

STATE OF IOWA
1937

Journal of the Senate

OF THE

Forty-seventh General Assembly

CONVENED JANUARY 11, 1937

ADJOURNED APRIL 20, 1937

NELSON G. KRASCHEL, Governor
JOHN K. VALENTINE, President of the Senate
LAMAR FOSTER, Speaker of the House

Published by
THE STATE OF IOWA
Des Moines

FORTY-SEVENTH GENERAL ASSEMBLY

OFFICERS OF THE SENATE

JOHN K. VALENTINE, President.....	Centerville
FRANK C. BYERS, President Pro Tempore.....	Cedar Rapids
WALTER H. BEAM, Secretary.....	Martensdale
C. H. PITCHFORTH, Assistant Secretary.....	Muscatine
ROBERT C. PHILLIPS, Reading Clerk.....	Des Moines
LOLA B. LOWRY, Journal Clerk.....	Des Moines
MARGARET G. ALLEN, Assistant Journal Clerk.....	Estherville
WENDELL LOWE, Engrossing Clerk.....	Weldon
HELENA M. MITCHELL, Enrolling Clerk.....	Des Moines
FLORENCE WATTLES, Assistant Enrolling Clerk.....	Waukon
KATHERINE HANSON, Enrolled Bills Clerk.....	Leland
H. D. HAESENMEYER, General Clerk.....	Stanwood
ROBERT O. WYNNE, Assistant General Clerk.....	Atlantic
JOE CHOCHOLKA, Assistant Sergeant-at-Arms.....	Council Bluffs
PERCY A. LAINSON, Sergeant-at-Arms.....	Cedar Rapids
JAMES W. REESE, Chief Doorkeeper.....	Des Moines
NELSON C. A. BERG, Bill Clerk.....	Ellsworth
BURRELL S. MAY, File Clerk.....	Manchester
HAROLD E. HOLMES, Assistant File Clerk.....	Truro
JESSIE CARTER, Lieutenant Governor's Clerk.....	Des Moines
HAZEL MARSHALL, Secretary's Clerk.....	Des Moines
MRS. LAURA E. HICKS, Postmistress.....	Fairfield

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

NAME	Office	Address
Nels G. Kraschel.....	Governor.....	Harlan
John K. Valentine.....	Lieutenant Governor.....	Centerville
Robert E. O'Brian.....	Secretary of State.....	Sioux City
C. W. Storms.....	Auditor of State.....	Fort Madison
Leo J. Wegman.....	Treasurer of State.....	Carroll
Thomas L. Curran.....	Secretary of Agriculture.....	Ottumwa
John H. Mitchell.....	Attorney General.....	Fort Dodge
M. P. Conway.....	Railroad Commissioner.....	Atlantic
Harry B. Dunlap.....	Railroad Commissioner.....	Ames
Geo. A. Huffman.....	Railroad Commissioner.....	Des Moines
Agnes Samuelson.....	Superintendent of Public Instruction.....	Shenandoah
John W. Anderson.....	Judge of the Supreme Court.....	Sioux City
Maurice F. Donegan.....	Judge of the Supreme Court.....	Davenport
W. H. Hamilton.....	Judge of the Supreme Court.....	Sigourney
John W. Kintzinger.....	Judge of the Supreme Court.....	Dubuque
Richard F. Mitchell.....	Judge of the Supreme Court.....	Fort Dodge
James M. Parsons.....	Judge of the Supreme Court.....	Des Moines
Paul W. Richards.....	Judge of the Supreme Court.....	Red Oak
Ed. A. Sager.....	Judge of the Supreme Court.....	Waverly
Carl B. Stiger.....	Judge of the Supreme Court.....	Toledo

