, 398 (2), 523, 559 (4), 642, 731, 859 (2), 1106, 1177, 1196
Amendments offered ..... 179, 244, 474, 498, 601, 655, 768, 769, 803, 960, 1040, 1162, 1232, C. J. 1352
Resolutions offered 1079

Digitized by Google

Motions made .....244, 392, 514, 516, 517, 535, 601, 737, 741, 938, 960 (2), 1022, 1039, 1040 (2), 1041, 1047, 1145, 1152, 1153, 1168, 1232, 1325, 1326 (2), 1349, 1350, C. J. 1352, 1375, 1376
Asked unanimous consent.....316, 405, 514, 515 (2), 535, 725, 738, 938, 959, 1160, 1231, 1350, 1354, 1375
Leave of absence granted.....70, 195, 475, 485, 1052, 1106, 1126
Presided at sessions of the House..... .....1221, 1444, 1488

DAVIS, FOREST—Representative Fourth District.
Bills introduced—Nos. 92, 176.
Committee assignments 3, 37, 163
Petitions presented 308, 475 (2), 643
Amendments offered 194, 632, 710
Resolutions offered 163, 233, 488, 1079
Motions made 163, 221, 477, 588, 632, 636 (2), 710, 809, 924
Asked unanimaus consent.....163, 588, 809
Leave of absence granted..... 740

DEAN, EARL M.—Representative Eighty-seventh District.
Bills introduced—Nos. 1, 52, 109, 164, 189, 254.
Committee assignments 37, 62
Petitions presented 288, 466, 494, 523, 643
Amendments offered 179, 465, 638, 657, 761, 792, 1028
Resolutions offered 28, 488, 1079
Motions made 634, 682, 792, 855, 911, 1148 (2), 1272, 1471
Asked unanimous consent.....70, 683, 889, 1271
Leave of absence granted.....24, 740
Motion to reconsider filed..... 873

DOLE, J. WILBUR—Representative Nineteenth District.
Bills introduced—Nos. 81, 82.
Committee assignments 37, 89, 97
Amendments offered 127, 179, 190, 520, 615, 862, 924, 962, 1011, 1065, 1116, 1398, 1405, 1417
Resolutions offered 488
Motions made..115, 127, 190, 208, 318, 340, 556, 615, 709, 790, 862, 869, 924, 962, 1011, 1065, 1116, 1405, 1417, 1428, 1440 (2), 1456
Asked unanimous consent.....539, 555, 1441
Leave of absence granted.....1098
Raised point of order..... 112

DONLON, P. H.—Representative Eighty-fourth District.
(See also Speaker pro tempore.)
Elected Speaker pro tempore..... 2
Bills introduced—Nos. 73, 92, 228.
Committee assignments 37, 1385
Amendments offered 231, 258, 520, 762, 856, 1262, 1278, 1367 (4), 1398, 1424
Resolutions offered 233, 1079
Motions made 231, 258, 1303, 1380, 1424, 1449
Asked unanimous consent.....1443, 1529
Remarks by 5
Explanation of vote..... 257
Presided at sessions of the House.....123, 1471

DORAN, BEN B.—Representative Fifty-third District.
Bills introduced—Nos. 92, 133, 194.
Committee assignments 10, 37, 1168
Petitions presented 157, 913
Amendments offered 179, 194, 676, 715, 768, 769, 1055, 1147
Resolutions offered 28, 488
Motions made 372, 434, 435 587, 588, 681 (2), 715, 817, 1055, 1147, 1215, 1306, 1346 (2), 1471

Digitized by Google

Asked unanimous consent.....217, 565, 587, 680, 817, 1037
Leave of absence granted.....995, 1043

DRAINAGE, COMMITTEE ON—
Bills introduced—Nos. 283, 295, 316.

DREESSEN, WM. J.—Representative Fifty-sixth District.
Bills introduced—Nos. 67, 132, 168, 246.
Committee assignments 38
Petitions presented 157
Amendments offered 179, 1443
Resolutions offered 1079
Motions made 684, 1105, 1443, 1471, 1481
Asked unanimous consent..... 789
Leave of absence granted..... 24
Motion to reconsider filed.....1475

DURANT, S. B.—Representative Eighty-sixth District.
Bills introduced—Nos. 4, 74, 159, 188, 226, 263.
Committee assignments 38, 185
Petitions presented 157, 308, 486, 545, 1008, 1553
Amendments offered 179, 626, 627, 638, 742, 1028
Resolutions offered 233, 488, 1487
Motions made 98, 123, 223, 480, 481, 638, 649, 1298, 1471
Asked unanimous consent.....168, 480, 638, 1040
Leave of absence granted.....
.....24, 660, 885, 913, 932, 956, 966, 978, 1251

ELLIOTT, E. A.—Representative Thirty-seventh District.
Bills introduced—Nos. 93, 142, 143, 155, 156, 193, 204, 220, 242.
Committee assignments 38
Petitions presented 102, 417, 485, 642, 643, 690
Amendments offered 138, 1190, 1324
Resolutions offered 488
Motions made.....138, 353, 354, 799, 1231, 1232, 1324, 1343, 1515 (2)
Asked unanimous consent.....353, 354, 800, 1150
Leave of absence granted.....417, 630, 642, 1034
Served as chaplain.....398, 978

ELLSWORTH, E. O.—Representative Sixty-fourth District.
Bills introduced—Nos. 140, 192, 197, 231, 257.
Committee assignments 38
Petitions presented 358, 398, 466, 523, 859, 1455
Amendments offered .....
179, 221, 554, 571, 597, 629, 653, 682, 738, 897, 1219, 1250
Resolutions offered 488, 644
Motions made 107, 108,
146, 147, 168, 171, 172, 214, 221, 426, 491, 553, 554 (2),
581 (2), 644, 653, 666, 682, 823, 897, 959, 997, 1010, 1041 (2)
1042, 1132, 1138, 1166, 1167, 1219, 1259 (2), 1261, 1386, 1525, 1526, 1542
Asked unanimous consent..... 146,
214, 553, 580, 635, 644, 666, 723, 823, 1161, 1386, 1411, 1525, 1542

EMERGENCY LEGISLATION, COMMITTEE ON—
Bills introduced—Nos. 272, 276, 291, 303, 340, 341, 345, 351, 352, 353.

EXPLANATION OF VOTE—
By A. H. Avery..... 116
By S. B. Crouch..... 319
By L. D. Teter..... 730
By John H. Mitchell..... 1006

Digitized by Google

FABRITZ, ERNEST H.—Representative Eighteenth District.
Bills introduced—Nos. 1, 11, 62, 92, 199, 217.
Committee assignments 8, 38, 980, 1168, 1262, 1556
Petitions presented 93, 1051, 1335
Amendments offered ..174, 179, 498, 521, 634, 652, 658, 694, 698, 700, 702, 711, 712, 713 (2), 715 (2), 719, 728 (3), 752 890, 897, 898, 1050, 1065, 1153, 1260, 1322, 1413, 1434, 1508, 1525, 1549
Resolutions offered 488, 1150
Motions made 63, 77, 112, 142, 153, 174 (3), 217, 244, 277, 335, 408, 506, 521, 526, 582, 632 (2), 633, 634, 635, 652, 654, 680, 693, 694, 698 (2), 700 (2), 702, 708, 710, 711 (3), 712, 713 (2), 714, 715 (2), 718, 719, 817, 855, 866, 890, 897, 927, 992 (2), 1025, 1065, (2), 1127, 1153, 1179, 1257, 1258 (2), 1260 (2), 1281, 1286, 1287, 1322, 1336, 1351, 1413, 1445, 1457, 1463, 1497, 1508, 1525, 1549
Asked unanimous consent..... .....8, 75, 78, 174 (2), 570, 615 (2), 649, 718, 719, 720, 870, 992, 1145, 1150, 1200, 1228, 1247, 1258, 1374, 1442, 1449, 1529
Leave of absence granted.....1098, 1115, 1182
Presided at sessions of the House.....1465

FALVEY, M. C.—Representative Seventeenth District.
Bills introduced—Nos. 92, 93, 204.
Committee assignments 38, 163
Amendments offered 179
Resolutions offered 1079
Leave of absence granted..... 1295

FELTER, VICTOR—Representative Twenty-seventh District.
Bills introduced—Nos. 131, 133, 157, 158.
Committee assignments 38, 98, 1470
Petitions presented 157
Amendments offered 179, 345, 638, 655, 728, 898
Resolutions offered 97, 488, 1079
Motions made 98, 526, 646, 693, 741, 925, 1471
Asked unanimous consent.....98, 351, 725
Leave of absence granted..... 28

FISH AND GAME, COMMITTEE ON—
BILLS introduced—No. 273.

