JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES, DES MOINES, IOWA, DECEMBER 21, 1936.

Speaker John H. Mitchell assembled the members of the House at 10:00 a.m.

PROCLAMATION BY THE GOVERNOR

The proclamation by the Governor convening the Forty-sixth General Assembly in Extraordinary Session was read as follows:

PROCLAMATION

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FORTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF IOWA:

The Congress of the United States of America having passed since adjournment of the last regular session of the Iowa General Assembly, an act providing for certain benefits to citizens of the State of Iowa, conditioned upon legislation by the State of Iowa, and further providing that such legislation must be enacted into law and approved prior to January first, 1937, by the Federal Social Security Board, and

It appearing to be wise and necessary that the Forty-sixth General Assembly of the State of Iowa be called into extraordinary session to enact a law to comply with the provisions of the federal act and thereby insure to the citizens of Iowa benefits of the federal act, and

Whereas, Because of and by virtue of the urgent and imminent necessity above referred to, an extraordinary situation 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, under and by virtue of the powers conferred upon me as Governor of Iowa, in accordance with Section Eleven (11), Article Four (IV) of the Constitution of the State of Iowa do hereby convene the Forty-sixth General Assembly in extraordinary session, commencing on Monday, the twenty-first day of December, 1936, at ten o'clock in the morning, for the purpose of enacting unemployment insurance legislation necessary to comply with the Federal Social Security Law, and for no other purpose whatsoever.

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

(Seal) Done at Des Moines, this sixteenth day of December, A. D., 1936.

CLYDE L. HERRING.

ATTEST:

ST: Governor of Iowa.

MRS. ALEX MILLER, Secretary of State.



Pursuant to the proclamation by the Governor convening the Forty-sixth General Assembly in Extraordinary Session, the House was called to order by Honorable John H. Mitchell, Speaker of the House.

Prayer was offered by Rabbi Mannheimer of Des Moines.

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 OF THE GOVERNOR

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FORTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF IOWA:

The Congress of the United States of America having passed since adjournment of the last regular session of the Iowa General Assembly, an act providing for certain benefits to citizens of the State of Iowa, conditioned upon legislation by the State of Iowa, and further providing that such legislation must be enacted into law and approved prior to January first, 1937, by the Federal Social Security Board, and

It appearing to be wise and necessary that the Forty-sixth General Assembly of the State of Iowa be called into extraordinary session to enact a law to comply with the provisions of the federal act and thereby insure to the citizens of Iowa benefits of the federal act, and

Whereas, Because of and by virtue of the urgent and imminent necessity above referred to, an extraordinary situation 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, under and by virtue of the powers conferred upon me as Governor of Iowa, in accordance with Section Eleven (11), Article Four (IV) of the Constitution of the State of Iowa do hereby convene the Forty-sixth General Assembly in extraordinary session, commencing on Monday, the twenty-first day of December, 1936, at ten o'clock in the morning, for the purpose of enacting unemployment insurance legislation necessary to comply with the Federal Social Security Law, and for no other purpose whatsoever.

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

(Seal) Done at Des Moines, this sixteenth day of December, A. D., 1936.

CLYDE L. HERRING.

ATTEST:

Governor of Iowa.

MRS. ALEX MILLER, Secretary of State.



ELECTION OF SPEAKER PRO TEMPORE

On motion of Stimpson of Jones, Bonnstetter of Kossuth was unanimously elected Speaker pro tempore for the Extraordinary Session.

Mr. Bonnstetter was escorted to the desk and the oath of office was administered to him by the Speaker.

Alesch of Plymouth moved that a committee of five be appointed on credentials to determine the qualification of the members appointed by the Governor to fill vacancies existing at the time of the Proclamation of the Governor, convening the Forty-sixth General Assembly in Extraordinary Session.

Motion prevailed.

COMMITTEE TO ARRANGE FOR MINISTERS

Weed of Madison moved that a committee of one be appointed to arrange for ministers to open the House session with prayer.

Motion prevailed and the Speaker appointed as member of such committee Weed of Madison.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Ryder of Dubuque indefinitely, on request of Reilly of Dubuque.

On motion of Gaughen of Delaware the House recessed until 1:30 p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Mitchell in the chair.

Alesch of Plymouth moved that the vote by which the committee on credentials was ordered appointed be reconsidered.

Motion prevailed.

Alesch of Plymouth moved to amend the motion to appoint the credentials committee to read "that a committee of five be appointed as a credentials committee to determine the qualification of the members appointed by the Governor to fill vacancies."

Amendment adopted.

Motion as amended prevailed and the Speaker appointed as such committee, Alesch of Plymouth, Freeburn of Scott, Hickenlooper of Linn, Craven of Jasper and Knudson of Cerro Gordo.

REPORT OF CREDENTIALS COMMITTEE

Report of the Credentials Committee of five to determine the qualification of members appointed by the Governor to fill vacancies.

MR. SPEAKER: We, your committee on Credentials, appointed to determine the qualifications of the members appointed by the Governor to fill vacancies in this body respectfully report as follows:

Section twelve (12), Article three (III) of the Constitution provides that vacancies in the House of Representatives be filled by the issuance of a writ of election by the Governor. The Certificates of Appointment issued to various persons by the Governor and the Secretary of State purporting to fill certain vacancies in the membership of the House were apparently issued by reference to Section ten (10) of Article four (IV) of the Constitution which provides as follows: "When any office which, from any cause, becomes vacant, and no mode is provided by the Constitution and the law filling such vacancies, the Governor shall have power to fill such vacancies by granting a commission, which shall expire at the end of the next session of the General Assembly or at the next election of the people."

It is to be noted that Section ten (10) of Article four (IV) empowers the Governor to appoint persons to fill vacancies in State offices only when no other mode of filling such vacancies has been provided but it should further be noted that Section twelve (12) of Article three (III) of the Constitution specifically provides for the method of filling the vacancies in the membership of the House, by writ of election.

As a further consideration, your committee is of the opinion that there is no question as to the legality of the action of this body even though there may be certain vacancies in the authorized membership but that there might be serious question as to the legality of its acts if the courts should decide that persons not eligible to participate, should be seated and permitted to become a part of its official deliberations and actions.

Your committee, therefore, respectfully finds that no person or persons have presented themselves with legal qualifications to be seated as members of this body to fill the vacancies now existing in its membership.

GUSTAVE ALESCH, Chairman.

J. E. CRAVEN.

H. M. KNUDSON.

PAUL FREEBURN.

B. B. HICKENLOOPER.

Alesch moved the adoption of the report. Roll call was demanded. On the question "Shall the report of the committee on Credentials be adopted?"

The ayes were, 92:

Alesch Foster Kuester Rutherford Avery Freeburn Laughlin Schlatter Baumhover Lookingbill Fuelling Scott Benz Fuester Love Selby Blue Gaughen McFarlane Shifflett Bonnstetter Goode McGill Smith Bowers Groves McLean Sorg Campbell Hansen of McNie Sours Mercer Clark Mitchell Stewart of Copeland Hanson of Metcalf Washington Moore of Benton Stimpson Cramer Appanoose Hendrickson Moore of Shelby Craven Taylor Moore of Taylor Cundy Henningsen Teter Moore of Wayne Cunningham of Hickenlooper Thies Polk Hultman Moore of Thompson of Curtis Irwin Woodbury Buchanan Thompson of Dancer Jenkins Oehmke Doran Johannes Ove Guthrie Dreessen Johnson of Buena Vista Peaco Thompson of Elliott Peel Pocahontas Ellsworth Johnson of Putnam Treimer Evans Hancock Reilly Weed Falvey Johnston of Rice Wieben Felter Lucas Riddle Yager Fishbaugh Knudson Roan Zeigler Flynn Kringlaak Roe

The nays were, 6:

Blattspieler

Frizzell Gallagher Maniece

Moore of Harrison

Absent or not voting, 4:

Burington

Daniels

Ryder

Thiessen

Mr. Speaker

The committee report was adopted.

Alesch moved that the Claims Committee be instructed to draw a bill to appropriate the necessary funds to compensate the men who came here to fill vacancies.

Motion prevailed.

The Speaker announced the presence of a quorum.

PERMANENT CHIEF CLERK

On motion of Gallagher of Iowa, Virgil Lekin was elected permanent Chief Clerk of the House.

COMMITTEE TO NOTIFY THE GOVERNOR

Metcalf of Muscatine moved that a committee of three be ap-

pointed 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 as such committee, Metcalf of Muscatine, Cunningham of Polk and Maniece of Emmet.