SENATORS—FORTY-SEVENTH GENERAL ASSEMBLY

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NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Augustine, A. E.	Oskaloosa	46	Real Estate	Dem.	14	Mahaska	
Baldwin, Howard C.	Cascade	32	Editor	Dem.	35	Dubuque	45X-46-46X
Beardsley, Wm. S.	New Virginia	35	Pharmacist	Rep.	11	Clark, Warren	45-45X-46-46X
Bell, Andrew	Denison	50	Attorney	Dem.	34	Crawford, Harrison, Monona	46-46X
Bell, James M.	Burlington	58	Insurance	Dem.	9	Des Moines	46-46X
Berg, John P.	Cedar Falls	48	Merchant	Rep.	38	Black Hawk, Grundy	46-46X
Billingsley, John W.	Newton	47	Physician, Surgeon	Rep.	29	Jasper	46-46X
Breen, Edward	Fort Dodge	37	Attorney	Dem.	27	Calhoun, Webster	
Byers, Frank C.	Cedar Rapids	52	Attorney	Rep.	26	Linn	43-44-45-45X-46-46X
Chrystal, I. G.	Coon Rapids	51	Farmer	Dem.	48	Carrroll, Sac, Greene	45-45X-46-46X
Corwin, E. P.	Fruitland	53	Farmer	Rep.	20	Louisa, Muscatine	46-46X
Dean, Earl	Mason City	42	Farmer	Dem.	43	Cerro Gordo, Franklin, Hancock	45-45X
Dewey, A. Claire	Washington	50	Fruit, Poultry Farm	Rep.	10	Henry, Washington	46-46X
Donohue, E. P.	New Hampton	37	Attorney	Rep.	44	Chickasaw, Floyd	46-46X
Doran, L. H.	Boone	43	Attorney	Rep.	31	Boone, Story	43-44
*Driscoll, T. F.	Farmington	40	Farmer	Dem.	1	Lee	46-46X
Edwards, Howard W.	Tingley	67	Undertaker	Rep.	5	Decatur, Ringgold, Union	
Ellis, Frank E.	Maquoketa	57	Real Estate, Insurance	Dem.	23	Jackson	
Elthon, Leo	Fertile	38	Farmer	Rep.	41	Mitchell, Winnebago, Worth	45-45X-46-46X
Evans, K. A.	Emerson	38	Farm Manager	Rep.	8	Mills, Montgomery	
Geske, M. X.	McGregor	65	Attorney	Dem.	36	Clayton	45-45X-46-46X
Gillespie, Jas. J.	Des Moines	44	Pharmacist	Dem.	30	Polk	46X
Gillette, Lester S.	Fostoria	44	Farmer	Dem.	47	Clay, Dickinson, Emmet, Kosuth, Palo Alto	
Goetsch, Sam D.	Decorah	58	Retired	Dem.	42	Howard, Winneshiek	46-46X
Grunewald, Henry J.	Blairtown	59	Farmer	Dem.	45	Benton, Tama	46-46X
Guernsey, Hugh G.	Centerville	44	Attorney	Dem.	3	Appanoose, Davis	46X
**Hart, Stanley L.	Keokuk	41	Merchant	Rep.	1	Lee	
Hill, G. R.	Clarion	48	Attorney	Rep.	37	Hamilton, Hardin, Wright	46X
Hoeven, Charles B.	Alton	41	Attorney	Rep.	49	Lyon, O'Brien, Osceola, Sioux	
Hopkins, George M.	Guthrie Center	70	Farmer	Rep.	17	Audubon, Dallas, Guthrie	42-42X-43-44-45-45X-46-46X
Husted, Ora E.	Truro	60	Farmer	Rep.	16	Adair, Madison	44-45-45X-46-46X
Irwin, Harold L.	De Witt	39	Attorney	Dem.	22	Clinton	44-45-45X-46-46X
Kimberly, D. W.	Davenport	58	Retired Farmer	Rep.	21	Scott	36-37-38-39-40-40X-41-42 42X-43-44-45-45X-46-46X
Kirketeg, O. J.	Bedford	45	Attorney	Rep.	6	Adams, Taylor	
Levis, H. V.	Chariton	40	Attorney	Rep.	4	Lucas, Wayne	
Lundy, Hugh W.	Albia	43	Sec'y Iowa Coal Institute	Rep.	15	Marion, Monroe	
Mason, E. I.	Brooklyn	57	Farmer	Dem.	12	Keokuk, Poweshiek	46-46X
Mighell, Winfred	Holstein	62	Farmer	Dem.	46	Cherokee, Ida, Plymouth	
Miller, H. D.	Morley	68	Farmer, Stockman	Dem.	24	Cedar, Jones	45-45X-46-46X
Millhone, Paul L.	Clarinda	43	Attorney	Rep.	7	Fremont, Page	44-45-45X-46-46X

*Deceased.

**Elected to fill vacancy caused by death of Senator Driscoll.

MEMBERS OF THE SENATE

SENATORS—FORTY-SEVENTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Moore, Morris.....	Walnut.....	62	Physician, Surgeon.....	Dem..	19	Pottawattamie.....	45-45X-46-46X
Murray, Tom E.....	Sioux City.....	45	Attorney.....	Dem..	32	Woodbury.....	
Parker, George L.....	Independence.....	57	Pharmacist.....	Rep..	33	Buchanan, Delaware.....	46-46X
Pelzer, Frank.....	Marne.....	60	Farmer.....	Rep..	18	Cass, Shelby.....	46X
Schadt, Frederick C.....	Williamsburg.....	51	Physician and Surgeon.....	Rep..	25	Iowa, Johnson.....	
Shaw, Albert J.....	Pocahontas.....	60	Attorney.....	Rep..	50	Buena Vista, Humboldt, Pocahontas.....	46-46X
Smith, C. Colfax.....	Clarksville.....	57	Physician.....	Rep..	39	Butler, Bremer.....	46-46X
Stevens, Roy E.....	Ottumwa.....	58	Merchant and Dairy Farmer	Dem..	13	Wapello.....	44-45-45X-46-46X
Stewart, Paul P.....	Maynard.....	59	Farmer.....	Rep..	40	Allamakee, Fayette.....	
Whitehill, B. C.....	Marshalltown.....	61	Executive.....	Rep..	28	Marshall.....	46X
Zeigler, Sanford, Jr.....	Fairfield.....	45	Farmer.....	Rep..	2	Jefferson, Van Buren.....	46-46X