FLETCHER, C. L.—Representative Ninety-eighth District.
Credentials presented 2
Committee assignments 38
Petitions presented 157
Amendments offered 179
Resolutions offered 489, 1079

FOSTER, LA MAR P.—Representative Forty-fourth District.
Bills introduced—Nos. 71, 74, 113, 226, 228, 250, 255, 262, 263.
Committee assignments 38, 544, 976, 1470
Petitions presented 133, 157, 486
Amendments offered 101, 179, 209, 737, 762, 797, 856, 1107, 1109, 1199, 1230, 1267, 1294, 1367, 1425
Resolutions offered 233, 1079, 1099, 1142
Motions made..4, 63, 64 (3), 65 (4), 66, 67 (2), 209, 222, 335, 408, 472, 506, 552, 737, 797, 863, 864, 968, 1074 (2), 1107, 1109, 1199, 1216, 1230, 1245, 1254, 1256, 1267, 1283, 1292, 1325, 1328, 1338, 1352, 1383, 1402, 1412, 1421, 1425, 1446, 1459, 1471, 1485, 1526
Asked unanimous consent.....67, 870, 1383, 1442
Leave of absence granted.....24, 102, 1158
Motion to reconsider filed.....193, 1250, 1434
Raised point of order..... 1396

Digitized by Google

FRIZZELL, J. W.—Representative Thirty-ninth District.
Bills introduced—Nos. 107, 176, 204.
Committee assignments 39
Petitions presented 239, 288, 486
Resolutions offered 488, 1079
Motions made 803, 1142, 1149, 1275, 1471
Leave of absence granted 1177
Motion to reconsider filed 1139

FUELLING, OTTO—Representative Seventieth District.
Bills introduced—Nos. 93, 204.
Committee assignments 39, 1412
Petitions presented 157, 398
Amendments offered 179
Resolutions offered 488
Motions made 533 (2)
Asked unanimous consent 533
Leave of absence granted 24, 660, 678, 804, 1158
Filed motion to take from the table 412

FUESTER, C. E. R.—Representative Fifty-ninth District.
Bills introduced—Nos. 55, 56, 83, 91, 123.
Committee assignments 39, 1095
Petitions presented 102, 143, 289, 743
Amendments offered 100, 623, 640, 654, 1217
Resolutions offered 233, 302, 1079
Motions made 121 (2), 192, 367, 634, 650, 1217, 1259, 1339, 1376, 1507
Asked unanimous consent 193, 634, 637, 718
Leave of absence granted 804

GALLAGHER, J. P.—Representative Fortieth District.
Bills introduced—Nos. 3, 71, 72, 92, 107, 128, 204, 260, 263,
Committee assignments 9, 39, 1517
Amendments offered .....
....56, 520, 626, 716, 757, 929, 1018, 1155, 1181, 1182, 1190, 1333
Resolutions offered 74, 488
Motions made .....
1, 63, 407, 432 (2), 472, 633, 649, 671, 672, 716,
722, 757, 929, 995, 1102, 1108, 1181, 1182, 1202, 1333, 1377, 1401, 1471
Asked unanimous consent ... 168, 375, 435, 471, 565, 668, 1182, 1540
Presided at sessions of the House 545, 586, 804
Made ruling 553

GARNER, ADA—Representative Seventy-third District.
Bills introduced—Nos. 44, 118, 162, 226. J. R. No. 1.
Committee assignments 39, 741, 1168, 1337
Petitions presented 1335
Resolutions offered 144, 1079, 1337
Motions made 120, 202, 305, 519, 926, 1275, 1337, 1504
Asked unanimous consent 279, 391, 405, 472, 519, 1337
Leave of absence granted 1387, 1435
Presided at sessions of the House 527

GASOLINE TAX REFUND COMMITTEE, SPECIAL—
Report of 174
Committee to amend report 277
Report of 306

GISSEL, W. H.—Representative Sixty-seventh District.
Bills introduced—Nos. 9, 31, 32.
Committee assignments 39
Petitions presented 545
Amendments offered 179, 725, 1398

Digitized by Google

Resolutions offered 233, 488
Motions made 725, 819, 1426
Asked unanimous consent.....405, 1426
Leave of absence granted.....358, 995, 1265, 1400

GITTINGER, G. J.—Representative Sixteenth District.
Bills introduced—Nos. 92, 245.
Committee assignments 39
Petitions presented 181
Amendments offered 179
Resolutions offered 1079
Leave of absence granted..... 1251

GOODE, DEWEY E.—Representative Third District.
Bills introduced—Nos. 33, 34, 62, 92.
Committee assignments 39, 163, 277, 544, 1262, 1385
Amendments offered .....
179, 208, 277, 319, 320, 465, 521, 539, 591, 620, 671, 709, 759, 761 (2), 762, 782, 798, 856 (2), 927, 1070, 1199, 1257, 1424 (2)
Resolutions offered 488
Motions made 120, 129, 150, 152, 153, 207, 277 (2), 319, 386, 433, 539, 555, 582, 591, 620, 638, 663, 671, 709, 759, 774, 782, 790, 791, 798, 867, 927, 993, 1070, 1187, 1199, 1205, 1246, 1257, 1290, 1320, 1424 (2), 1470, 1477
Asked unanimous consent.....208, 279, 870
Motion to reconsider filed..... 1089
Raised point of order..... 1533

GOVERNOR CLYDE L. HERRING—
Committee appointed to notify.....3, 11, 1556
Communications from 11, 964, 1556

GRAU, O. J.—Representative Seventy-eighth District.
Bills introduced—Nos. 1, 76, 232.
Committee assignments 39, 970, 976
Petitions presented 260, 500 (2), 598
Amendments offered 139, 320, 377, 510, 647, 653 (2) 709, 753, 855, 975, 1006 (2), 1277, 1284, 1287 (2), 1298, 1348, 1524
Resolutions offered 488
Motions made 120, 138, 139, 155, 156, 377 (2), 378, 416, 472, 510, 580 (2), 647, 653 (2), 709, 737, 744, 781, 796, 855, 929, 975, 1009 (2), 1032, 1136, 1203, 1217, 1277, 1284, 1287 (2), 1298, 1341, 1348 (2), 1410, 1445, 1494, 1495 (3), 1524
Asked unanimous consent..138, 139, 155, 363, 385, 579, 710, 782, 975, 1284
Leave of absence granted.....24, 690, 1158

GRELL, CHRISTIAN—Representative Forty-third District.
Bills introduced—Nos. 93, 105, 204, 219, 222, 226, 240.
Committee assignments 40
Petitions presented .....
102 (2), 157, 158, 308, 309, 485, 500, 545, 598, 705, 978, 1078 (2)
Amendments offered 179
Resolutions offered 233, 1079
Motions made 375, 1471
Asked unanimous consent..... 531
Leave of absence granted.....21, 28, 143, 195, 380, 524, 630

HANSON, ARTHUR C.—Representative Ninety-ninth District.
Bills introduced—Nos. 29, 64, 65, 263.
Committee assignments 40, 970, 1412
Petitions presented 58 (2), 196, 372, 466, 495
Amendments offered .....
.....150, 179, 345, 492, 625, 628, 798, 1096, 1278, 1398, 1443