COMMITTEE TO NOTIFY THE SENATE

Rice of Keokuk 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 as such committee, Rice of Keokuk, Ellsworth of Hardin and Foster of Cedar.

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.

Motion prevailed and the Speaker appointed as such committee, Peaco of Clinton, Henningsen of Palo Alto, and Johannes of Osceola.

Dreessen of Crawford offered the following concurrent resolution:

HOUSE CONCURRENT RESOLUTION 1

Resolved by the House, the Senate concurring, That a Joint Convention of the two houses be held this afternoon at 3:15 and that the Governor be invited to deliver his message to the General Assembly at that time, and Be It Further Resolved, That the Lieutenant Governor and the Speaker of the House, extend the invitation to the Governor.

Unanimous consent having been given for the immediate consideration of the resolution, Dreessen of Crawford moved its adoption.

Motion prevailed and the resolution was adopted.

ADOPTION OF RULES

Moore of Harrison moved that the Rules of the Regular Session of the House of Representatives of the Forty-sixth General Assembly, in so far as applicable, be adopted as the rules for the Extraordinary Session.



Motion prevailed.

SEATING OF MEMBERS

Sours of Floyd moved that the members occupy the same seats held during the last session.

Motion prevailed.

STANDING COMMITTEES

McFarlane of Black Hawk moved that the Standing Committees of the Regular Session of the House of Representatives of the Forty-sixth General Assembly, be continued as the Standing Committees of the Extraordinary Session.

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 following concurrent resolution in which the concurrence of the Senate was asked:

House concurrent resolution 1 providing for a joint convention of the two houses to be held on December 21, 1936, at 3:15 p. m.

HEDO M. ZACHERLE, Secretary.

The Committee appointed to notify the Senate that the House was duly organized and ready to receive any communication it might desire to transmit, reported it had performed its duty. Report accepted and the Committee was discharged.

The Committee appointed to notify the Governor that the House was duly organized and ready to receive any communication he might desire to transmit, reported it had performed its duty. Report accepted and the Committee was 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 Sec-

retary to the Chief Clerk's desk and the members of the Senate took seats on the west side of the chamber.

JOINT SESSION

In accordance with law and concurrent resolution duly adopted, the joint session was called to order by Honorable Nelson G. Kraschel, President of the Senate.

The roll was then called to ascertain the presence of a quorum.

Present, 144:

Alesch	Falvey	Johnston of	Pelzer
Augustine	Felter	Lucas	Pendray
Avery	Fisch	Kimberly	Putnam
Baldwin	Fishbaugh	Knudson of	Reilly
Baumhover	Flynn	Cerro Gordo	Rice
Beardsley	Foster	Kringlaak	Riddle
Bell of Crawford	Freeburn	Kuester	Roan
Bell of	Frizzell	Laughlin	Roe
Des Moines	Fuelling	Lookingbill	Roelofs
Benz	Fuester	McArthur	Rutherford
Billingsley	Gallagher	McGill	Schlatter
Blattspieler	Gaughen	McLean	Schmidt
Blue	Geske	McNie	Scott
Bonnstetter	Gillespie	Maniece	Selby
Bowers	Goetsch	Mason	Shaw
Burington	Goode	Mercer	Shifflett
Byers	Groves	Metcalf	Smith
Calhoun	Grunewald	Meyer	Sorg
Campbell	Guernsey	Miller	Sours
Clark	Hansen of	Millhone	Stanley
Copeland	Mitchell	Mitchell	Stevens
Corwin	Hanson of	Moore of Benton	Stewart
Cramer	Appanoose	Moore of	Stimpson
Craven	Harrington	Harrison	Taylor
Cundy	Hendrickson	Moore of	Teter
Cunningham	Henningsen	Pottawattamie	Thies
Curtis	Hickenlooper	Moore of Shelby	Thiessen
Dancer	Hill	Moore of Taylor	Thompson of
Daniels	Hopkins	Moore of Wayne	Buchanan
Dewey	Hultman	Moore of	Thompson of
Doran	Hush	Woodbury	Guthrie
Doze	Husted	Mullaney	Thompson of
Dreessen	Irwin of Clinton	Nelson	Pocahontas
Driscoll	Irwin of Lee	Oehmke	Treimer
Edwards	Jenkins	Ove	Weed
Elliott	Johannes	Parker	Whitehill
Ellsworth	Johnson of	Patterson	Wieben
Elthon	Buena Vista	Peaco	Yager
Evans	Johnson of	Peel	Zeigler
	Hancock		

Absent, 8:

Anderson Berg Donohue McFarlane Aschenbrenner Chrystal Love Ryder The President declared a majority of the members present and the joint session was duly organized.

Senator Stevens of Wapello moved that a committee of three, consisting of one member from the Senate and two members from the House, be appointed to notify the Governor that the joint session was ready to receive him.

Motion prevailed and the President appointed Stevens of Wapello on the part of the Senate and Bonnstetter of Kossuth and Thompson of Pocahontas 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 HERRING'S MESSAGE

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE FORTY-SIXTH GENERAL ASSEMBLY AND FELLOW CITIZENS:

The Constitution of the State of Iowa, Section Eleven (11), of Article Four (IV), prescribing the powers and duties of the Governor, provides as follows:

"Convening General Assembly. Sec. 11. He may, on extraordinary occasions convene the General Assembly by proclamation, and shall state to both Houses, when assembled, the purpose for which they shall have been convened."

Pursuant to authority conferred upon me thereby, and because it appears advisable and necessary that certain matters of an emergency nature be immediately considered, you have been convened in extraordinary session.

The Congress of the United States of America passed an act 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."

It also passed an act, approved upon August 14, 1935, known as the "Federal Social Security Act," the latter measure having been enacted and approved subsequent to adjournment of the last regular session of the Iowa General Assembly.

Under these acts definite benefits to the citizens of the State of Iowa are provided conditioned upon certain legislation by the General Assembly prior to January first, 1937.

Therefore, this session has been called for the purpose, only, of consideration and enactment of unemployment compensation legislation in compliance and cooperation with the federal acts above mentioned.

While reluctant to subject the state to the cost of an extra session just



a few weeks before the convening of a regular session, I am impelled to take this action because of a possible loss to the citizens of Iowa of future benefits estimated at three millions of dollars, being ninety per cent of the amount of contributions to the federal government by employers of this state during the year 1936.

This estimated three million dollars will be unavailable to citizens of Iowa unless the Legislature, before December thirty-first, passes necessary coordinating legislation.

Recognizing the need for consideration of the rights, and privileges of the people of this State, and the duties and responsibilities of the State in connection with the Social Security Act passed by the Congress, I, as Governor, caused to be assembled at the Capitol on May 15, 1936, some five hundred citizens from each and all of the counties of the State of Iowa, representative of all the varied interests of the State.

This conference, after full and complete debate, designated a Committee of Five, and directed this committee to designate a general committee of thirty-five members, for the purpose of completely surveying benefits and requirements of the federal acts applicable to the State of Iowa.

Meetings of the Committee of Thirty-five were thereafter held, and this committee was later divided into several sub-committees.

One of them devoted itself to the study and preparation of recommendations to the General Assembly, for its consideration.

It has been in constant session for many days and nights.

It has held public hearings, and has made a most intensive study of legislation adopted by other states, and by the federal government, relative to unemployment compensation.

Representatives of the varied interests of the State have appeared before it, and it has had the benefit of their views, facts and suggestions.

In justice to the citizens who have, without compensation, given intensive study and consideration to this proposed legislation, I feel I should say that the recommendations which will be made by the committee to this body embrace, in my opinion, more comprehensive and sound provisions than have been enacted into law in any other state.

It should not be understood that the suggestions to be made to the Legislature were hastily conceived or ill considered.

The are based upon a most complete and far-reaching survey.

I fully recognize that the passage of this legislation is a matter for your determination.

In its consideration I pledge you my full cooperation.

Senator Pendray of Jackson moved that the Joint session be dissolved.

Motion prevailed.

The House reconvened, Speaker Mitchell in the chair.

Foster of Cedar moved that a committee of nine be appointed



to determine and select the necessary employees for the Extraordinary Session.

Motion prevailed and the Speaker appointed as such committee, Foster of Cedar, Fuelling of Clayton, Copeland of Dallas, Falvey of Monroe, Moore of Harrison, Maniece of Emmet, Peaco of Clinton, Treimer of O'Brien and Wieben of Tama.

Bonnstetter of Kossuth moved that the House resolve itself into a Committee of the Whole for the purpose of considering legislation for which this Extraordinary Session was convened.