MEMBERS OF THE HOUSE—FORTY-SEVENTH GENERAL ASSEMBLY

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NAME	Address	Age	Occupation	Politics	District	County Composing District	Former Legislative Experience
Alesch, Gustave	Marcus	59	Farmer	Dem.	80	Plymouth	45-45X-46-46X
Baumhover, A. H.	Carroll	43	Farmer	Dem.	55	Carroll	46-46X
Beckler, Charles L.	Waterloo	27	Attorney	Dem.	66	Black Hawk	
Beltman, Albert	Hospers	53	Farmer	Rep.	81	Sioux	
Benz, M. E.	Lawler	52	Farmer	Rep.	89	Chickasaw	46-46X
Blue, Robert D.	Eagle Grove	38	Attorney	Rep.	75	Wright	46-46X
Bowers, L. C.	Kent	69	Merchant	Rep.	14	Union	45-45X-46-46X
Brodersen, T. H.	Battle Creek	59	Farmer	Rep.	59	Ida	
Brown, Ed R.	Des Moines	60	Attorney	Rep.	37	Polk	44
Bruene, Fred K.	Gladbrook	48	Farmer	Dem.	50	Tama	
Bulow, Harry F.	Clinton	52	Barber	Rep.	45	Clinton	
Burma, Henry W.	Allison	41	Former Sheriff	Rep.	73	Butler	
Christoffersen, Iver H.	Cedar Falls	37	Attorney	Dem.	66	Black Hawk	
Clements, L. R.	Harvey	84	Manufacturer and Lumber	Dem.	26	Marion	
Copeland, Harry F.	Waukee	59	Farmer	Dem.	36	Dallas	42-42X-46-46X
Cramer, W. H.	Emerson	66	Insurance, Real Estate	Dem.	11	Mills	46-46X
Craven, J. E.	Kellogg	70	Farmer	Dem.	38	Jasper	36-44-45-45X-46-46X
Currie, Ernest L.	Council Bluffs	34	Manufacturer	Dem.	31	Pottawattamie	
Curtis, Glen	Cherokee	43	Farmer, Stockman	Dem.	79	Cherokee	46-46X
Dancer, David A.	Lamoni	40	Farmer	Rep.	6	Decatur	46-46X
Davis, Henry L.	Winterset	50	Former County Auditor	Rep.	28	Madison	
Dietz, Walter	Walcott	40	Farmer, Dairy	Dem.	43	Scott	
Dodds, Bert E.	New London	51	Farmer, Banker	Rep.	21	Des Moines	
Dressen, Wm. J.	Breda	46	Farmer	Dem.	56	Crawford	45-45X-46-46X
Dykhouse, J. T.	Rock Rapids	46	Real Estate, Insurance	Rep.	99	Lyon	
Elliott, Mrs. Frank A.	Bronson	48	Farmer	Dem.	58	Woodbury	
Engel, Frank L.	Davenport	28	Druggist	Dem.	43	Scott	
Fishbaugh, Earl C., Jr.	Shenandoah	26	Attorney	Rep.	9	Page	46-46X
Flynn, Joe	Decorah	34	Publicity Director	Dem.	91	Winnesheik	46-46X
Foster, Harlan C.	Mount Pleasant	50	Farmer	Rep.	20	Henry	
Foster, LaMar	West Branch	38	Farmer	Dem.	44	Cedar	45-45X-46-46X
Fox, Henry	Elma	45	Farmer	Dem.	93	Mitchell	
Frizzell, J. W.	Brooklyn	71	Retired Farmer	Dem.	39	Poweshiek	45-45X-46-46X
Fuelling, Otto	Farmersburg	47	Retail Lumberman	Dem.	70	Clayton	45-45X-46-46X
Gallagher, J. P.	Williamsburg	74	Editor	Dem.	40	Iowa	40-40X-44-45-45X-46-46X
Gardner, John R.	Lisbon	61	Physician and Surgeon	Rep.	48	Linn	
Good, C. G.	Ogden	63	Farmer and Stockman	Rep.	3	Boone	
Goode, Dewey E.	Bloomfield	38	Produce and Fur Dealer	Rep.	53	Davis	45-45X-46-46X
Groves, George W.	Webster City	64	Farmer	Dem.	63	Hamilton	46-46X
Hathaway, George	Independence	57	Mail Messenger	Rep.	67	Buchanan	
Henrickson, Thomas	Corning	65	Farmer	Rep.	13	Adams	46-46X
Hickenlooper, B. B.	Cedar Rapids	40	Attorney	Rep.	48	Linn	46-46X

MEMBERS OF THE HOUSE

MEMBERS OF THE HOUSE—FORTY-SEVENTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	County Composing District	Former Legislative Experience
Hoegh, Leo A.	Chariton	28	Attorney	Rep.	16	Lucas	
Hultman, O. N.	Stanton	49	Lumberman	Rep.	12	Montgomery	45-45X-46-46X
Irwin, John R.	Keokuk			Rep.	1	Lee	43-46-46X
Johannes, W. J.	Ashton	46	Banker	Dem.	98	Osceola	46-46X
Johns, Chester L.	Ottumwa	49	Railroad Yard Conductor	Dem.	18	Wapello	
Johnson, Charles G.	Marathon	50	Farmer	Dem.	78	Buena Vista	46-46X
Johnson, Claude	Rippey	57	Farmer	Dem.	54	Greene	
Johnson, Oscar E.	Kanawha	42	Druggist	Dem.	86	Hancock	46-46X
Judd, William N.	Clinton	48	Yard Master	Rep.	45	Clinton	
Keefe, Fred J.	Fort Dodge	29	Attorney	Dem.	62	Webster	
Keeney, George H.	Mallard	56	Physician and Surgeon	Dem.	84	Palo Alto	
Kephart, Thomas I.	Peterson	42	Insurance	Dem.	83	Clay	
Kerr, William	Randolph	63	Physician and Surgeon	Rep.	10	Fremont	
Knippling, John	Elma	49	Farmer	Dem.	92	Howard	
Knudson, John	Marshalltown	30	Farmer and Seedsman	Rep.	51	Marshall	
Kohlhaas, Phillip J.	Algona	49	Real Estate Broker	Dem.	85	Kossuth	
Kuester, G. T.	Griswold	48	Farmer	Rep.	30	Cass	46-46X
Latchaw, F. A.	Wilton Junction	53	Electrical Contractor	Rep.	42	Muscatine	
Lookingbill, C. E.	Nevada	60	Minister and Craftsman	Rep.	52	Story	45-45X-46-46X
Love, H. S.	Bridgewater	48	Hardware, Produce	Rep.	29	Adair	46-46X
Lovrien, Frank S.	Humboldt	54	Attorney	Rep.	76	Humboldt	
McEnaney, Morgan J.	Mason City	30	Attorney	Dem.	87	Cerro Gordo	
McFatrige, C. M.	Moravia	65	Insurance and Real Estate	Dem.	4	Appanosee	
McNie, Morris	Hampton	55	Lumber, Coal and Grain	Rep.	74	Franklin	46-46X
Maniece, E. J.	Estherville	46	Farmer and Stockraiser	Dem.	96	Emmet	45-45X-46-46X
Mercer, Leroy S.	Iowa City	47	Manufacturer and Printing	Dem.	41	Johnson	45-45X-46-46X
Moore, E. A.	Harlan	64	Physician	Dem.	33	Shelby	46-46X
Moore, J. C., Jr.	Promise City	39	Farmer	Rep.	5	Wayne	46-46X
Moore, John W.	Sioux City	56	Machinist	Dem.	58	Woodbury	46-46X
Moore, Leonard L.	Bedford	45	Teacher, Farmer	Rep.	8	Taylor	46-46X
Moore, R. G.	Dunlap	47	Veterinarian	Dem.	32	Harrison	45-45X-46-46X
Morrow, Harry E.	Hopkinton	54	Minister	Rep.	68	Delaware	
Nelson, Charles W.	Packwood	28	Hatcheryman	Rep.	19	Jefferson	
Odden, J. G.	Forest City	58	Former County Treasurer	Rep.	95	Winnebago	
O'Neill, J. K.	Keosauqua	33	Former County Treasurer	Dem.	2	Van Buren	
Peisen, Dean W.	Eldora	48	Attorney	Rep.	64	Hardin	
Pine, Floyd J.	Columbus Jctn.	43	Auto Dealer, Farmer	Rep.	22	Louisa	
Prall, S. E.	Indianola	31	Attorney	Rep.	27	Warren	
Randall, Claus	Manly	54	Farmer	Rep.	94	Worth	
Randell, Seth A.	Oskaloosa	65	Farmer	Rep.	25	Mahaska	
Rasmussen, P. C.	Council Bluffs	53	Attorney	Dem.	31	Pottawattamie	
Reilly, Eugene H.	Dubuque	30	Attorney	Dem.	69	Dubuque	46-46X