Digitized by Google

Resolutions offered 28, 233, 488, 1079
Motions made.....150, 351, 371, 434, 435, 617, 618, 648, 714, 794, 798, 1000, 1115, 1116 (2), 1184, 1286, 1297, 1443, 1457, 1471, 1499
Asked unanimous consent.....1116, 1442
Leave of absence granted.....531, 956, 984
Served as chaplain..... 1540

HANSON, H. N.—Representative Ninety-fifth District.
Bills introduced—Nos. 64, 228.
Committee assignments 40, 97
Petitions presented 118
Amendments offered 179 (2), 543, 762
Resolutions offered 233, 488, 1079
Motions made 107, 187, 774, 1024, 1411, 1445, 1471
Asked unanimous consent.....1056, 1072
Leave of absence granted.....24, 524, 690, 1078

HARTMAN, HENRY M.—Representative Twenty-first District.
Bills introduced—Nos. 93, 108, 166, 204, 214, 227, 256.
Committee assignments 40
Petitions presented 500, 1078, 1141
Amendments offered 179, 412
Motions made 390, 430 (2)
Asked unanimous consent..... 375
Leave of absence granted..... .....24, 473, 586, 740, 804, 956, 995, 1008, 1158, 1251

HOOK, CHAS. S.—Representative Eighth District.
Bills introduced—Nos. 80, 97, 228.
Committee assignments 40, 970, 980, 1168, 1470
Petitions presented 157
Amendments offered 179, 396, 762
Resolutions offered 1079
Motions made...221, 433 (2), 434, 549, 734, 810, 934, 939, 1296, 1438
Asked unanimous consent.....734, 810, 933, 939, 1296, 1437

HOPP, R. C.—Representative Eleventh District.
Bills introduced—Nos. 47, 64, 80.
Committee assignments 40
Petitions presented 57, 143 (2), 158, 288, 1029
Amendments offered 116, 179 (2), 415, 1021, 1092
Resolutions offered 144, 488
Motions made.....127, 174, 192 (2), 427, 1021, 1092, 1255
Asked unanimous consent.....145, 174, 391, 405
Leave of absence granted.....24, 984, 1158

HOUGH, H. B.—Representative Seventy-first District.
Bills introduced—Nos. 93, 202, 204.
Committee assignments 40
Petitions presented 494, 743, 748, 1335
Resolutions offered 74, 1142
Motions made.....132, 723, 758, 936 (2), 1171, 1297, 1375, 1458, 1506
Asked unanimous consent.....651, 723, 935, 936

HULTMAN, O. N.—Representative Twelfth District.
Bills introduced—Nos. 80, 93, 198, 204.
Committee assignments 40
Petitions presented.....93, 157, 494 (2), 743 (2)
Amendments offered 179
Motions made 1471
Leave of absence granted..... 660

Digitized by Google

HUMESTON, ALVA—Representative Fifth District.
Bill introduced—No. 51.
Committee assignments 40
Petitions presented 321
Amendments offered 179, 625
Resolutions offered 1079
Motions made.....551, 552, 633, 812, 1342
Asked unanimous consent.....336, 549, 634, 651, 680, 750, 812
Leave of absence granted.....70, 1078

INSURANCE, COMMITTEE ON—
Bills introduced—Nos. 266, 289, 290, 298.
Resolutions presented 282

IOWA HIGHWAY COMMISSION AND CEMENT TRUSTS, COMMITTEE ON—
Report of 245

IOWA UNIVERSITY MEDICAL HOSPITAL, COMMITTEE TO CONFER WITH STAFF OF—
Minority report of..... 436
(See Senate Journal for majority report.)

JENKINS, JOHN J.—Representative Twenty-second District.
Committee assignments 41, 97
Petitions presented 380
Amendments offered 179, 653, 703
Resolutions offered 97, 233, 488
Motions made 97, 245, 653, 1471
Asked unanimous consent.....97, 471, 653, 699
Leave of absence granted.....24, 1008, 1078, 1158

JENSEN, T. G.—Representative Thirty-fourth District.
Bills introduced—Nos. 85, 114, 243.
Committee assignments 41, 744
Petitions presented 181
Amendments offered.....314, 397, 628, 673, 700, 747, 969, 972
Resolutions offered 164, 233, 1079
Motions made.....190, 306, 314, 397, 474, 481, 484, 505, 582, 618, 637, 644, 646, 673 (2), 700, 710, 931, 969, 972, 1016, 1017, 1153, 1200, 1381, 1443, 1444, 1465, 1471, 1479, 1497, 1502, 1523
Asked unanimous consent.....435, 491, 583, 673, 971
Leave of absence granted.....24, 531, 751, 1098, 1106, 1126, 1158

JOHNSON, ELMER A.—Representative Forty-eighth District.
Bills introduced—Nos. 5, 6, 7, 38, 79, 151, 179, 195.
Committee assignments 41, 105, 277, 544, 1095, 1168, 1262
Petitions presented.358, 359, 466, 531, 598, 1090, 1106, 1126 (2), 1231
Amendments offered 67, 100, 127, 179, 315, 409, 668, 872, 999, 1023, 1048, 1151, 1172, 1191, 1224, 1245, 1267, 1366, 1382, 1383, 1445, 1450, 1477, 1502, 1518, 1527, 1549
Motions made.....5, 67 (2), 68, 106 (3), 127, 153, 154, 203, 215, 285 (2), 314, 315, 366, 409, 478, 479 (2), 539, 541, 667 (2), 668, 795, 814, 872, 968, 969, 982, 988, 999, 1014, 1023, 1030, 1048, 1073, 1075 (2), 1107, 1138, 1151, 1172, 1224, 1245, 1267, 1283, 1347, 1382, 1383, 1445, 1450, 1471, 1477, 1479, 1489, 1490, 1492, 1493 (2), 1494, 1502, 1511, 1512, 1515, 1516, 1518, 1527, 1549
Asked unanimous consent...67, 221, 408, 478, 479, 660, 668, 814, 886, 969, 1009, 1216, 1224, 1226, 1245, 1283, 1342, 1383 (2), 1403
Leave of absence granted.....24, 573, 1158
Raised point of order..... 1488

JOINT CONVENTION—
To hear Governor's message..... 11
To hear E. H. Mulock, chairman State Emergency Relief..... 735
To hear Edward A. Hayes, National Commander of the American Legion 1168

Digitized by Google

JUDICIARY NO. 1, COMMITTEE ON—
Bills introduced—Nos. 14, 16, 18, 20, 22, 24, 26.

JUDICIARY NO. 2, COMMITTEE ON—
Bills introduced—Nos. 15, 17, 19, 21, 23, 25, 111, 297, 299, 301, 304, 305, 314, 315, 323.

KOCH, WM.—Representative Seventy-second District.
Bill introduced—No. 106.
Committee assignments....3, 9, 41, 89, 976
Petitions presented....93, 466, 467, 486
Amendments offered....179
Resolutions offered....8, 162, 488
Motions made....8, 17, 21, 108, 126, 163, 215, 392, 395 (2), 396, 739, 818, 954, 1333
Asked unanimous consent....163, 817
Leave of absence granted....1231, 1387, 1455

LABOR, COMMITTEE ON—
Bills introduced—Nos. 264, 265, 271.