Avery from Clay moved that the House adjourn until 9:00 a. m. tomorrow.

Roll call was demanded.

On the question, "Shall the House adjourn until 9 o'clock a.m. tomorrow!"

The ayes were, 51:

Avery	Felter	Johnston of	Roan
Benz	Fishbaugh	Lucas	Rutherford
Blue	Foster	Knudson	Scott
Bowers	Fuester	Kuester	Selby
Campbell	Goode	Laughlin	Shifflett
Clark	Hansen of	Lookingbill	Taylor
Cundy	Mitchell	Love	Teter
Cunningham of Polk	Hanson of Appanoose	McLean Maniece	Thompson of Guthrie
Dancer	Hendrickson	Moore of Wayne	Thompson of
Daniels	Henningsen	Moore of	Pocahontas
Doran	Hickenlooper	Woodbury	Treimer
Elliott	Hultman	Ove	Weed
Evans	Irwin	Peel	Zeigler
Falvey	Jenkins		

The navs were, 43:

The nays wer	е, 45:		
Alesch	Freeburn	McNie	Roe
Baumhover	Frizzell	Metcalf	Schlatter
Blattspieler	Fuelling	Moore of Benton	Smith
Bonnstetter	Gallagher	Moore of	Sorg
Copeland	Gaughen	Harrison	Stewart
Cramer	Groves	Moore of Shelby	Stimpson
Craven	Johannes	Oehmke	Thies
Curtis	Johnson of	Peaco	Thiessen
Dreessen	Hancock	Putnam	Thompson of
Ellsworth	Kringlaak	Reilly	Buchanan
Flynn	McGill	Rice	Wieben
		Riddle	Yager
	A AND 1920		

Absent or not voting, 8:

Burington McFarlane Moore of Taylor Sours
Johnson of Mercer Ryder Mr. Speaker
Buena Vista

The motion prevailed and the House stood adjourned until 9 o'clock a. m. tomorrow.

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES, DES MOINES, IOWA, DECEMBER 22, 1936.

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

Prayer was offered by Rev. A. R. Weed, former pastor West Star M. E. Church, Winterset, Iowa.

Journal of December 21, corrected and approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Johnson of Hancock for the day on request of Sorg of Bremer; and Campbell of Clarke for the day on request of Moore of Wayne.

Bonnstetter of Kossuth called up the motion made by him on December 21 and found on page 11 of the Journal, and moved its adoption.

Motion prevailed and the House resolved itself into a committee of the whole.

COMMITTEE OF THE WHOLE

Stimpson of Jones moved that Speaker Mitchell act as Chairman.

Rice of Keokuk moved that Louis Schneider of Des Moines be invited to address the Committee of the Whole on the merits of the proposed act for a system of unemployment insurance.

Motion prevailed.

On request of the Speaker Mr. H. L. McCarthy of Denver, Colorado, was invited to appear at the desk to answer questions regarding the proposed act mentioned above.

On motion of McLean of Marshall the Committee of the Whole recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Committee of the Whole reconvened, Chairman Mitchell in the chair.

Explaining the provisions of the proposed act for unemployment insurance was continued by Mr. H. L. McCarthy.

On motion by Alesch of Plymouth the committee recessed for ten minutes, beginning with 3:15 p.m.

The Committee of the Whole reconvened, Chairman Mitchell presiding.

Rice of Keokuk moved that the committee rise.

Motion prevailed.

House reconvened Speaker Mitchell in the chair.

Foster of Cedar presented the following report:

REPORT OF THE COMMITTEE ON EMPLOYEES

Mr. SPEAKER: Your committee appointed to determine the amount and hire the help for the Extraordinary Session, beg leave to report the following:

Assistant Chief Clerk, Wm. F. Reinecke.

Special Clerk, Jennie Gregg.

General Clerk, Margaret Free.

Sergeant-at-Arms, Ole Nelson.

Page for Sergeant-at-Arms, Bernard Marks.

Assistant Sergeant-at-Arms, Rene Des Camp.

Assistant Electrician, Jake Dwyer.

Chief Doorkeeper, Jess Gardner.

Doorkeeper, Lawrence Gustafson.

Doorkeeper, J. M. Howell.

Janitor, Emerson Allman.

Janitor, John Schaap.

Janitor, Pete Russell.

Janitor, Charlie Burns.

Cloak Room, Frankie McColm.

Cloak Room, Abe Wisener.

Pages, Bob Wolfe, Harry Smiley and Ward Bowler.

Speakers Page, Emmett Sherman.

Telephone Page, Everett Michael.

Mail Carrier, John Clarkson.

Speakers Clerk, Mary O'Conner.

Secretaries: Wilma Nissly, Harriet Danielson, Ruth Blomgren, Maude Lake, Laura Smith, Mary Friedman, Charlotte Putzier, Maxine Smith, Nona Adkins, Myra Parrott, Zoe Spitler, Ruth Coxe, Mary Utterback, Ruth Thomas, Vera Buck, Bertha Kurth, Maxine Houghtaling, and Hazel Ward.

Clerk to John W. Moore, Lillian Miles.

LA MAR FOSTER, Chairman.
MILTON PEACO.
OTTO FUELLING.
EDWARD E. WIEBEN.
M. C. FALVEY.
HARRY F. COPELAND.
R. G. MOORE.
E. J. MANIECE.
W. TREIMER.

Foster of Cedar moved the adoption of the report. Motion prevailed and the report was adopted.

EMPLOYEES OATH OF OFFICE

The above employees assembled at the desk and the oath of office was administered to them by the Chief Clerk.

Peaco of Clinton, chairman of the committee on mileage, submits the following report:

REPORT OF THE COMMITTEE ON MILEAGE

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.
Alesch, Gustave	212	\$21.20	Ellsworth, E. O	76 .	7.60
Avery, A. H		15.80	Evans, Dave M	200	20.00
Baumhover, A. H	100	10.00	Falvey, M. C	70	7.00
Benz, M. E	180	18.00	Felter, Victor	18	1.80
Blattspieler, Lewis	145	14.50	Fishbaugh, E. C., Jr	145	14.50
Blue, Robert D	91	9.10	Flynn, Joe	220	22.00
Bonnstetter, A. H	123	12.30	Foster, La Mar P	145	14.50
Bowers, L. C	90	9.00	Freeburn, Paul	180	18.00
Burington, Don W	200	20.00	Frizzell, J. W	70	7.00
Campbell, J. R	48	4.80	Fuelling, Otto	225	22.50
Clark, Marley D	150	15.00	Fuester, C. E. R	152	15.20
Copeland, Harry F	16	1.60	Gallagher, J. P	100	10.00
Cramer, W. H	139	13.90	Gaughen, M. J		19.10
Craven, J. E	44	4.40	Goode, Dewey E	110	11.00
Cundy, J. E	115	11.50	Groves, George W	75	7.50
Cunningham, Paul H			Hansen, J. P		17.00
Curtis, Glenn		19.20	Hanson, Edmund	90	9.00
Dancer, David A	80	8.00	Hendrickson, Thos	100	10.00
Daniels, H. E	88	8.80	Henningsen, A. H		18.50
Doran, Ben B	61	6.10	Hickenlooper, B. B	142	14.20
Dreessen, Wm. J		13.00	Hultman, O. N		13.20
Elliott, E. A	None	None	Irwin, John R	186	18.60



Name	Miles	Amt.	Name	Miles	Amt.
Jenkins, John J	150	15.00	Putnam, Chas. F	142	14.20
Johannes, W. J		23.50	Reilly, Eugene H		22.50
Johnson, Chas. G		13.60	Rice, C. L		8.00
Johnson, Oscar E		10.70	Riddle, Matt B		16.50
Johnston, Jas. F		5.20	Roan, Philip F		18.50
Knudson, Herman		13.20	Roe, Ove T		26.50
Kringlaak, Ole		13.50	Rutherford, Thos		8.50
Kuester, G. T	98	9.80	Schlatter, Geo. M		21.40
Laughlin, E. P		16.00	Scott, George L		18.70
Lookingbill, C. E		3.80	Selby, John H		13.50
Love, H. S	75	7.50	Shifflett, Grant		7.70
McFarlane, Arch W	7108	10.80	Smith, C. Colfax	138	13.80
McGill, Frank T		26.00	Sorg, H. H		13.60
McLean, Don V		6.30	Sours Roy J		16.50
McNie, Morris		9.50	Stewart, E. L		12.00
Maniece, E. J		20.00	Stimpson, Thoma		15.50
Mercer, Le Roy S.		12.50	Taylor, John H.		7.40
Metcalf, B. L		14.90	Teter, L. D		3.80
Mitchell, John H	100	10.00	Thies, William		10.10
Moore, Charles D		13.70	Thiessen, J. H		21.80
Moore, R. G		14.40	Thompson, G. L.	178	17.80
Moore, E. A		12.00	Thompson, Stanl		5.50
Moore, Leonard L.	125	12.50	Thompson, Jens		14.00
Moore, J. C., Jr	85	8.50	Treimer, W. M	207	20.70
Moore, John W	200	20.00	Weed, Arthur R.	35	3.50
Oehmke, W. F	288	28.80	Wieben, Edward		10.50
Ove, Edward N		10.30	Yager, W. A		20.00
Peaco, Milton		21.80	Zeigler, Sanford,		11.70
Peel. Loren I		14.00			

MILTON PEACO, Chairman. W. J. JOHANNES. A. H. HENNINGSEN.