MEMBERS OF THE HOUSE—FORTY-SEVENTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	County Composing District	Former Legislative Experience
Rice, C. L.	Delta	47	Farmer	Dem.	24	Keokuk	45-45X-46-46X
Riddle, Matthew B.	Ute	59	Farmer	Dem.	57	Monona	46-46X
Roan, Phil F.	Fort Madison	43	Attorney	Rep.	1	Lee	46-46X
Roe, Ove T.	Waukon	49	Farmer	Dem.	90	Allamakee	44-45-45X-46-46X
Ross, C. W.	Wellsburg	46	Garage Owner	Dem.	65	Grundy	
Rutherford, Thos., Jr.	Audubon	67	Farmer	Rep.	34	Audubon	46-46X
Ryder, John	Dubuque	60	Real Estate and Insurance	Dem.	69	Dubuque	41-42-42X-43-44-45-45X-46-46X
Schlatter, George M.	Bellview	72	Banker and Seed Dealer	Dem.	46	Jackson	45X-46-46X
Scott, E. W.	Lake View	56	Farmer	Rep.	60	Sac.	
Scott, George L.	West Union	49	Farmer	Rep.	71	Fayette	46-46X
Shifflett, Grant A.	Diagonal	45	Farmer	Rep.	7	Ringgold	46-46X
Sours, Roy J.	Charles City	53	Farmer and Insurance	Rep.	88	Floyd	44-45-45X-46-46X
Stewart, E. L.	Washington	51	Farmer	Rep.	23	Washington	46-46X
Stimpson, Thos.	Anamosa	43	Farmer	Dem.	47	Jones	45-45X-46-46X
Strickler, Milton W.	Des Moines	38	Attorney	Rep.	37	Polk	
Thompson, Jens	Rolfe	49	Farmer	Rep.	77	Pocahontas	46-46X
Thompson, Stanley M.	Yale	56	Farmer and Cattle Feeder	Rep.	35	Guthrie	46-46X
Treimer, Wm.	Hartley	50	Insurance	Dem.	82	O'Brien	45-45X-46-46X
Wehling, Fred H.	Readlyn	58	Farmer	Dem.	72	Bremer	
Weichman, Harry E.	Newhall	44	Farmer	Rep.	49	Benton	
Whitney, Frank A.	Somers	55	Banker	Dem.	61	Calhoun	
Wood, W. G.	Albia	63	Hardware Merchant	Rep.	17	Monroe	
Woods, Lloyd	Osceola	52	Former Clerk Dist. Court	Dem.	15	Clarke	
Yager, W. A.	Spirit Lake	49	Automobile Dealer	Dem.	97	Dickinson	45-45X-46-46X

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 11, 1937.

Pursuant to law the Senate of the Forty-seventh General Assembly convened at 10 o'clock a. m. and was called to order by Lieutenant-Governor Nelson G. Kraschel.

Prayer was offered by Reverend E. J. Laird of Des Moines, Iowa.

TEMPORARY OFFICERS

Senator Stevens moved that the following be elected as temporary officers of the Senate:

Hedo M. Zacherle of Polk County, temporary secretary.

Walter M. Meier of Pottawattamie County, temporary assistant secretary.

Wilma Wassmann of Plymouth County, temporary journal clerk.

Ray Sheehan of Polk County, temporary sergeant-at-arms.

The motion prevailed and the above named temporary officers appeared before the desk of the Lieutenant Governor and took their respective oaths of office.

COMMITTEE ON CREDENTIALS

Senator Grunewald moved that a committee of five be appointed as a committee on credentials.

The motion prevailed and the President appointed as such committee, Senators Beardsley, Byers, Moore, Baldwin and Shaw.

The Senate stood at ease until the committee was ready to report.

REPORT OF COMMITTEE ON CREDENTIALS

Senator Beardsley, from the committee on credentials, submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee on credentials finds the following named elected Senators, as shown by the election records, and as certified by the Secretary of State, entitled to seats in the Senate of the Forty-seventh General Assembly:

Second District, Sanford Zeigler, Jr.
Third District, Hugh G. Guernsey.
Fourth District, H. V. Levis.
Fifth District, H. W. Edwards.
Sixth District, O. J. Kirketeg.
Eighth District, K. A. Evans.
Eleventh District, William S. Beardsley.
Fourteenth District, A. E. Augustine.
Fifteenth District, Hugh W. Lundy.
Sixteenth District, Ora E. Husted.
Seventeenth District, George M. Hopkins.
Eighteenth District, Frank Pelzer.
Nineteenth District, Morris Moore.
Twenty-third District, Frank E. Ellis.
Twenty-fourth District, H. D. Miller.
Twenty-fifth District, Frederick C. Schadt.
Twenty-sixth District, Frank C. Byers.
Twenty-seventh District, Edward Breen.
Twenty-eighth District, B. C. Whitehill.
Thirtieth District, J. J. Gillespie.
Thirty-first District, L. H. Doran.
Thirty-second District, Tom E. Murray.
Thirty-third District, George L. Parker.
Thirty-sixth District, M. X. Geske.
Thirty-seventh District, G. R. Hill.
Thirty-ninth District, C. Colfax Smith.
Fortieth District, Paul P. Stewart.
Forty-first District, Leo Elthon.
Forty-third District, Earl Dean.
Forty-sixth District, Winfred Mighell.
Forty-seventh District, Lester Gillette.
Forty-ninth District, Charles B. Hoeven.