LAUGHLIN, E. P.—Representative Tenth District.
Bills introduced—Nos. 80, 210, 263.
Committee assignments....41
Petitions presented....133 (2)
Amendments offered....179
Resolutions offered....488, 1079
Motions made....292, 532, 801 (2), 820, 932, 1471
Asked unanimous consent....70, 292, 532, 756, 819, 932
Leave of absence granted....573, 740, 1106, 1177, 1295

LEKIN, VIRGIL, CHIEF CLERK—
Made acting....1
Elected....3
Oath of office....1
Appointment of clerk and page by....68, 752
Presented with traveling bag....1540

LICHTY, E. M.—Representative Sixty-sixth District.
Bills introduced—Nos. 93, 204.
Committee assignments....41, 240
Petitions presented..225 (2), 288, 308, 358, 380 (2), 466 (2), 475 (2), 1029
Amendments offered....179
Resolutions offered....488, 1079
Leave of absence granted....826, 1387

LIQUOR CONTROL, COMMISSION TO STUDY—
Report of....78
Minority report....87, 88

LIQUOR CONTROL, COMMITTEE ON—
Bill introduced—No. 292.
Amendments offered....623, 627, 687, 703

LOOKINGBILL, C. E.—Representative Fifty-second District.
Bills introduced—Nos. 78, 107, 204, 209, 232.
Committee assignments....41
Petitions presented....288, 466, 913
Amendments offered....179
Resolutions offered....488, 1079
Motions made....312, 313, 320, 935, 1040, 1044, 1134, 1165, 1171, 1275, 1403, 1536 (2)
Asked unanimous consent....312, 934, 1019, 1165
Leave of absence granted....398, 600, 1150, 1158
Served as chaplain....118, 473, 678, 771, 1098

Digitized by Google

McCARTHY, FRANK J.—Representative Fifty-eighth District.
Committee assignments 42, 74
Petitions presented.....
.....57, 133, 181, 321, 359, 467, 531, 913, 1051 (2), 1068, 1163
Amendments offered 179
Resolutions offered 74
Motions made 74
Asked unanimous consent..... 74
Leave of absence granted.....195, 573

McCREERY, D. R.—Representative Forty-eighth District.
Bill introduced—No. 98.
Committee assignments 42, 55, 980
Petitions presented 57, 143, 359, 466, 642, 1126, 1196
Amendments offered 122, 179, 188, 218, 307, 362,
511, 537, 695, 703, 954, 965, 974, 1001, 1004, 1199, 1222, 1298, 1426
Resolutions offered 488, 1439, 1487
Motions made 116, 122, 130, 188, 204,
206, 213, 218, 362 (2), 386, (2), 504, 511, 537 (2), 638, 677,
695, 713, 734, 774, 790, 873, 890, 892, 935, 954, 965, 968,
974, 991, 1001, 1004, 1012, 1013, 1077, 1094, 1109, 1127, 1159, 1186,
1199, 1222, 1244, 1277, 1298, 1337, 1375, 1384, 1426, 1430, 1474, 1489, 1540
Asked unanimous consent..536 (2), 537, 697, 991, 1002, 1126, 1234, 1426
Leave of absence granted.....722, 743
Presided at sessions of the House..... 751

McDERMOTT, JOHN—Representative Twenty-ninth District.
Bills introduced—Nos. 80, 93, 204.
Committee assignments 42, 143
Petitions presented 358, 523 (2), 748
Amendments offered 179
Resolutions offered 1079
Leave of absence granted..... 24

McFARLANE, ARCH W.—Representative Sixty-sixth District.
Bills introduced—Nos. 47, 93, 204.
Committee assignments 42, 240, 735, 1128, 1337
Petitions presented .....
57, 93, 102, 133, 225, 358, 380, 466, 467, 500, 531, 598, 1029
Amendments offered 179,
405, 478, 571, 593, 640, 682, 712, 792, 875, 1048, 1151, 1204, 1457
Resolutions offered 74, 240
Motions made 88, 240, 405, 426, 478, 505 (2),
509, 513, 517, 529, 563, 632, 633, 682, 696, 712, 717, 757,
758 (2), 759, 792, 892, 897, 1048, 1151, 1154, 1155, 1184, 1204, 1212,
1292, 1313, 1314, 1378, 1439, 1457 (2), 1459, 1545, 1549, 1554, 1555 (2)
Asked unanimous consent.....
.....156, 240, 405, 505, 529, 562, 792, 914, 1216, 1306, 1354, 1369
Leave of absence granted.....102, 660, 1008, 1387
Raised point of order.....757, 869

McKINNON, CURTIS L.—Representative Twentieth District.
Bills introduced—Nos. 40, 83, 85, 176, 217, 228, 232.
Committee assignments 3, 42, 744
Petitions presented 359, 531, 1051, 1098, 1163
Amendments offered 180, 215, 320, 357, 397,
477, 752 (2), 762, 799, 816, 855, 927, 1105, 1157, 1341, 1345, 1449
Resolutions offered 164, 231, 302, 1079

Motions made 76, 112, 132, 180, 215,
224, 345, 356 (2), 357, 379, 389, 403 (3), 404 (2), 477 (2),

Digitized by Google

493, 494, 508, 527, 535 (2), 536, 555 (2), 562, 582, 591, 638, 669, 683, 689, 721, 724, 726, 738, 799, 816, 817, 821, 822, 865, 927, 1002, 1023, (2), 1105, 1109, 1157, 1230, 1248, 1267, 1289, 1340, 1341, 1345, 1353, 1413, 1449, 1471, 1481, 1487, 1504, 1528, 1530
Asked unanimous consent...351, 355, 368, 535, 558, 821, 890, 1346, 1530
Filed motion to reconsider..... 396
Presided at sessions..... 585

McLEAN, DON V.—Representative Fifty-first District.
Bills introduced—Nos. 48, 49, 131, 133.
Committee assignments 42
Petitions presented 195, 196, 260, 308, 358
Amendments offered 670, 728, 972, 1202
Resolutions offered 488, 1079
Motions made 111, 116, 122, 169, 212, 499, 591, 659, 670, 697, 704, 972, 1125, 1202, 1471

MALONE, C. E.—Representative Thirtieth District.
Bills introduced—Nos. 57, 80, 90, 180, 204, 251, 252.
Committee assignments 11, 41, 55, 735, 976, 1556
Petitions presented 466
Amendments offered 179, 544, 856, 866, 1105, 1144
Resolutions offered 164, 231, 488, 1079
Motions made...11, 54, 56, 63, 98, 111, 187, 231, 281, 312, 471, 479, 542, 649, 654, 714, 723, 725, 734, 751 (2), 774, 866, 870, 1050, 1116, 1144, 1170, 1221, 1284, 1467, 1479, 1514, 1518, 1556
Asked unanimous consent..... .....231, 281, 574, 866, 887, 1116, 1144, 1369, 1384, 1497
Leave of absence granted..... 358
Presided at sessions of the House..... 527

MANIECE, E. J.—Representative Ninety-sixth District.
Bills introduced—Nos. 137, 186, 224.
Committee assignments 41
Petitions presented 359, 485, 642
Amendments offered 179, 415, 768, 769
Resolutions offered 164, 1487
Motions made 361, 428, 429, 566, 679, 712, 979, 1184, 1195, 1248, 1532
Asked unanimous consent.....679, 978, 1080, 1532
Leave of absence granted.....195, 804, 984, 1126, 1158, 1400

MEMORIALS, COMMITTEES ON APPOINTED—
Griffin, Thomas F..... 74
Hager, W. E..... 240
Harrington, T. P..... 185
Mills, Bruce B..... 105
Newell, Henry N..... 744
Paul, Clifford B..... 105
Payne, Frank S..... 163
Read, Boyd Francis..... 98
Rorick, Dallas D..... 163
Thornley, Willis Hall..... 97
Toliver G. S..... 62
Weaver, H. O..... 97
Witt, Fred B..... 1337
Memorial House Resolutions, index to..... 1608

MEMORIALS, SERVICE HELD..... 1474

MERCER, LEROY S.—Representative Firty-first District.
Bills introduced—Nos. 1 ,79, 94, 95, 223, 244. J. R. No. 2.
Committee assignments 3, 42, 1412
Petitions presented.....57, 93, 466, 475, 486, 731, 1078, 1090, 1177