Peaco of Clinton moved the adoption of the report.

Motion prevailed and the report was adopted.

INTRODUCTION OF BILLS

House File 1, by Committee of the Whole, a bill for an act to create a system of unemployment compensation; to provide for an unemployment compensation fund; to provide for contributions to such fund; to provide for benefit payments from such fund; to provide eligibility conditions for such benefits; to provide for the settlement of benefit claims; to provide for appeal and judicial review of disputed benefit claims; to create an unemployment compensation commission and to provide for its appointment and compensation and to prescribe its powers and duties; to provide for the appointment and compensation of personnel and the maintenance and other expenses of such commission; to authorize reciprocal benefit arrangements with other states or the Federal

Government; to prohibit the waiver of rights and benefits arising hereunder; to regulate alienation of benefits; to regulate attorneys' fees in cases arising under this Act; to provide for the transfer of State Employment Service, and to prescribe its powers, duties and functions; to establish an unemployment administration fund and to appropriate funds to maintain the same; to fix the penalty for failure to comply with or for violation of this Act; to retain the right to amend or repeal this Act; and to repeal Acts in conflict herewith, and for other purposes.

Read first and second times.

SUSPENSION OF RULES

Mercer of Johnson moved that the rules requiring a bill carrying an appropriation to be referred to the Appropriations Committee, be suspended.

On the question, "Shall the rules be suspended?"

The ayes were, 94:

Alesch	Frizzell	McGill	Rutherford
Avery	Fuelling	McLean	Schlatter
Baumhover	Gallagher	McNie	Scott
Benz	Gaughen	Mercer	Selby
Blattspieler	Goode	Metcalf	Shifflett
Blue	Groves	Moore of	Smith
Bonnstetter	Hansen of	Benton	Sorg
Bowers	Mitchell	Moore of	Sours
Burington	Hanson of	Harrison	Stewart
Clark	Appanoose	Moore of	Stimpson
Copeland	Hendrickson	Shelby	Taylor
Cramer	Henningsen	Moore of	Teter
Craven	Hickenlooper	Taylor	Thies
Cundy	Hultman	Moore of Wayne	
Cunningham	Irwin	Moore of	Thompson of
Curtis	Jenkins	Woodbury	Buchanan
Dancer	Johannes	Oehmke	Thompson of
Daniels	Johnson of	Ove	Guthrie
Doran	Buena Vista	Peaco	Thompson of
Dreessen	Johnston of Lucas		Pocahontas
Elliott	Knudson	Putnam	Treimer
Ellsworth	Kringlaak	Reilly	Weed
Evans	Kuester	Rice	Wieben
Falvey	Laughlin	Riddle	Yager
Felter	Lookingbill	Roan	Zeigler
Fishbaugh	McFarlane	Roe	Mr. Speaker
Foster			

The nays were, none.

Absent or not voting, 8:

Campbell Freeburn Johnson of Maniece Flynn Fuester Hancock Ryder Love Rules were suspended and House File 1 was placed on the calendar.

INTRODUCTION OF BILLS

House File 2, by Claims Committee, a bill for an act to make appropriations to Walter Dietz, Bert E. Dodds, Harlan C. Foster, Chester L. Johns, Frank S. Lovrien, F. A. Whitney.

Read first and second times.

CONSIDERATION OF BILLS

McFarlane of Black Hawk asked and obtained unanimous consent for the immediate consideration of House File 2, a bill for an act to make appropriations to Walter Dietz, Bert E. Dodds, Harlan C. Foster, Chester L. Johns, Frank S. Lovrein and F. A. Whitney.

McFarlane of Black Hawk asked and obtained unanimous consent for the suspension of the rules prohibiting the second and third reading of a bill on the same day.

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:

	,		
Alesch	Falvey	Johnson of	Ove
Baumhover	Felter	Buena Vista	Peaco
Benz	Fishbaugh	Johnston of Lucas	Peel
Blattspieler	Flynn	Knudson	Putnam
Blue	Foster	Kuester	Reilly
Bonnstetter	Frizzell	Laughlin	Rice
Bowers	Fuelling	Lookingbill	Riddle
Burington	Gallagher	McFarlane	Roan
Clark	Gaughen	McGill	Roe
Copeland	Goode	McLean	Rutherford
Cramer	Groves	McNie	Schlatter
Craven	Hansen of	Mercer	Scott
Cundy	Mitchell	Metcalf	Selby
Cunningham	Hanson of	Moore of Benton	Shifflett
Curtis	Appanoose	Moore of	Smith
Dancer	Hendrickson	Harrison	Sorg
Daniels	Henningsen	Moore of Shelby	Sours
Doran	Hickenlooper	Moore of Taylor	Stewart
Dreessen	Hultman	Moore of Wayne	Stimpson
Elliott	Irwin	Moore of	Taylor
Ellsworth	Jenkins	Woodbury	Teter
Evans	Johannes	Oehmke	Thies

Thiessen Thompson of Buchanan Thompson of Guthrie Thompson of Pocahontas Treimer Weed Wieben Yager Zeigler Mr. Speaker

The nays were, none.

Absent or not voting, 9:

Avery Campbell Freeburn Fuester Johnson of Hancock Kringlaak Love Maniece Ryder

The bill having received a constitutional two-thirds majority was declared to have passed the House and the title 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 adopted the following Concurrent Resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 1, a concurrent resolution that the joint rules of the forty-sixth General Assembly be made the joint rules of the Forty-sixth General Assembly in Extraordinary Session.

HEDO M. ZACHERLE, Secretary.

SENATE CONCURRENT RESOLUTION 1

Be It Resolved by the Senate, the House concurring, That the joint rules of the Forty-sixth General Assembly be made the joint rules of the Forty-sixth General Assembly in Extraordinary Session.

SENATE MESSAGES CONSIDERED

Sorg of Bremer asked and obtained unanimous consent for immediate consideration of Senate Concurrent Resolution 1.

SENATE CONCURRENT RESOLUTION 1

Be It Resolved by the Senate, the House concurring, That the joint rules of the Forty-sixth General Assembly be made the joint rules of the Forty-sixth General Assembly in Extraordinary Session.

Sorg moved that the resolution be adopted.

Motion prevailed and the Joint Rules of the Forty-sixth General Assembly were made the Joint Rules of the Extraordinary Session.

AMENDMENTS FILED

Peaco of Clinton filed the following amendments to House File 1:

Amend Sec. 10 (c), by striking from lines one, two, three and four, the following; two coordinate divisions: the Iowa State Employment Service Division created pursuant to Section 12 of this Act, and, inserting in lieu thereof the following, "a division to be known as".

Amend Sec. 12 (a) as follows:

- 1. Line 3 after the words "Code of Iowa", by striking the words "is hereby transferred to the commission as a" and inserting in lieu thereof the words "shall continue to be maintained in the Bureau of Labor as a".
- 2. Strike the sentence commencing in line 12 and reading as follows, "The said division shall be administered by a full-time salaried director, who shall be charged with the duty to cooperate with any official or agency of the United States having powers or duties under the provisions of the said Act of Congress, as amended, and to do and perform all things necessary to secure to this State the benefits of the said Act of Congress, as amended, in the promotion and maintenance of a system of public employment offices."
- 3. Strike the last three words in line 22 and all of lines 23 to 33, inclusive.

Amend Sec. 13 (b) line six by striking lines six, seven and eight and the first four words in line nine, also by capitalizing the first letter of the fifth word in line nine.

McFarlane of Black Hawk moved that the House adjourn until 1:00 p. m. tomorrow.