We also find the following hold-over Senators entitled to seats in the body:

First District, T. F. Driscoll.
Seventh District, Paul L. Millhone.
Ninth District, James M. Bell.
Tenth District, A. Claire Dewey.
Twelfth District, E. I. Mason.
Thirteenth District, Roy E. Stevens.
Twentieth District, Elmer P. Corwin.
Twenty-first District, D. W. Kimberly.
Twenty-second District, Harold L. Irwin.
Twenty-ninth District, J. W. Billingsley.
Thirty-fourth District, Andrew Bell.
Thirty-fifth District, Howard C. Baldwin.
Thirty-eighth District, John Berg.
Forty-second District, Sam D. Goetsch.

Forty-fourth District, E. P. Donohue.
 Forty-fifth District, H. J. Grunewald.
 Forty-eighth District, I. G. Chrystal.
 Fiftieth District, A. J. Shaw.

WM. S. BEARDSLEY.
 FRANK C. BYERS.
 MORRIS MOORE.
 HOWARD C. BALDWIN.
 ALBERT J. SHAW.

The report was adopted and the following newly elected Senators appeared before the bar of the Senate and were duly sworn and subscribed their names to the oath of office:

Sanford Zeigler, Jr.	Frank C. Byers.
Hugh G. Guernsey.	Edward Breen.
H. V. Levis.	B. C. Whitehill.
H. W. Edwards.	J. J. Gillespie.
O. J. Kirketeg.	L. H. Doran.
K. A. Evans.	Tom E. Murray.
William S. Beardsley.	George L. Parker.
A. E. Augustine.	M. X. Geske.
Hugh W. Lundy.	G. R. Hill.
Ora E. Husted.	C. Colfax Smith.
George M. Hopkins.	Paul P. Stewart.
Frank Pelzer.	Leo Elthon.
Morris Moore.	Earl Dean.
Frank E. Ellis.	Winfred Mighell.
H. D. Miller.	Lester Gillette.
Frederick C. Schadt.	Charles B. Hoeven.

SELECTION OF SEATS

Senator Shaw moved that the hold-over and re-elected Senators be granted the privilege of retaining the seats occupied by them during the Forty-sixth General Assembly, Extraordinary Session, and that the names of the newly elected Senators be placed in a hat and drawn out, one at a time by the Secretary of the Senate, and as each name is announced each newly elected Senator select his seat from those seats that are unoccupied; and that any hold-over or re-elected Senator that does not wish to retain his seat be allowed to cast his lot with the newly elected Senators; and that any Senator having any defect such as bad hearing be allowed to select his seat first.

The motion prevailed and upon the drawing of seats the following selections were made:

Because of defective hearing, Senator Lundy was granted unanimous consent to have seat 3 assigned to him.

Because of defective hearing, Senator Smith was granted unanimous consent to have seat 29 assigned to him.

Augustine	7	Guernsey	14
Baldwin	17	Hill	32
Beardsley	23	Hoeven	6
Bell of Crawford.....	46	Hopkins	5
Bell of Des Moines.....	49	Husted	41
Berg	26	Irwin	37
Billingsley	24	Kimberly	33
Breen	45	Kirketeg	1
Byers	34	Levis	39
Chrystal	4	Lundy	3
Corwin	19	Mason	36
Dean	43	Mighell	44
Dewey	35	Miller	48
Donohue	8	Millhone	11
Doran	28	Moore	15
Driscoll	38	Murray	12
Edwards	9	Parker	22
Ellis	10	Pelzer	30
Elthon	18	Schadt	47
Evans	40	Shaw	27
Geske	31	Smith	29
Gillespie	13	Stevens	16
Gillette	42	Stewart	21
Goetsch	25	Whitehill	20
Grunewald	2	Zeigler	50

COMMITTEE ON MILEAGE

Senator Berg moved that a committee of three be appointed as a committee on mileage.

The motion prevailed and the President appointed as such committee, Senators Parker, Miller, and Bell of Des Moines.

COMMITTEE ON CHAPLAINS

Senator Hopkins moved that a committee of one be appointed to provide chaplains for the Senate during the Forty-seventh General Assembly.

Action on the appointment was temporarily deferred.

BADGES

Senator Geske moved that the secretary be authorized to secure suitable badges for such officers as require them, which motion prevailed.

ASSIGNMENT OF SEATS IN PRESS GALLERY

Senator Baldwin moved that the secretary be authorized to assign seats to representatives of the press.

The motion prevailed and the secretary assigned the following seats:

- C. C. Clifton, Des Moines Register, seat 51.
- Cliff Millen, Des Moines Tribune, seat 52.
- Edwin Stout, Associated Press, seat 53.
- Everett Perry, United Press, seat 54.
- Ray Maxwell, International News, seat 55.
- G. L. Caswell, Iowa Press Association, seat 56.
- I. C. Kartack, special correspondent, seat 57.
- Minnie Duvall, Unionist and Public Forum, seat 58.
- Geo. Mills, Iowa Daily Press, seat 59.

RENTAL OF TYPEWRITERS

Senator Breen moved that a committee of three be named to enter into a rental contract on behalf of the Senate for typewriters and other equipment to be used during the period of the Forty-seventh General Assembly.

The motion prevailed and the President named Senators Kimberly, Chrystal, and Millhone.

COMMITTEE ON EXTRA HELP

Senator Mason moved that a committee of three be appointed as a committee on extra help.

The motion prevailed and the President of the Senate appointed Senators Berg, Shaw and Mason.