Digitized by Google

Amendments offered 179, 1190, 1227, 1351
Resolutions offered 1079, 1439, 1487
Motions made 3, 19, 145, 156, 357, 530, 534, 535, 562, 641, 700, 711, 994, 1014, 1035, 1103, 1130, 1146, 1147, 1157, 1163 1204, 1227, 1341, 1347, 1351, 1372, 1384, 1439, 1455, 1501, 1519, 1547 (2)
Asked unanimous consent.....384, 535, 1372, 1547
Leave of absence granted.....586, 660, 740, 804, 1043, 1158
Motion to reconsider filed.....874, 1275

METCALF, B. L.—Representative Forty-second District.
Bills introduced—Nos. 61, 178, 228.
Committee assignments 10, 42, 55, 143, 735, 976
Petitions presented 308, 358, 467, 486 (2), 494, 690 (2), 705 (2), 722, 731, 748, 966, 1008, 1141, 1163
Amendments offered 179, 371, 762, 1084, 1329
Resolutions offered 488, 1079
Motions made 244, 1076 (2), 1084 (2), 1329 (2)
Asked unanimous consent..... 221
Leave of absence granted..... 698

MILEAGE—
Committee on appointed..... 3
Report of committee.....9, 1266

MILITARY AFFAIRS, COMMITTEE ON—
Bill introduced—No. 306.

MILLER, GEORGE E.—Representative Thirty-third District.
(See also Speaker of the House.)
Petitions presented 157
Birthday presentation remarks..... 5

MILLHONE PAUL H.—Representative Ninth District.
Bills introduced—Nos. 77, 92, 112, 178.
Committee assignments 43
Petitions presented 57, 157, 225, 398, 466, 485, 722
Amendments offered 179, 1081
Motions made 205, 221, 279 (2), 280, 340, 372, 509, 556, 663, 1004, 1080, 1081 (3), 1427, 1471
Asked unanimous consent.....339, 477
Leave of absence granted.....804, 1106, 1158

MITCHELL, JOHN H.—Representative Sixty-second District.
Bills introduced—Nos. 92, 163, 182, 185, 203, 216, 253.
Committee assignments 3, 42, 74, 741, 1168, 1262, 1556
Petitions presented 523, 705, 1196
Amendments offered 179, 194, 521, 626, 632, 655 (2), 683, 689, 734, 768, 769, 1155 (4), 1211, 1277, 1284, 1290, 1291, 1468, 1508
Resolutions offered 74, 144, 488
Motion made 3, 75, 101, 217, 356, 384, 392, 431, 435, 528, 529, 632 (2), 635, 664, 683, 734, 774, 965, 971, 972, 996, 1003, 1045, 1046 (2), 1047, 1066, 1099, 1132, 1133, 1137, 1143 (2), 1144, 1159, 1160, 1164, 1167, 1202, 1216, 1226, 1227, 1277 (2), 1290, 1291 (2), 1303, 1354 (2), 1375, 1415, 1451, 1468, 1476, 1482, 1503, 1508, 1513, 1521, 1522, 1556
Asked unanimous consent..... 75, 314, 384, 431, 435, 528, 632, 664, 696, 893, 951, 971, 1047, 1067, 1072, 1117, 1129, 1184, 1226, 1247, 1284 (2), 1292, 1351, 1414, 1452
Leave of absence granted..... 24, 195, 740, 804, 1008, 1078
Explanation of vote..... 1006
Presided at sessions of the House.....472, 473, 493, 494, 1462, 1496
Raised point of order.....615, 653

Digitized by Google

MOORE, CHARLES D.—Representative Forty-ninth District.
Bills introduced—Nos. 77, 185.
Committee assignments 8, 43, 544
Petitions presented 225, 500
Amendments offered..179, 595, 648, 655, 710, 715, 768, 769, 1156, 1172, 1188
Resolutions offered 488
Motions made 109, 110, 111, 648, 678, 683, 710, 715, 755, 781 (2), 782, 783, 891, 1097, 1172, 1188 (2), 1223, 1371
Asked unanimous consent..276, 648, 675, 751, 752, 891, 892, 1199, 1369

MOORE, R. G.—Representative Thirty-second District.
Bills introduced—Nos. 68, 69, 101, 102, 103, 104, 116, 180.
Committee assignments 43, 105, 1168
Petitions presented 133, 288, 289 (2), 308 (3), 309, 476, 1335
Amendments offered 179, 187, 412, 768, 769
Resolutions offered 105, 1079
Motions made 105, 112, 172, 173, 187, 304, 387, 389, 406, 409, 481, 510, 651, 674, 969, 1028, 1053, 1131, 1246, 1342, 1368, 1471, 1528, 1529, 1542
Asked unanimous consent...105, 240, 471, 565, 674, 1025, 1030, 1543
Leave of absence granted....24, 573, 804, 826, 1158

MOOTY, W. A.—Representative Sixty-fifth District.
Bills introduced—Nos. 12, 37, 42, 43 ,93, 176, 204.
Committee assignments 43
Petitions presented 643, 859
Amendments offered 179
Resolutions offered 488, 1079
Motions made 394, 669
Asked unanimous consent....963, 1428
Leave of absence granted....417, 740, 1251

MOTOR VEHICLES AND TRANSPORTATION, COMMITTEE ON—
Bills introduced—Nos. 148, 149, 150, 160, 285, 286.
Amendments offered 238

OATH OF OFFICE—
By Virgil Lekin, acting chief clerk.... 1
By Speaker pro tempore.... 2
By newly elected representatives.... 3
By House officers.... 18

OFFICERS OF THE HOUSE—
Chief clerk elected.... 3
Officers elected 17
Oath by 1, 18

OSBORN, WALTER—Representative Sixth District.
Bills introduced—Nos. 66, 147, 153, 235.
Committee assignments 10, 43, 1128
Petitions presented 642
Amendments offered 179, 543, 584
Resolutions offered 144, 488, 750, 1079
Motions made 10, 583 (2), 788, 1020, 1224
Asked unanimous consent....583, 584, 1020

OSTBY, PAUL I. D.—Representative Ninety-fourth District.
Bills introduced—Nos. 92, 105, 168.
Committee assignments 43
Petitions presented 380 (2)
Amendments offered 596
Resolutions offered 488, 1079
Motions made 1313, 1471

Digitized by Google

Asked unanimous consent..... 634
Leave of absence granted.....743, 966, 995, 1231, 1519
Motion to reconsider filed..... 1139

PAGES—
List of 18
Appointment of by Speaker..... 68
Appointment of by Chief Clerk.....68, 752
Resignation of 1470

PAISLEY, WM.—Representative First District.
Bill introduced—No. 8.
Committee assignments 43, 97
Petitions presented 93, 966
Amendments offered 179
Resolutions offered 28, 1487
Motions made 364
Leave of absence granted.....531, 573
Motion to reconsider filed..... 874

PEACO, MILTON—Representative Forty-fifth District.
Bills introduced—Nos. 86, 93, 204, 229.
Committee assignments 3, 8, 43, 164
Petitions presented 124,
157, 195 (3), 260 (2), 358, 372, 417, 466 (2), 467, 475, 485, 1126
Amendments offered 170, 179, 483, 1224
Resolutions offered 1079
Motions made 3,
9, 127, 170, 663, 707, 708, 815, 1045, 1056, 1162, 1199, 1224, 1266
Asked unanimous consent.....170, 707, 815

PEET, R. ARNO—Representative Thirty-fifth District.
Bills introduced—Nos. 93, 145, 178, 204.
Committee assignments 43
Petitions presented 157
Resolutions offered 1079
Motion made 395
Asked unanimous consent.....355, 1081
Leave of absence granted..... 1008