Putnam of Pottawattamie moved to amend the motion by striking "1:00 p. m." and inserting in lieu thereof "10:00 a. m."

Amendment adopted.

Motion to adjourn as amended prevailed and the House adjourned until 10:00 a.m. tomorrow.

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES, DES MOINES, IOWA, DECEMBER 23, 1936.

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

Prayer was offered by Rev. C. E. Lookingbill of Nevada, Iowa.

Journal of December 22, corrected and approved.

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 2, a resolution authorizing the Secretary of the Senate and the Chief Clerk of the House to send an engrossed copy of this concurrent resolution to the widow and son of Mr. Urick as an expression of the respect and honor in which his memory is held by the people of the state of Iowa.

Hedo M. Zacherle, Secretary.

SENATE CONCURRENT RESOLUTION

Whereas, The State of Iowa has lost the services of a valued public servant through the death of A. L. Urick, a member of the Old Age Assistance Commission; and

Whereas, Mr. Urick devoted a major part of his seventy-four years to public service as president of the Iowa State Federation of Labor, State Labor Commissioner, and as a member of the State Old Age Assistance Commission, during which time he gave particular attention to vocational training and education, the advancement and wellbeing of the laboring man, and such programs as in his opinion would advance the economic and social security of his fellowman; and

Whereas, This extraordinary session of the Forty-sixth General Assembly was called to consider a phase of legislation in which he was interested and upon which he had expended so much of his effort, it seems fitting and proper for this General Assembly to pause in its deliberations to pay him homage; Now, therefore,

Be It Resolved by the Senate, the House concurring, That the Secretary of the Senate and the Chief Clerk of the House be authorized and ordered to send an engrossed copy of this concurrent resolution to the widow and son of Mr. Urick as an expression of the respect and honor in which his memory is held by the people of the State of Iowa.

SENATE MESSAGES CONSIDERED

The Senate resolution authorizing the Secretary of the Senate and the Chief Clerk of the House to send an engrossed copy of this concurrent resolution to the widow and son of Mr. Urick as an expression of the respect and honor in which his memory is held by the people of the State of Iowa.

Unanimous consent for the immediate consideration of Senate Concurrent Resolution 2 having been obtained, McFarlane of Black Hawk moved its adoption.

Motion prevailed and the resolution was adopted.

INTRODUCTION OF BILLS

House Joint Resolution 1, by Foster of Cedar, a joint resolution fixing the compensation of officers and employees of the Forty-sixth General Assembly, Extraordinary Session.

Read first and second times.

CONSIDERATION OF BILLS

Foster of Cedar asked and obtained unanimous consent for the immediate consideration of House Joint Resolution 1.

Foster of Cedar asked and obtained unanimous consent to suspend the rules prohibiting a second and third reading on the same day.

Foster of Cedar moved that Joint Resolution 1 be read a third time now and placed upon its passage, which motion prevailed and the resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The ayes were, 90:

Alesch	Cundy	Flynn
Avery	Cunningham	Foster
Baumhover	Curtis	Frizzell
Benz	Dancer	Fuester
Blattspieler	Daniels	Gallagher
Blue	Doran	Goode
Bonnstetter	Dreessen	Groves
Bowers	Elliott	Hansen of
Campbell	Ellsworth	Mitchell
Clark	Evans	Hanson of
Copeland	Falvey	Appanoose
Cramer	Felter	Hendrickson
Craven	Fishbaugh	Henningsen

Hultman
Jenkins
Johannes
Johnson of
Buena Vista
Johnson of
Hancock
Johnston of Lucas
Knudson
Kringlaak
Kuester
Lookingbill

Hickenlooper



Love Moore of Rutherford Thompson of McFarlane Woodbury Schlatter Buchanan McGill Oehmke Scott Thompson of Selby McLean Ove Guthrie McNie Peaco Shifflett Thompson of Maniece Peel Smith Pocahontas Weed Mercer Putnam Sours Metcalf Reilly Stewart Wieben Moore of Shelby Rice Stimpson Yager Moore of Taylor Riddle Taylor Zeigler Moore of Wayne Roan Thies Mr. Speaker Thiessen Roe

The nays were, none.

Absent or not voting, 12:

Burington Irwin Moore of Sorg
Freeburn Laughlin Harrison Teter
Gaughen Moore of Benton Ryder Treimer
Fuelling

The House Joint Resolution having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

INTRODUCTION OF BILLS

House File 3, by Mercer of Johnson, a bill for an act making an appropriation for the payment of the typewriter rental, miscellaneous expenses of the Forty-sixth General Assembly, Extraordinary Session, and other expenses that are payable from the general fund of the State.

Read first and second times.

CONSIDERATION OF BILLS

Mercer of Johnson asked and obtained unanimous consent for the immediate consideration of House File 3, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-sixth General Assembly, Extraordinary Session, and other expenses that are payable from the general fund of the state.

Mercer of Johnson asked and obtained unanimous consent that the rule prohibiting a second and third reading on the same day be suspended.

Mercer of Johnson 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, 92:

Alesch Kuester Roan Lookingbill Roe Avery Foster Rutherford Baumhover Frizzell Love McFarlane Fuester Schlatter Benz Scott Blattspieler Gallagher McGill Goode McLean Selby Blue McNie Shifflett Bonnstetter Groves Smith Bowers Hansen of Maniece Campbell Mitchell Mercer Sours Metcalf Clark Hanson of Stewart Copeland Appanoose Moore of Stimpson Taylor Hendrickson Harrison Cramer Moore of Shelby Moore of Taylor Moore of Wayne Thies Craven Henningsen Cundy Hickenlooper Thiessen Hultman Thompson of Cunningham Moore of Buhcanan Curtis Irwin Dancer Jenkins Woodbury Thompson of Johannes Oehmke Guthrie Daniels Doran Johnson of Ove Thompson of Buena Vista Dreessen Peaco Pocahontas Johnson of Peel Elliott Weed Hancock Putnam Wieben Ellsworth Evans Johnston of Lucas Reilly Yager Falvey Knudson Rice Zeigler Kringlaak Riddle Felter Mr. Speaker Fishbaugh

The nays were, none.

Absent or not voting, 10:

Burington Gaughen Ryder Teter Freeburn Laughlin Sorg Treimer Fuelling Moore of Benton

The bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

INTRODUCTION OF BILLS

House File 4, by Cundy of Black Hawk, Putnam of Pottawattamie and Yager of Dickenson, a bill for an act to amend sections five thousand two hundred ninety-six-f thirty-four (5296-f34) and five thousand two hundred ninety-six-f thirty-five (5296-f35) of chapter two hundred sixty-six-F one (266-F1), Code, 1935, regarding the taking of a census of taxpayers and the levying of an annual per capita tax to accrue to the old age pension fund. so as to terminate the further collection of said per capita tax after the date of December 31, 1936.

Read first and second times and referred to committee on Ways and Means.

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Goode of Davis moved the House recess until the fall of the . gavel. Motion prevailed.

House reconvened, Speaker Mitchell presiding.

Flynn of Winneshiek moved that the House recess until 1:30 o'clock, this afternoon.

Motion prevailed.

AFTERNOON SESSION

The House reconvened, Speaker Mitchell in the chair.

INTRODUCTION OF BILLS

House File 5, by Zeigler of Jefferson, Avery of Clay, McFarlane of Black Hawk, Hultman of Montgomery. Blue of Wright, Sours of Floyd, Teter of Marion, Dreessen of Crawford, Baumhover of Carroll and Thompson of Pocahontas, a bill for an act to provide for a fund with which to pay old age Pensions, and to encourage the acquiring and ownership of homesteads; to amend chapter eighty-two (82), acts of the Forty-fifth General Assembly, Extraordinary Session, relating to taxation, income and retail sales; to strike paragraphs three (3) and four (4), of section sixtyone (61) of said chapter, and to substitute in lieu thereof a new paragraph, as paragraph three (3) of said section, relating to the allocation of funds arising under the provisions of said chapter to the reduction of taxes on homesteads; to strike paragraph three (3), of section sixty-two (62) of said chapter and to substitute in lieu thereof a new paragraph, as paragraph three (3) of said section, and prescribing the procedure of county treasurers in the certification and distribution to the several taxing districts of the counties of moneys received from the comptroller on order of the board; to define homesteads and providing for designation thereof, and prescribing the duties of officers, and providing a method of entering credits against the tax on the first twenty-five hundred (2500) dollars of the assessed value of homesteads, and providing a method for determining beneficiaries of such credits; to provide for the disposition of the excess, if any, transmitted to county treasurers, over and above the total tax levied on homesteads within such twenty-five hundred (2500) dollar limit; to provide a method of review of all questions re-

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lating to tax credits on homesteads, and providing a penalty for making false affidavit for the purpose of securing such credit.