COMMITTEE ON COMMITTEE ROOMS

Senator Miller moved that a committee of three be appointed to assign the committee rooms to the various standing committees and to arrange for regular hours of meeting.

The motion prevailed and the President appointed as such committee, Senators Hopkins, Corwin, and Gillespie.

Senator Stevens moved that the rules of the Forty-sixth General Assembly be made the temporary rules of the Forty-seventh General Assembly.

Senator Beardsley moved, as a substitute motion, that the rules of the Forty-sixth General Assembly be made the temporary rules of the Forty-seventh General Assembly, with the following exception:

Strike from Rule 2 the following words: "He shall appoint all committees unless otherwise specially ordered." And substitute in lieu thereof the following:

"All committees shall be selected by a Senate committee. The Senate committee to appoint the committees shall consist of five members elected by the Senate in regular session. Three members on said committee shall be elected from the party having a majority of the members in the Senate, and two members on said committee shall be elected from the party having the minority of party members in the Senate."

Roll call was requested by Senator Beardsley.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 28:

Beardsley	Doran	Husted	Pelzer
Berg	Edwards	Kimberly	Schadt
Billingsley	Elthon	Kirketeg	Shaw
Byers	Evan	Levis	Smith
Corwin	Hill	Lundy	Stewart
Dewey	Hoeven	Millhone	Whitehill
Donohue	Hopkins	Parker	Zeigler

Nays, 20:

Augustine	Chrystal	Gillette	Mighell
Baldwin	Dean	Goetsch	Miller
Bell of Crawford	Ellis	Grunewald	Moore
Bell of	Geske	Guernsey	Murray
Des Moines	Gillespie	Mason	Stevens
Breen			

Absent or not voting, 2:

Driscoll	Irwin
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The motion prevailed and the substitution was made.

Senator Beardsley moved the adoption of his motion, and requested a roll call.

On the question, "Shall the substitute motion prevail?" the vote was:

Ayes, 28:

Beardsley	Doran	Husted	Pelzer
Berg	Edwards	Kimberly	Schadt
Billingsley	Elthon	Kirketeg	Shaw
Byers	Evans	Levis	Smith
Corwin	Hill	Lundy	Stewart
Dewey	Hoeven	Millhone	Whitehill
Donohue	Hopkins	Parker	Zeigler

Nays, 20:

Augustine	Chrystal	Gillette	Mighell
Baldwin	Dean	Goetsch	Miller
Bell of Crawford	Ellis	Grunewald	Moore
Bell of Des Moines	Geske	Guernsey	Murray
Breen	Gillespie	Mason	Stevens

Absent or not voting, 2:

Driscoll	Irwin
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The motion prevailed.

Senator Donohue offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 1

Resolved by the Senate, the House Concurring: That a joint committee be named, consisting of six members of the Senate to be appointed by the President pro tempore of the Senate and six members of the House to be appointed by the Speaker of the House, to arrange for the inauguration of the Governor and Lieutenant Governor.

By unanimous consent, on request of Senator Donohue, the rules were suspended and the resolution adopted.

Senator Baldwin offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION 2

Be It Resolved by the Senate, the House Concurring: That the superintendent of printing be directed to furnish copies of the Code of 1935, the session laws of the Forty-sixth General Assembly and the Journals of the Senate and House of the Forty-sixth General Assembly to the members of the press assigned seats in the Senate and House press galleries.

By unanimous consent granted Senator Baldwin, the rules were suspended and the resolution considered.

Senator Baldwin moved the adoption of the resolution, which motion prevailed.

On motion of Senator Chrystal, the Senate recessed until 1:30.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President Kraschel presiding.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Beardsley placed in nomination the name of Senator Frank C. Byers of Linn county as a candidate for the office of President pro tempore of the Forty-seventh General Assembly.

Senator Stevens placed in nomination the name of Senator Harold L. Irwin of Clinton county as a candidate for the office of President pro tempore of the Forty-seventh General Assembly.

The roll call revealed the presence of all Senators except Senators Driscoll and Irwin.

Senator Beardsley moved that nominations cease and asked for a roll call on the election.

Voting for Byers, 28:

Beardsley	Edwards	Kimberly	Pelzer
Berg	Elthon	Kirketeg	Schadt
Billingsley	Evans	Levis	Shaw
Corwin	Hill	Lundy	Smith
Dewey	Hoeven	Miller	Stewart
Donohue	Hopkins	Millhone	Whitehill
Doran	Husted	Parker	Zeigler

Voting for Irwin, 17:

Augustine	Chrystal	Gillette	Mighell
Bell of Crawford	Dean	Goetsch	Moore
Bell of	Ellis	Grunewald	Murray
Des Moines	Geske	Guernsey	Stevens
Breen	Gillespie		

Absent or not voting, 5:

Baldwin	Driscoll	Irwin	Mason
Byers			

The President declared Senator Byers the duly elected President pro tempore.

Senator Byers, escorted by Senators Beardsley and Berg, appeared before the President and took the oath of office.

On request of Senator Byers, President Kraschel remained in the chair.

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee, appointed to determine the mileage for the Lieutenant Governor and the members of the Senate, submits the following report:

Name	Miles	Am't.	Name	Miles	Am't.
Lieutenant Governor	100	\$10.00	Guernsey	90	9.00
Augustine	60	6.00	Hill	165	16.50
Baldwin	201	20.10	Hoeven	225	22.50
Beardsley	42	4.20	Hopkins	63	6.30
Bell of Crawford	127	12.70	Husted	38	3.80
Bell of Des Moines	168	16.80	Irwin	190	19.00
Berg	123	12.30	Kimberly	181	18.10
Billingsley	33	3.30	Kirketeg	120	12.00
Byers	132	13.20	Levis	55	5.50
Breen	90	9.00	Lundy	68	6.80
Chrystal	80	8.00	Mason	76	7.60
Corwin	159	15.90	Mighell	170	17.00
Dean	130	13.00	Miller	175	17.50
Dewey	116	11.60	Millhone	134	13.40
Donohue	165	16.50	Moore	102	10.20
Doran	42	4.20	Murray	200	20.00
Driscoll	150	15.00	Parker	150	15.00
Edwards	75	7.50	Pelzer	100	10.00
Ellis	180	18.00	Schadt	100	10.00
Elthon	140	14.00	Shaw	140	14.00
Evans	150	15.00	Smith	138	13.80
Geske	308	30.80	Stewart	167	16.70
Gillespie	5	.50	Stevens	91	9.10
Gillette	198	19.80	Whitehill	72	7.20
Goetsch	225	22.50	Zeigler	117	11.70
Grunewald	110	11.00			

GEORGE L. PARKER.