PETITIONS, RELATING TO—
Agricultural Adjustment Act..... 643
Automobiles 466, 913
Beatty-Bennett Bill..57, 93, 102, 124, 133, 158, 195, 260, 308, 358
Beer license 58
Bonds, public 58
Bonds, surety 494
Brookings Institute 573
Cemetery funds 475, 485, 494, 500, 523, 531, 598
Chain stores 143, 157, 181, 195,
225, 321, 359, 380, 467, 485, 501, 531, 545, 559, 705, 787,
859, 913, 966, 1019, 1078, 1106, 1126, 1177, 1196, 1231, 1355, 1455, 1553
Child labor 58, 158, 195, 225
Conservation Board of.....181, 1163 (2)
Contests, endurance 288, 359, 380
County engineer 196
Debtor law 143
Direct buying of livestock.....
....288, 309, 359, 380, 417 (2), 466 (2), 475, 476, 485 (2),
486 (3), 494 (2), 500 (2), 523 (2), 559, 573, 598 (2), 643, 678
Druggists 467
Emergency housing 1078
Farm aid associations..... 748

Digitized by Google

Firearms 690
Fire departments 308
Fraternal societies 57, 93, 102, 118, 133, 288, 308, 417, 467, 500, 545, 559, 598, 690, 743, 966
Gasoline.....225, 1019, 1029, 1051, 1068, 1078, 1090, 1106, 1126
Gross income tax.....93, 118, 124, 133, 158, 216, 260, 288, 308, 358, 380, 398 (2), 417 (2), 466, 476, 486, 500, 523 (2), 531, 642, 748 (2), 787
Hunting and Fishing.....309, 1029, 1051, 1078, 1090, 1098, 1106 (2), 1126, 1141, 1163, 1196, 1455, 1553 (2)
Hydro-Electric Power Commission..... .....486, 573, 690, 705, 722, 731, 743, 966, 978 1141
Incorporated towns 476
Insurance companies 1163
Interest 58, 260
Iowa Farm Bureau.....288, 309
Judgments 58, 289, 308
Liquor stores 158, 260, 321 (2), 398, 501, 573, 598 (2), 642 (3), 678, 743, 978, 1019, 1106, 1177
Married women 359, 467
National Industry Recovery Act.....1335 (2)
National Rifle Association.....743, 748
Old age pension.....124, 225, 239, 643, 678, 690, 731, 787, 859, 966, 1008, 1051, 1106, 1177, 1196, 1335
Packing plants 321, 1090
Prison made goods.....358, 380
Prohibition 57, 93, 102, 118, 133, 143, 158, 196, 225, 239, 288, 398, 467, 486, 494, 501, 523, 545, 559
Religion 57
Restaurants 288, 308, 321, 358, 372, 398, 417, 467, 475, 486, 494, 500, 523, 531, 642, 859
Salary reduction 181, 859, 913
Sales tax 380, 787
School funds 195, 260, 978, 1051
State highway patrol..... 545
Street railways 559, 643
Taxation 58 (3), 225, 308, 321, 359, 372, 398, 417, 466, 467, 475, 485, 486, 494, 500, 523, 559, 642 (2), 705, 731, 743, 748, 859, 913, 1008, 1019, 1068
Telephones 216, 225, 289
Tobacco 57, 102
Water Districts 859
Weighing and grading livestock..... 494
Workmen's compensation 486, 643

POLICE REGULATION, SUPPRESSION OF CRIME AND INTEMPERANCE, COMMITTEE ON—
Bill introduced—No. 268.

PORTER, E. B.—Representative Sixty-eighth District.
Leave of absence granted..... 4
Committee assignments 44

PRESS GALLERY—
Seats assigned 55

PRINTING, COMMITTEE ON—
Bill introduced—No. 279.

PROGRAMS, SPECIAL—
By teachers of the rural schools in Lost Island township, Palo Alto county 123
For Oley Nelson, Sergeant-at-Arms..... 527

Digitized by Google

By "Rusty Hinge" male quartette..... 1034
For Col. Russell C. Martin, Commander-in-Chief of the Grand Army of the Republic..... 1040
For St. Valentine's day..... 1113

PROOFS OF PUBLICATION—
On House File 40 and 86..... 142
On House File 44..... 215
On House File 89..... 223
On House Files 75, 106, 115, 116..... 224
On House File 90..... 238
On House Files 114, 125, 141, 188..... 286
On House File 193..... 319
On Senate File 122..... 357
On House File 118..... 497
On House File 224.....498, 687
On House File 84..... 521
On House File 297 and Senate File 241..... 675
On Senate File 234..... 687
On House File 301..... 738
On Senate File 246..... 747

RAWLINGS, ED—Representative Fifty-seventh District.
Bill introduced—No. 181.
Committee assignments 9, 44, 105, 1517
Petitions presented 181
Amendments offered 179, 357, 977, 1188
Resolutions offered 488
Motions made.....140, 316, 565, 794 (2), 937, 962, 977, 981, 999 (2), 1004, 1006, 1009, 1043, 1188, 1380, 1422, 1427, 1471, 1503, 1520
Asked unanimous consent.....317, 565, 794 (2), 822, 937, 981, 1010, 1017, 1022, 1030, 1039, 1052, 1070, 1092, 1188, 1519
Leave of absence granted.....573, 1158
Presided at sessions of the House..... 1248

REED, I. M.—Representative Twenty-fifth District.
Bills introduced—Nos. 171, 172, 173, 174, 175, 234.
Committee assignments 44, 1128
Petitions presented 309, 417, 485, 486, 531, 748
Amendments offered 366, 520, 578, 596, 709, 782, 863, 946, 1013, 1109, 1130, 1190 (2), 1204, 1222, 1225, 1274, 1275, 1421, 1445
Resolutions offered 488
Motions made 305, 366, 578, 585 (2), 709, 734, 745, 782, 823, 863, 897 (2), 940, 941, 942, 943, 944 (2), 945, 946, 947, 948, 949, 950, 1002, 1013, 1037, 1038, 1044, 1049, 1053, 1086, 1109, 1117, 1118, 1119, 1120 (2), 1121, 1122, 1127, 1130 (2), 1204, 1222, 1225, 1246, 1269, 1274, 1275, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311 (2), 1315 (2), 1316, 1317, 1318, 1319, 1320, 1402, 1421, 1445, 1446 (2), 1471, 1497, 1523, 1524
Asked unanimous consent.....377, 378, 940, 941, 942, 943 (2), 944, 945, 946, 948, 949, 950, 1050, 1217, 1275
Leave of absence granted.....4, 473

RESIGNATIONS—
Of committee clerk.....
.....345, 585, 994, 1028, 1104, 1174, 1250, 1262, 1278, 1331, 1410
Of chief clerk's page..... 752
Of page 1470

RESOLUTIONS—
House Concurrent, Index to..... 1606
House Joint, Index to..... 1606
House Memorial, Index to..... 1608

Digitized by Google

House, Index to..... 1607
Senate Joint (received in House), Index to..... 1606
Senate Concurrent (received in House), Index to..... 1607

RICE, C. L.—Representative Twenty-fourth District.
Bills introduced—Nos. 1, 78, 162, 232, 244.
Committee assignments 3, 44, 143, 1095, 1385
Petitions presented 501, 643, 1019
Amendments offered..190, 655, 725, 768, 769, 865, 1424, 1427, 1488
Motions made 190, 344, 355, 558, 565, 585, 699, 725, 757, 770, 865, 930, 931, 1063, 1082, 1083, 1173, 1196, 1225, 1258, 1264, 1267, 1300, 1303, 1338, 1383, 1401, 1416, 1417 (4), 1418 (5), 1419 (6), 1420 (2), 1422 (2), 1423 (4), 1424, 1427, 1450, 1488 (2)
Asked unanimous consent..... .....145, 405, 579, 713, 824, 930, 1060, 1161, 1401, 1406, 1449
Leave of absence granted..... 24
Presided at sessions of the House.....352, 355, 1094
Raised point of order..... 1283

ROE, OVE T.—Representative Ninetieth District.
Bills introduced—Nos. 42, 43, 221.
Committee assignments 3, 44
Petitions presented 143
Amendments offered 179
Resolutions offered 488, 1079
Motions made 534, 1032, 1033, 1320, 1471
Raised point of order..... 1031
Motion to reconsider filed..... 1089