Read first and second times and referred to committee on Ways and Means.

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 1, a bill for an act relating to unemployment compensation; providing for payment benefits and creating an unemployment compensation commission.

HEDO M. ZACHERLE, Secretary.

SENATE MESSAGES CONSIDERED

Senate File 1, a bill for an act to create a system of unemployment compensation; to provide for an unemployment compensation fund; to provide for contributions to such fund; to provide for benefit payments from such fund; to provide eligibility conditions for such benefits; to provide for the settlement of benefit claims; to provide for appeal and judicial review of disputed claims; to create an unemployment compensation commission and to provide for its appointment and compensation and to prescribe its powers and duties; to provide for the appointment and compensation of personnel and the maintenance and other expenses of such commission; to authorize reciprocal benefit arrangements with other states or the Federal Government; to prohibit the waiver of rights and benefits arising hereunder; to regulate alienation of benefits; to regulate attorneys' fees in cases arising under this Act; to provide for the transfer of State Employment Service, and to prescribe its powers, duties and functions; to establish an unemployment administration fund and to appropriate funds to maintain the same; to fix the penalty for failure to comply with or for violation of this Act; to retain the right to amend or repeal this Act; and to repeal Acts in conflict herewith, and for other purposes.

Read first and second times.

Rice of Keokuk asked and obtained unanimous consent to substitute Senate File 1 for House File 1 on the calendar.



CONSIDERATION OF BILLS

Senate File 1, a bill for an act to create a system of unemployment compensation; to provide for an unemployment compensation fund; to provide for contributions to such fund; to provide for benefit payments from such fund; to provide eligibility conditions for such benefits; to provide for the settlement of benefit claims; to provide for appeal and judicial review of disputed claims; to create an unemployment compensation commission and to provide for its appointment and compensation and to prescribe its powers and duties; to provide for the appointment and compensation of personnel and the mainterance and other expenses of such commission; to authorize reciprocal benefit arrangements with other states or the Federal Government; to prohibit the waiver of rights and benefits arising hereunder; to regulate alienation of benefits; to regulate attorneys' fees in cases arising under this Act: to provide for the transfer of State Employment Service, and to prescribe its powers, duties and functions; to establish an unemployment administration fund and to appropriate funds to maintain the same; to fix the penalty for failure to comply with or for violation of this Act; to retain the right to amend or repeal this Act; and to repeal Acts in conflict herewith, and for other purposes, was taken up for consideration.

Rice of Keokuk offered the following amendment and moved its adoption:

Amend section 6 (d) by inserting in line eleven (11) after the word "commission" the words "or of the Board of Review".

Amendment was adopted.

Peaco of Clinton offered the following amendments to Senate File 1 and moved their adoption:

Amend Section 10 (c), by striking from lines one, two, three and four, the following: "two coordinate divisions: the Iowa State Employment Service Division created pursuant to section 12 of this Act, and," inserting in lieu thereof the following, "a division to be known as".

Amend Section 12 (a) as follows:

- 1. Line 3 after the words "Code of Iowa," by striking the words "is hereby transferred to the commission as a" and inserting in lieu thereof the words "shall continue to be maintained in the Bureau of Labor as a".
- 2. Strike the sentence commencing in line 12 and reading as follows, "The said division shall be administered by a full-time salaried director, who shall be charged with the duty to cooperate with any official or agency of the United States having powers or duties under the provisions of the



said Act of Congress, as amended, and to do and perform all things necessary to secure to this State the benefits of the said Act of Congress, as amended, in the promotion and maintenance of a system of public employment offices."

3. Strike the last three words in line 22 and all of lines 23 to 33 inclusive. Amend Section 13 (b) line six by striking lines six, seven and eight and the first four words in line nine, also by capitalizing the first letter of the fifth word in line nine.

Peaco of Clinton asked and obtained unanimous consent to withdraw his amendments.

Rice of Keokuk offered the following amendment to Senate File 1 and moved its adoption:

Amend section 19 (g) (3) line 21 by placing the prefix "un" preceding the word "employment".

Amendment adopted.

FILING OF VOTE

Owing to a death and funeral in his immediate family Maniece of Emmet asked and obtained unanimous consent to file his vote on final passage of Senate File 1 with the Speaker, if absent at the time of final passage of said bill.

CONSIDERATION OF BILLS

The House resumed consideration of Senate File 1.

Avery of Clay offered the following amendment and moved its adoption:

Amend Senate File 1 by striking therefrom all of Section Two (2) and substituting in lieu thereof the following:

"When in the course of human events it becomes necessary for the General Assembly of the State of Iowa to enact legislation contrary to its own best judgment, a decent respect for the opinions of our constituents demands that we set forth the reasons for such action. The Federal Government at Washington, D. C. has imposed a tax upon the people of Iowa to the amount of \$3,000,000 for 1936, \$6,000,000 for 1937, \$9,000,000 for 1938, and \$9,000,000 for each year thereafter. The Federal Government has also provided that in the event this General Assembly enacts legislation which will meet the approval of a bureau set up at Washington, D. C., then and in that event they will return to the people of Iowa ninety per cent (90%) of their money, but that if we do not enact legislation that meets with their approval they will retain all of our money. This legislation is being enacted so that the people of Iowa may get back a part of their own money."

Bonnstetter of Kossuth moved the previous question on the amendment.

Motion prevailed.

Avery of Clay asked to withdraw his amendment.

Objections offered.

On the question, "Shall the Avery amendment be adopted?" roll call was demanded.

The ayes were, 19:

Avery	Fishbaugh	Peel .	Taylor
Benz	Goode	Riddle	Thompson of
Blue	Hultman	Shifflett	Guthrie
Campbell	Irwin	Sours	Weed
Evans	Johnston of Lu	cas Stewart	Zeigler

The nays were, 70:

0.50	3.5		
Alesch	Freeburn	Laughlin	Rice
Baumhover	Frizzell	Lookingbill	Roan
Blattspieler	Fuelling	Love	Roe
Bonnstetter	Fuester	McFarlane	·Rutherford
Bowers	Gallagher	McGill	Ryder
Burington	Gaughen	McLean	Schlatter
Clark	Groves	McNie	Scott
Copeland	Hansen of	Maniece	Selby
Cramer	Mitchell	Mercer	Smith .
Craven	Hanson of	Metcalf	Sorg
Cundy	Appanoose	Moore of Benton	Stimpson
Cunningham	Hendrickson	Moore of	Teter
Curtis	Henningsen	Harrison	Thies
Dancer	Hickenlooper	Moore of Shelby	Thiessen
Daniels	Jenkins	Moore of Taylor	Thompson of
Doran	Johannes	Moore of Wayne	Buchanan
Dreessen •	Johnson of	Moore of	Thompson of
Elliott	Buena Vista	Woodbury	Pocahontas
Ellsworth	Johnson of	Oehmke	Treimer
Falvey	Hancock	Ove	Wieben
Felter	Knudson	Peaco	Yager
Flynn	Kringlaak	Putnam	Mr. Speaker
Foster	Kuester	Reilly	

Absent or not voting, 13:

Cunningham	Hansen of	Moore of Taylor	Scott
Dancer	Mitchell	Ove	Teter
Ellsworth	Henningsen	Peaco	Thompson of
	Maniece	Ryder	Pocahontas

The amendment was lost.

Moore of Taylor offered the following amendment and moved its adoption:

Amend section 3 (f) (2), line 13, by inserting after the word "such" the words "part time".

Amendment adopted.

Bowers of Union offered the following amendment to section 12:

Amend Section 12 (a) as follows: Line 3 after the words "Code of Iowa," by striking the words "is hereby transferred to the commission as a" and inserting in lieu thereof the words "shall continue to be maintained in the Bureau of Labor as a".

Bonnstetter of Kossuth moved the previous question on the amendment. Motion prevailed.

On the question, "Shall the amendment be adopted?"

Roll call was demanded.