JAMES M. BELL.

H. D. MILLER.

By unanimous consent granted Senator Parker, the rules were suspended and the report was adopted.

ELECTION OF PERMANENT OFFICERS

Senator Stevens placed in nomination the following persons as permanent officers of the Forty-seventh General Assembly:

Secretary—Pete Welsh.

Assistant Secretary—Lawrence Welch.

Reading Clerk—Robert Phillips.

Journal Clerk—Wilma Wassman.

Assistant Journal Clerk—Betty Jane Moore.

Engrossing Clerk—Sarah J. Conlin.

Enrolling Clerk—Marion Corcoran.

Assistant Enrolling Clerk—Don Brown.

Enrolling Bills Clerk—James O'Donnell.

General Clerk—Ray Sheehan.

Assistant General Clerk—Bob Jamieson.

Sergeant-at-Arms—T. J. Noll.

Assistant Sergeant-at-Arms—L. H. Meyer.

Chief Doorkeeper—Joe Mandot.

Doorkeepers—A. A. Rinkler, Ed Evans, A. M. Parmenter, John F. Hull,
Frank Jenkins, E. R. Marple, Edward Fitzsimmons.

Bill Clerk—Gretchen Utterback Ashby.

File Clerk—Lester Andrews.

Secretary's Clerk—Mrs. Vivian Allen.

Postmistress—Mrs. Ruth Burton.

Cloak Room—Bernadino Roach.

Porters—Mr. Beckley, Henry Green, Wm. Taylor.

As a substitute motion, Senator Beardsley placed in nomination the following persons as permanent officers of the Forty-seventh General Assembly:

Office	Name	County
Secretary	Walter H. Beam	Warren
Assistant Secretary	C. H. Pitchforth	Muscataine
Reading Clerk	Robert C. Phillips	Polk
Journal Clerk	Lola B. Lowry	Polk
Assistant Journal Clerk	Margaret G. Allen	Emmet
Engrossing Clerk	Wendell Lowe	Clarke
Enrolling Clerk	Helena M. Mitchell	Scott
Assistant Enrolling Clerk	Florence Wattles	Chickasaw
Enrolled Bills Clerk	Katherine Hanson	Winnebago
General Clerk	H. D. Haesemeyer	Cedar
Assistant General Clerk	Robert O. Wynne	Cass
Bill Clerk	Nelson C. A. Berg	Hamilton
File Clerk	Burrell S. May	Delaware
Assistant File Clerk	Harold E. Holmes	Madison
Postmistress	Mrs. Laura Hicks	Jefferson
Sergeant-at-Arms	Percy A. Lainson	Pottawattamie
Assistant Sergeant-at-Arms	Joe Chocholka	Linn
Chief Doorkeeper	James W. Reese	Boone
Doorkeepers	John F. Baker	Jasper
	Ben J. Beck	Cherokee
	Richard Kruse	Lyon
	Thomas J. Noll	Poweshiek
	Oswald C. Orwoll	Winneshiek
	Tom Groe	Worth
	L. J. Mandot	Crawford
	J. P. Gibson	Adams
Matron	Mrs. Artisha Busch	Lee
Mail Clerk Messenger	T. N. Early	Butler
Telephone Messenger	Genevieve Walton	Hamilton
Cloak Room Janitor	Fred Miller	Jasper
Cloak Room Janitor	Henry Lewis	Dallas
Wash Room Janitor	Henry Boles	Monroe
Wash Room Janitor	Calvin Casey	Black Hawk

Senator Beardsley moved that the various offices be voted en bloc, which motion prevailed.

Senator Beardsley requested a roll call.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 28:

Beardsley	Doran	Husted	Pelzer
Berg	Edwards	Kimberly	Schadt
Billingsley	Elthon	Kirketeg	Shaw
Byers	Evans	Levis	Smith
Corwin	Hill	Lundy	Stewart
Dewey	Hoeven	Millhone	Whitehill
Donohue	Hopkins	Parker	Zeigler

Nays, 20:

Augustine	Chrystal	Gillette	Mighell
Baldwin	Dean	Goetsch	Miller
Bell of Crawford	Ellis	Grunewald	Moore
Bell of Des Moines	Geske	Guernsey	Murray
Breen	Gillespie	Mason	Stevens

Absent or not voting, 2:

Driscoll	Irwin
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The motion prevailed and the substitution was made.

Senator Beardsley moved the adoption of his substitute motion.

Senator Beardsley requested a roll call.

On the question, "Shall the substitute motion prevail?" the vote was:

Ayes, 28:

Beardsley	Doran	Husted	Pelzer
Berg	Edwards	Kimberly	Schadt
Billingsley	Elthon	Kirketeg	Shaw
Byers	Evans	Levis	Smith
Corwin	Hill	Lundy	Stewart
Dewey	Hoeven	Millhone	Whitehill
Donohue	Hopkins	Parker	Zeigler

Nays, 20:

Augustine	Chrystal	Gillette	Mighell
Baldwin	Dean	Goetsch	Miller
Bell of Crawford	Ellis	Grunewald	Moore
Bell of Des Moines	Geske	Guernsey	Murray
Breen	Gillespie	Mason	Stevens

Absent or not voting, 2:

Driscoll	Irwin
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The substitute motion prevailed, and the officers named in the list submitted by Senator Beardsley were declared elected.