RULES—
Of 45th General Assembly adopted temporarily..... 4
Report of committee on.....22, 24
Amended and adopted.....63, 64, 65, 66, 67

RYDER, JOHN—Representative Sixty-ninth District.
Bills introduced—Nos. 88, 93, 119, 120, 200, 204, 213, 225.
Committee assignments 44
Petitions presented 321, 475, 559, 1091
Amendments offered 179, 1096
Resolutions offered 488
Motions made 631, 1099, 1312
Asked unanimous consent.....240, 565

SCHLATTER, GEO. M.—Representative Forty-sixth District.
Credentials presented 2
Bill introduced—No. 228.
Committee assignments 44, 105
Petitions presented 157, 158, 308, 475, 859, 1029, 1177
Amendments offered 179, 762
Resolutions offered 1079
Motions made 194, 307, 1471

SCHMITZ, T. F.—Representative Ninety-first District.
Bills introduced—Nos. 93, 154, 167, 201, 204, 253.
Committee assignments 44
Petitions presented 787
Amendments offered 655
Resolutions offered 488, 1079
Motions made 589, 590, 986 (2), 1055, 1070, 1083, 1215, 1471
Asked unanimous consent.....384, 574, 589 (2), 749
Leave of absence granted.....157, 181, 630

SCHOOLS AND TEXTBOOKS, COMMITTEE ON—
Bills introduced—Nos. 267, 287, 288.

Digitized by Google

SCHROEDER, JOHN H.—Representative Fifty-fifth District.
Bill introduced—No. 67.
Committee assignments 44, 970, 1385
Petitions presented 93, 157, 642, 966
Amendments offered 179, 484, 507, 512, 761, 1398, 1425, 1443
Resolutions offered 488, 1079
Motions made 512, 794, 1425, 1443, 1471
Asked unanimous consent....507, 513
Leave of absence granted.... 1106

SEATS—
Of members 4
Assignment of in press gallery.... 55

SENATE—
Committees to notify appointed....3, 10, 1556
Committees from received....7, 1557
Files received in House, Index to.... 1597

SHERIDAN WM. R.—Representative First District.
Bill introduced—No. 196.
Committee assignments 45, 976
Amendments offered 179, 194, 1011, 1156, 1191 (2), 1277, 1284, 1290
Resolutions offered 1487
Motions made 211, 217,
361, 1011, 1054, 1182, 1207, 1227 (3), 1228, 1277, 1284, 1290, 1327, 1486
Asked unanimous consent....360, 404, 1482, 1529
Leave of absence granted....531, 573, 1251

SMITH, WILLIAM H.—Representative Seventy-ninth District.
Bills introduced—Nos. 75, 228.
Committee assignments 45
Petitions presented 157, 485
Amendments offered 179, 762
Resolutions offered 1079
Motions made 365, 366
Asked unanimous consent.... 573
Leave of absence granted....24, 524, 956
Motion to reconsider filed.... 1067

SNYDER, FRANK G.—Representative Sixty-third District.
Committee assignments 45
Petitions presented 57 (2), 225, 787 (2)
Amendments offered 179, 952
Resolutions offered 488, 644, 1079
Motions made 1471
Leave of absence granted....24, 321, 804, 1141

SOURS, ROY J.—Representative Eighty-eighth District.
Bill introduced—No. 109.
Committee assignments 45, 62, 1337
Petitions presented 321
Amendments offered ....
....179, 312, 377, 638, 644, 669, 687, 712, 871, 1443, 1505
Resolutions offered 1487
Motions made 312, 336, 377, 408, 465, 472,
476, 483, 549, 567, 570, 572, 638, 644, 665 (2), 669, 694,
712, 871, 953, 977, 1034, 1165, 1196, 1281, 1302, 1443, 1471, 1505
Asked unanimous consent....476 (2), 645, 665, 1144, 1387
Leave of absence granted....24, 93, 102, 1068, 1078, 1387
Permitted to address House.... 654

SPEAKER OF THE HOUSE—
(See also Miller, Geo. E.)
Announced appointment of standing committees.... 28

Digitized by Google

Announced appointment of page and clerk 68
Made rulings .....
..... 112, 615, 653, 757, 869, 1031, 1283, 1298, 1396, 1488, 1534
Signed bills .....
100, 109, 126, 167, 223, 238, 302, 314, 353, 370, 373, 491, 507, 527, 543, 568, 570, 599, 635, 698, 720, 741, 746, 783, 802, 825, 861, 868, 898, 931, 956, 977, 989, 1005, 1018, 1027, 1033, 1043, 1056, 1077, 1088, 1096, 1104, 1113, 1131, 1149, 1161, 1175, 1189, 1210, 1229, 1330, 1355, 1397, 1434, 1454, 1500, 1544, 1549, 1554, 1555

SPEAKER PRO TEMPORE—
(See also Donlon, P. H.)
Elected 2
Presided at sessions of the House 123, 1471

SPECIAL ORDERS MADE—
On House File No. 36 120
On House File No. 61 221
On report of committee to investigate Iowa Highway Commission 372, 483
On House File No. 112 477
On liquor control bills 506
On House File No. 1 808
On House File No. 325 965
On Senate File No. 17 1055
On House File No. 336 1129
On Senate File No. 276 1323

SPEIDEL, JOHN—Representative Twenty-third District.
Bills introduced—Nos. 1, 112.
Committee assignments 45, 97, 544, 1095, 1556
Petitions presented 195, 476
Amendments offered 179, 207, 428, 563, 572, 593, 828, 855 (3), 857 (5), 890, 891 (2), 897, 1000, 1007, 1028, 1101, 1166, 1294, 1398, 1441
Resolutions offered 28, 488, 1079
Motions made 23, 69, 174, 207, 210, 350, 428, 429, 477, 499, 513, 514, 563, 566, 617, 717, 725, 808, 823, 825, 828, 855 (3), 858, 867, 870 (3), 872 (2), 873, 886, 890, 891 (2), 896, 897, 914, 925, 965, 1000 (2), 1007, 1046, 1101, 1115, 1166, 1199, 1337, 1441 (2), 1442, 1471, 1491
Asked unanimous consent .....
..... 28, 350, 429, 526, 808, 891 (2), 1000, 1323, 1441, 1490
Leave of absence granted 660, 1158, 1251
Raised point of order 553
Motion to reconsider filed 629

STANSELL, M. R.—Representative Fifteenth District.
Bills introduced—Nos. 93, 135, 204.
Committee assignments 45, 98
Petitions presented 157, 216 (2), 225, 288, 308, 466, 1029
Resolutions offered 4, 488, 1079
Motions made 4, 376, 1018, 1176, 1539
Asked unanimous consent 4, 8
Leave of absence granted 195, 358, 743, 1281

STANZEL, GEORGE C.—Representative Sixtieth District.
Bills introduced—Nos. 93, 96, 204, 246.
Committee assignments 45
Petitions presented 158, 500, 859
Resolutions offered 488
Motions made 304, 582, 629, 813, 1001, 1172, 1471
Asked unanimous consent 581, 813
Leave of absence granted 524, 1141, 1158

Digitized by Google

STEERING COMMITTEE—
Appointment authorized 976
Appointment of 976
Bills introduced—Nos. 326, 327, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 343, 344, 347, 348, 349, 350, 354, 355, 356, 357, 358, 359.
Reports by 988, 1017, 1028, 1035, 1050, 1077, 1096, 1105, 1124, 1139, 1157, 1175, 1212, 1278, 1294, 1366, 1397, 1434, 1452, 1470, 1498

STEWART, ANDREW—Representative Sixty-first District.
Committee assignments 45, 976
Petitions presented 158
Amendments offered 179
Resolutions offered 488, 1079
Motions made 751, 1025, 1026
Leave of absence granted..... 531
Presided at sessions of the House..... 1405