The ayes were, 29:

Avery	Evans	Love	Roan
Benz	Felter	McNie	Scott
Bowers	Fishbaugh	Mercer	Shifflett
Burington	Hanson of	Moore of Taylor	Taylor
Campbell	Appanoose	Ove	Teter
Dancer	Hultman	Peaco	Weed
Doran	Irwin	Peel	Yager
Elleworth	Johnston of Luc	9.9	

The nays were, 67:

Alesch	Fuester	Lookingbill	Ryder
Baumhover	Gallagher	McFarlane	Schlatter
Blattspieler	Gaughen	McGill	Selby
Blue	Goode	McLean	Smith
Bonnstetter	Groves	Maniece	Sorg
Clark	Hansen of	Metcalf	Sours
Copeland	Mitchell	Moore of Benton	Stewart
Cramer	Hendrickson	Moore of	Stimpson
Craven	Henningsen	Harrison	Thies
Cundy	Hickenlooper	Moore of Shelby	Thiessen
Cunningham	Jenkins	Moore of Wayne	Thompson of
Curtis	Johannes	Moore of	Buchanan
Daniels	Johnson of	Woodbury	Thompson of
Dreessen	Buena Vista	Oehmke	Guthrie
Elliott	Johnson of	Putnam	Thompson of
Falvey	Hancock	Reilly	Pocahontas
Flynn	Knudson	Rice	Treimer
Foster	Kringlaak	Riddle	Wieben
Freeburn	Kuester	Roe	Zeigler
Frizzell Fuelling	Laughlin	Rutherford	Mr. Speaker

Absent or not voting, 6:

Fuester Maniece Riddle Ryder Knudson Moore of Wayne

Amendment lost.

Hansen of Mitchell offered the following amendments to Senate File 1 and moved their adoption:

Amend section 8 (b), line 7, by striking the word "eight" and substituting therefor the word "one"; also

Amend section 19 (f), line 6, by striking the word "eight" and inserting therefor the word "one".

Amendment lost.

McFarlane of Black Hawk asked and obtained unanimous consent to amend the title by striking from line 15 the words "and to appropriate funds to maintain the same".

Rice of Keokuk asked and obtained unanimous consent that the rule prohibiting the second and third reading of a bill on the same day, be suspended.

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, 98:

Alesch Flynn Riddle Kringlaak Foster Avery Kuester Roan Baumhover Freeburn Laughlin Roe Rutherford Benz Frizzell Lookingbill Blattspieler Fuelling Scott Love Fuester McFarlane Selby Blue Bonnstetter Gallagher McGill Smith Bowers Gaughen McLean Sorg Goode McNie Sours Burington Campbell Groves Maniece Stewart Clark Hansen of Mercer Stimpson Taylor Mitchell Copeland Metcalf Hanson of Moore of Benton Teter Cramer Craven Appanoose Moore of Thies Hendrickson Cundy Harrison Theissen Henningsen Moore of Shelby Moore of Taylor Thompson of Cunningham Hickenlooper Curtis Buchanan Moore of Wayne Hultman Thompson of Dancer Irwin Guthrie Daniels Moore of Doran Jenkins Woodbury Thompson of Johannes Pocahontas Dreessen Oehmke Elliott Johnson of Ove Treimer Buena Vista Peaco Wieben Ellsworth Johnson of Peel Yager Evans Falvey Hancock Putnam Zeigler Felter Johnston of Lucas Reilly Mr. Speaker Fishbaugh Knudson Rice

The nays were, 2:

Shifflett Weed

Absent or not voting, 2:

Ryder Schlatter

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

Rice of Keokuk moved that the vote by which Senate File 1 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Rice of Keokuk asked and obtained unanimous consent to message Senate File 1 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 passed the following bill in which the concurrence of the Senate was asked:

House File 3, a bill for an act making an appropriation for the payment of the typewriter rental, miscellaneous expenses of the Forty-sixth General Assembly, Extraordinary Session, and other expenses that are payable from the general fund of the State.

Also: That the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File 2, a bill for an act to make appropriations to Walter Dietz, Bert E. Dodds, Harlan C. Foster, Chester L. Johns, Frank S. Lovrien, F. A. Whitney.

Also: That the Senate has passed the following Joint Resolution in which the concurrence of the Senate was asked: House Joint Resolution 1, a joint resolution fixing the compensation of officers and employees of the Forty-sixth General Assembly, Extraordinary Session.

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

Senate File 2, a bill for an act to make an appropriation to the Unemployment Compensation Administration Fund in the form of a loan, and to provide for the return of such money to the general fund of the State of Iowa.

HEDO M. ZACHERLE, Secretary.

SENATE MESSAGES CONSIDERED

Senate File 2, a bill for an act to make an appropriation to the unemployment compensation administration fund in the form of a loan, and to provide for the return of such money to the general fund of the state of Iowa.

Read first and second times.

Mercer of Johnson asked and obtained unanimous consent for the immediate consideration of Senate File 2.



CONSIDERATION OF BILLS

Senate File 2, a bill for an act to make an appropriation to the unemployment compensation administration fund in the form of a loan, and to provide for the return of such money to the general fund of the state of Iowa.

Mercer of Johnson asked and obtained unanimous consent that the rules requiring a bill carrying an appropriation to be referred to the appropriations committee be suspended.

Mercer of Johnson asked and obtained unanimous consent that the rule prohibiting a second and third reading of a bill on the same day be suspended.

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, 95:

Alesch Flynn Kuester Roan Avery Foster Laughlin Roe Rutherford Baumhover Freeburn Lookingbill Frizzell Benz Schlatter Love Blattspieler Fuelling McFarlane Scott Bonnstetter Fuester McGill Selby Bowers Gaughen McLean Shifflett McNie Burington Goode Smith Campbell Groves Mercer Sorg Clark Hansen of Metcalf Sours Moore of Benton Copeland Mitchell Stewart Cramer Hanson of Moore of Taylor Craven Appanoose Harrison Teter Moore of Shelby Thies Moore of Taylor Thiessen Moore of Wayne Thompson of Hendrickson Cundy Cunningham Henningsen Curtis Hickenlooper Dancer Hultman Moore of Buchanan Daniels Irwin Woodbury Thompson of Jenkins Guthrie Doran Oehmke Ove Dreessen Johannes Thompson of Elliott Pocahontas Johnson of Peaco Ellsworth Buena Vista Peel Treimer Evans Johnson of Putnam Weed Falvey Hancock Reilly Yager Johnston of Lucas Rice Felter Zeigler Riddle Fishbaugh Kringlaak Mr. Speaker

The nays were, none.

Absent or not voting, 7:

Blue Knudson Ryder Wieben Gallagher Maniece Stimpson



The bill having received a constitutional two-thirds majority was declared to have passed the House and the title agreed to.

Moore of Benton moved that the House recess until the fall of the gavel.

Motion prevailed.

House reconvened, Speaker Mitchell 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 and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1, a bill for an act relating to unemployment compensation; providing for payment benefits and creating an unemployment compensation commission.

HEDO M. ZACHERLE, Secretary.

REPORT OF COMMITTEE

Bonnstetter of Kossuth, 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 4, An Act to amend sections five thousand two hundred ninety-six-f thirty-four (5296-f34) and five thousand two hundred ninety-six-f thirty-five (5296-f35) of chapter two hundred sixty-six-F one (266-F1), Code, 1935, regarding the taking of a census of taxpayers and the levying of an annual per capita tax to accrue to the old age pension fund, so as to terminate the further collection of said per capita tax after the date of December 31, 1936, beg leave to report they 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.

Bonnstetter of Kossuth moved that the report of the committee, recommending the bill be indefinitely postponed, be adopted.

Moore of Harrison moved the previous question.

Motion prevailed.

The Bonnstetter motion prevailed and House File 4 was indefinitely postponed.

EXPLANATION OF VOTE

To the Members of the House of the 46th Extraordinary General Assembly:

In harmony with my constitutional right I wish hereby to state to the members of the House and to the citizenship of the State of Iowa, my reasons for supporting Senate File 1 by an affirmative vote when the same came before the House of this General Assembly for passage.

I am not in favor of that section of the bill which limits benefits to the unemployed provided only he or she has been employed by an employer or employers who have in their organizations eight or more employees.

I am firmly of the opinion that benefits should be available to any person whether he or she works in an organization of one hundred employees or for an institution or an employer where he or she alone constitutes the only employee.

Under the provisions of the act as passed today there are many thousands of employees who are denied the privilege of benefits in case of unemployment. It is a discriminatory act and I voted for this act only because I thought those benefited by the bill should not be denied the benefits provided for in the act simply because provisions of the act did not provide any benefit for certain other employees working in organizations where less than eight were employed.

In this Extraordinary Session it was very evident that no amendment could be made to the act that would rectify the objections which I have above stated. I am firmly of the opinion future sessions of the General Assembly will recognize this injustice and eliminate by legislative amendments the discriminations above mentioned.

I ask that this explanation of my vote be printed in the Journal of the House of this session.

Respectfully submitted, CHAS. F. PUTNAM.

Des Moines, Iowa. December 23, 1936.

EXPLANATION OF VOTE

TO THE MEMBERS OF THE FORTY-SIXTH GENERAL ASSEMBLY AND TO THE CITIZENS OF IOWA:

We, the undersigned members of the House of Representatives of the Forty-sixth General Assembly convened in Extraordinary Session, feel it obligatory upon us to make it a matter of record and to call attention of the people of the State of Iowa to the conditions attendant upon the consideration of Senate File 1.

- 1. In August, 1935, the Federal Social Security Act became effective, which levied a tax estimated at three million dollars for 1936 upon the employers of Iowa.
- 2. Under the provisions of this act, this three million dollars, and subsequent tax levies, are lost to the workers and taxpayers of Iowa, unless the state pass an unemployment act to comply with the federal act before December 31, 1936.



- 3. In the spring of 1936, the Governor, instead of convening the General Assembly to consider this matter, convened a Citizen's Committee, which through a subcommittee of thirty-five considered this matter, and "under a subcommittee of seven, wrote the proposed bill.
- 4. We regret that the Governor of the State of Iowa did not see fit to call the legislature until only nine days were left to pass an unemployment act and secure its approval in Washington, in order to save three million dollars to the unemployed of Iowa.
- 5. The proposed unemployment bill is fifty-six pages long and the subject matter so involved, that an attempt to amend the bill and pass a bill suitable to the conditions in the State of Iowa will result in the failure to pass any unemployment bill before December 31, 1936, thus losing to the unemployed and business interests of Iowa an estimated three million dollars.
- 6. We are consenting to the passage of this bill only for the purpose of preserving the rights of the citizens of the State of Iowa in this three million dollar fund, with a full recognition of the imperfections existing in the present bill.

C. COLFAX SMITH. JOHN H. TAYLOR. ROY SOURS. DAVID A. DANCER. J. C. MOORE, JR. JAS. F. JOHNSTON. J. R. CAMPBELL. H. S. LOVE. M. E. BENZ. O. M. HULTMAN. LEONARD L. MOORE. D. V. McLean BEN B. DORAN A. H. AVERY. L. D. TETER. J. P. HANSEN.

PAUL CUNNINGHAM. E. A. ELLIOTT. THOMAS RUTHERFORD. H. E. DANIELS. THOS. HENDRICKSEN.

GEO. L. SCOTT. OLE KRINGLAAK.

JENS THOMPSON.

ROBT. B. BLUE.

DAVE M. EVANS. LOREN I. PEEL.

ARCH W. MCFARLANE.

A. H. HENINGSEN.

DEWEY E. GOODE.

G. T. KUESTER.

C. E. LOOKINGBILL.

VICTOR FELTER.

MORRIS MCNIE

EDMUND HANSON. JOHN J. JENKINS.

SANFORD ZEIGLER, JR.

L. C. BOWERS.

EARL C. FISHBAUGH, JR.

EDWARD N. OVE.

S. M. THOMPSON.

JOHN R. IRWIN.

PHIL ROAN.

E. L. STEWART.

H. M. KNUDSON.

E. O. ELLSWORTH.

B. B. HICKENLOOPER.

Moore of Benton and McFarlane of Black Hawk offered the following House Concurrent Resolution:

HOUSE CONCURRENT RESOLUTION 2

Resolved by the House, the Senate concurring, That the Forty-sixth General Assembly, Extraordinary Session, adjourn sine die at 10:00 a.m., December 24, 1936.

Moore of Benton asked and obtained unanimous consent for its immediate consideration.

Moore of Benton moved that the resolution be adopted.

Motion prevailed and House Concurrent Resolution 2 was adopted.

On motion of Burington of Woodbury the House stood adjourned until 9:00 a.m., tomorrow.

JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES, DES MOINES, IOWA, DECEMBER 24, 1936.

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

Prayer was offered by Robert J. Thompson, Missionary, Gospel Hall, San Antonio, Texas.

Journal of December 23, corrected and approved.

Cunningham of Polk moved that the Chief Clerk be instructed to transmit to Louis Schneider and H. L. McCarthy an expression of appreciation and thanks of the members of the House of Representatives for their courteous and thorough explanation of Senate File 1, providing for the establishment of a system of unemployment insurance.

Motion prevailed.

Kringlaak of Winnebago moved that Oley A. Nelson, former President of the National G. A. R., be invited to address the House.

Motion prevailed and Mr. Oley Nelson addressed the House.

PETITIONS

The recommendation from the Board of Supervisors of Appanoose county, favoring the continuance of the present valuations on real estate, was received and filed.

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 2, relating to adjournment sine die.

HEDO M. ZACHERLE, Secretary.

COMPLETING PROCEEDINGS

Gallagher of Iowa asked and obtained unanimous consent of the House to have the chief clerk and an assistant remain at the Capitol and perform the necessary work following the final adjournment, and to correct the Journal for the last day of the session.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Goode of Davis, 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 2, House File 3, House Joint Resolution 1, Senate File 1, Senate File 2.

DEWEY E. GOODE,

Chairman House Committee.

JOHN N. CALHOUN,

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 2 and 3 and House Joint Resolution 1, Senate File 1 and Senate File 2.

BILLS SENT TO THE GOVERNOR

Goode of Davis, 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 December, 1936, sent to the Governor for his approval: House File 2, House File 3, and House Joint Resolution 1.

Dewey E. Goode, Chairman.

Report adopted.

GREETINGS TO THE SPEAKER

Cunningham of Polk, on behalf of the members of the House of Representatives, extended the season's greetings to Speaker Mitchell and his family.



COMMITTEE TO NOTIFY THE GOVERNOR

Putnam of Pottawattamie 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 Putnam of Pottawattamie, Cunningham of Polk and Knudson of Cerro Gordo.

COMMITTEE TO NOTIFY THE SENATE

Metcalf of Muscatine 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 Metcalf of Muscatine, Wieben of Tama and Hansen of Mitchell.

The committees returned and reported they had performed their respective duties. The committees were discharged.

EXCHANGE OF SEATS

Hickenlooper of Linn announced that he had exchanged seats with Hanson of Appanoose.

McFarlane of Black Hawk announced that he had exchanged seats with Scott of Fayette.

Reilly of Dubuque announced that he had exchanged seats with Evans of Howard.

Moore of Wayne announced that he had exchanged seats with McLean of Marshall.

Love of Adair announced that he had exchanged seats with Ellsworth of Hardin.

Mercer of Johnson announced that he had exchanged seats with Wieben of Tama.

The hour of 10:00 o'clock a. m., December 24, having arrived, Speaker Mitchell declared the House of Representatives of the Forty-sixth General Assembly, Extraordinary Session, adjourned sine die.

HISTORY OF HOUSE BILLS IN HOUSE

HOUSE BILLS AND JOINT RESOLUTIONS PASSED

H. F. 2, 3; H. J. R. 1.

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propriation for Walter		Indefinitely postponed	33
and others.	Dietz	5 By Zeigler of Jefferson,	
Introduced	17	Avery of Clay, McFarlane of	
l'assed; ayes 93, nays 0	18	Black Hawk, Hultman of	
Received back	31	Montgomery, Blue of Wright,	
Signed by Speaker	38	Sours of Floyd, Teter of Mar-	
3 By Mercer of Johnso cellaneous expenses.	n. Mis-	lon, Dreessen of Crawford, Baumhover of Carroll and	
Introduced	22	Thompson of Pocahontas.	
l'assed; ayes 92, nays 0	23	Homestead exemption.	
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Signed by the Speaker		anti-outdood, rotottou rittiniii	

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SENATE BILLS AND JOINT RESOLUTIONS PASSED

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Received	25	2 By appropriations of	ommit-
Substituted for H. F. 1	25	tee. Appropriation	to the
Considered		Unemployment Compe	
Amended		Administration Fund.	
Amendments offered		Received	
Amendments withdrawn		Passed; ayes 95, nays 0	
l'assed; ayes 98, nays 2		Signed by the Speaker	
I meeting ages oo, mayo are		Burn of the pheater	

HOUSE RECORD OF HOUSE JOINT RESOLUTIONS

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Old age pension. 4, Cundy of Black Hawk, Putnam of Pottawattamie and Yager of Dickinson. 5, Zeigler, Avery. McFarlane, Hultman, Blue, Sours, Teter, Dreessen, Baumhover and Thompson of Pocahontas.

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Assembled the members of the House
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