STIMPSON, THOMAS—Representative Forty-seventh District.
Bill introduced—No. 40.
Committee assignments 46, 105, 164, 1517
Petitions presented 158, 500, 748, 1019, 1177
Amendments offered 179, 1210, 1550
Resolutions offered 105, 233, 302, 1079
Motions made 105, 971, 1216, 1256, 1452, 1453, 1471, 1535, 1550
Asked unanimous consent.....105, 1216, 1452
Leave of absence granted.....195, 995, 1008, 1019, 1158

STRACHAN, W. H.—Representative Seventy-sixth District.
Bills introduced—Nos. 84, 131, 133, 165, 263.
Committee assignments 46
Petitions presented 485, 1106
Amendments offered 281, 286, 481, 728, 767, 858, 1287
Resolutions offered 488, 1079
Motions made 128, 167, 187, 218, 355, 363 (2), 365, 366 (2), 481, 539, 579, 758, 1003, 1102, 1287, 1294, 1300, 1425, 1434, 1471
Asked unanimous consent.....202, 539, 578, 587, 1215
Leave of absence granted.....743, 966, 978, 1177

SWIFT, SAM—Representative Forty-sixth District.
Bills introduced—Nos. 57, 93, 204, 230, 236, 237.
Committee assignments 46
Petitions presented 133, 158, 358, 417, 467, 475, 1106
Amendments offered 179, 1184
Resolutions offered 483, 488 (2), 1487
Motions made 67, 106, 141, 504, 541, 542, 818, 1011, 1015, 1016, 1073, 1135, 1184, 1220, 1284, 1373, 1435, 1471
Asked unanimous consent.....1254, 1435, 1502
Leave of absence granted..... 195
Presided at sessions of the House..... 1313

TETER—L. D.—Representative Twenty-sixth District.
Bills introduced—Nos. 41, 58, 92, 184.
Committee assignments 46, 1385
Amendments offered .....
566, 596, 623, 644, 676, 718, 871, 874, 887, 926, 927 (2), 1005, 1066, 1140 (2), 1144, 1162, 1262, 1367 (4), 1420, 1424 (2), 1446
Motions made .....
.....129, 515, 566, 617, 634, 644, 699, 820, 871, 887 (3), 926, 927 (2), 1066, 1144, 1187, 1378 (2), 1379, 1380, 1419, 1420, 1424 (2), 1446
Asked unanimous consent.....
.....405, 634, 718 (2), 820, 927, 1187, 1216, 1424, 1443
Leave of absence granted.....195, 1251
Explanation of vote..... 730

Digitized by Google

THIES, WILLIAM—Representative Thirty-first District.
Bills introduced—Nos. 80, 124.
Committee assignments 46, 105
Petitions presented 642
Resolutions offered 488
Motions made 92, 1021, 1022, 1471
Leave of absence granted 195, 804

THIESSEN, J. H.—Representative Forty-fifth District.
Bills introduced—Nos. 93, 204.
Committee assignments 46, 164
Petitions presented ..195 (3), 260, 358, 380, 398, 466, 475, 485, 1126
Amendments offered 179, 1250
Resolutions offered 163, 488, 1079
Motions made 123, 163, 1298, 1471
Asked unanimous consent 163
Leave of absence granted 826

TREIMER, WM.—Representative Eighty-second District.
Bills introduced—Nos. 115, 253.
Committee assignments 46
Petitions presented ..57, 58 (2), 102, 321, 417, 485, 501, 598, 1068
Amendments offered 179, 742, 977
Resolutions offered 302, 488, 1079
Motions made 390, 391, 747, 1031, 1462, 1463 (2), 1464, 1471
Asked unanimous consent 565
Leave of absence granted 102, 1078

WEED, A. R.—Representative Twenty-eighth District.
Bills introduced—Nos. 152, 204.
Committee assignments 4, 46, 98
Petitions presented 143, 380, 1177
Amendments offered 179, 483, 640, 652
Resolutions offered 488, 1079
Motions made 4, 637, 650, 652, 1471
Leave of absence granted 398, 748
Served as chaplain 143, 239, 598, 756, 956, 1078, 1251, 1369, 1553

WIEBEN, EDWARD E.—Representative Fiftieth District.
Credentials presented 2
Committee assignments 46, 240, 980
Petitions presented 966
Amendments offered 179
Resolutions offered 488
Motions made 393, 744, 1067, 1471
Asked unanimous consent 725
Leave of absence granted 1019, 1265

WIESE, LOUIS H.—Representative Forty-third District.
Bills introduced—Nos. 53, 54, 93, 110, 144, 161, 190, 204, 211, 261.
Committee assignments 47
Petitions presented 57 (4), 58, 93, 158, 288 (2), 380 (2), 417, 466, 467, 475, 486, 523, 545, 573 (4), 598, 690, 859, 1051, 1126
Amendments offered 179, 396, 748, 1144, 1211
Resolutions offered 488, 1079
Motions made 985, 1144, 1217, 1471
Asked unanimous consent 1414
Leave of absence granted 24, 1043, 1078

WILLIS, BLAKE—Representative Thirty-sixth District.
Bills introduced—Nos. 141, 212.
Committee assignments 47, 976
Petitions presented 158, 358, 978, 1019, 1106, 1177, 1455

Digitized by Google

Amendments offered 179, 682, 728 (2), 747, 898, 924, 1300, 1444
Resolutions offered 488, 1079, 1178
Motions made 397, 431, 615, 682, 923, 924, 935, 952, 961, 1102, 1269, 1300, 1444, 1517 (3)
Asked unanimous consent.....824, 960, 1055, 1301
Leave of absence granted.....28, 195, 573, 740, 1126, 1287

WOLF, A. W.—Representative Seventy-fourth District.
Bills introduced—Nos. 93, 204, J. R. No. 2.
Committee assignments 47
Amendments offered 179, 484
Resolutions offered 488
Leave of absence granted.....1078, 1251

YAGER, W. A.—Representative Ninety-seventh District.
Bills introduced—Nos. 10, 13, 27, 28, 39, 85, 126, 127, 183, 226, 254.
Committee assignments 47, 1470
Petitions presented 93, 500, 501, 1553 (2)
Amendments offered 396, 767, 952, 1139 (3), 1140, 1273
Resolutions offered 488, 1079
Motions made.....115, 122, 410 (2), 411, 548, 952, 959, 993, 1071, 1072, 1181, 1217, 1220, 1273, 1463, 1471, 1496
Asked unanimous consent.....115, 121, 279, 547, 1072, 1187

ZIPSE, LLOYD W.—Representative Eighty-ninth District.
Bills introduced—Nos. 168, 177.
Committee assignments 47, 744
Amendments offered 179
Resolutions offered 233, 1079
Motions made 1280, 1286, 1455
Leave of absence granted.....21, 380, 740, 1078, 1158

ZYLSTRA, CHARLES J.—Representative Eighty-first District.
Bills introduced—Nos. 40, 94, 99, 228.
Committee assignments 47
Petitions presented 143, 559, 690 (2), 722, 743 (2), 1019
Amendments offered 138, 151, 179, 232, 526, 566, 626, 627, 632, 634, 653, 684, 762, 790, 1018, 1181, 1207, 1210, 1219, 1404 (2), 1405 (3), 1427, 1447, 1468 (2), 1485
Resolutions offered 302, 1079
Motions made 132, 138, 151, 220, 221, 232, 258, 317, 318, 377, 526, 566, 620, 632, 634 (2), 653, 684, 786, 790, 818, 972, 1094, 1100, 1181, 1207, 1217, 1219, 1299, 1301, 1396, 1404 (3), 1405 (3), 1406, 1427, 1447, 1468 (2), 1471, 1485
Asked unanimous consent.....405, 635, 1217, 1387, 1404
Rules suspended and permitted to speak..... 129

Digitized by Google