President pro tem Byers took the chair at 2:30 o'clock.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Millhone moved that a committee of three be appointed to notify the Governor that the Senate was permanently organized and ready to receive any communications that he might be ready to transmit.

The motion prevailed and the President appointed as such committee Senators Millhone, chairman, Stevens and Beardsley.

COMMITTEE TO NOTIFY THE HOUSE

Senator Lundy moved that a committee of three be appointed to notify the House that the Senate was organized and ready for business.

The motion prevailed and the President appointed as such committee Senators Lundy, Miller and Geske.

The newly-elected officers appeared before the bar of the Senate and took the oath of office.

RESOLUTION FOR CLERKS

Senator Stevens offered the following resolution:

SENATE RESOLUTION 1

Resolved: That each Senator, the Lieutenant Governor and the Secretary of the Senate be and is hereby authorized to appoint a clerk who shall be a competent stenographer, said selections to be made and announced from the floor of the Senate by each Senator, by the Lieutenant Governor and the Secretary of the Senate not later than the day on which the committees are announced. Each clerk shall be sworn in when found proficient by a committee of three which the President of the Senate is hereby authorized to appoint.

By unanimous consent, on request of Senator Stevens, the rules were suspended and the resolution was adopted.

COMMITTEE TO EXAMINE COMMITTEE CLERKS

The President appointed as a committee to examine committee clerks, Senators Elthon, Kirketeg and Mason.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Senator Millhorne reported that the committee appointed to notify the Governor that the Senate was organized and ready for business had performed its duty and that the Governor has received the message and reported that the Governor would be glad to receive any communications.

The report was accepted and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY HOUSE

Senator Lundy reported that the committee appointed to notify the House that the Senate was organized and ready to do business, had proceeded to the House, but that the House advised that it was not organized and ready to receive the message.

The report was accepted but the committee was not discharged.

REPORT OF COMMITTEE ON CLERKS

Senator Elthon submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to determine the standing and qualifications of the candidates for committee clerks begs leave to report that it has made investigations and examinations and finds the following persons competent for the positions to which they have been appointed. Assignments have been made as follows:

Senator Augustine—Eleanor Power.
Senator Baldwin—Naomi Christensen.
Senator Beardsley—Edith Jardine.
Senator Bell of Crawford—Henry Bell.
Senator Bell of Des Moines—James H. Johnson.
Senator Berg—Nola Lou Johnson.
Senator Billingsley—Della Harper.
Senator Breen—Harriette Frazier.
Senator Byers—Helen Lockner.
Senator Corwin—Lea Campbell.
Senator Dean—Avice McArthur.
Senator Dewey—Jeannette McElhinney.
Senator Donohue—Helen Stewart.
Senator Doran—Maxine Winter.
Senator Driscoll—Marcella O'Connor.
Senator Edwards—N. Margaret Mathis.
Senator Ellis—Adelaide Eganhouse.
Senator Elthon—Annetta Hjelmeland.
Senator Evans—Dorothy MacPeak.

Senator Geske—Hertha Z. Duncan.
Senator Gillespie—Pauline L. Pring.
Senator Gillette—Ruthine Aldinger.
Senator Goetsch—Lloyd R. Smith.
Senator Grunewald—Virginia Novak.
Senator Guernsey—Velma Burkhart.
Senator Hill—Avis Boyington.
Senator Hoeven—Genevieve Lubbers.
Senator Hopkins—Mabel M. Hoeye.
Senator Husted—Alene Stinman.
Senator Irwin—Ruth Garrity.
Senator Kirketeg—Evelyn Morley.
Senator Levis—Farrie W. Hughes.
Senator Lundy—Ann Miletich.
Senator Mason—Grace Brinkmeyer.
Senator Mighell—Margaret Bell.
Senator Miller—Evelyn Caffo.
Senator Millhone—Nellie Brennaman.
Senator Moore—Betty J. Moore.
Senator Murray—Adeline O'Boyle.
Senator Parker—Tirzah Niles.
Senator Pelzer—Lenna T. Boots.
Senator Shaw—Charles Royer.
Senator Smith—Wilma D. Corrough.
Senator Stevens—Gertrude Schleicher.
Senator Stewart—Mabel Bauer.
Senator Whitehill—Sadie M. Lowry.
Senator Zeigler—June W. Dunn.
Secretary of Senate—Hazel Marshall.

LEO ELTHON, *Chairman.*
E. J. MASON.
O. J. KIRKETEG.

The report of the committee was adopted and the foregoing clerks appeared before the bar and were duly sworn.

On motion of Senator Donohue the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 12, 1937.

The Senate met in regular session, President pro tem Frank C. Byers presiding.

Prayer was offered by Rev. James B. Kenna, pastor of the First M. E. Church of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Driscoll on account of illness, on request of Senator Mason.

On motion of Senator Beardsley the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President pro tem Byers presiding.

Senator Donohue moved the election of Senators Hopkins, Beardsley, and Byers as the Republican members of the committee on committees.

By unanimous consent on request of Senator Donohue, the names of Senators Hopkins, Beardsley, and Byers were withdrawn.

Senator Donohue then moved the election of Senators Hopkins, Beardsley, Byers, Stevens, and Irwin as the committee on committees.

Senator Stevens requested a roll call.

On the question, "Shall Senators Hopkins, Beardsley, Byers, Stevens, and Irwin be elected as the committee on committees?" the vote was:

Ayes, 27:

Beardsley
Berg
Billingsley

Byers
Corwin
Dewey

Donohue
Doran
Edwards

Elthon
Evans
Hill

Hoeven	Levis	Pelzer	Stewart
Hopkins	Lundy	Schadt	Whitehill
Husted	Millhone	Shaw	Zeigler
Kirketeg	Parker	Smith	

Nays, 1:

Gillette

Voting present, 9:

Augustine	Gillespie	Guernsey	Murray
Breen	Grunewald	Mighell	Stevens
Geske			

Absent or not voting, 13:

Baldwin	Chrystal	Goetsch	Mason
Bell of Crawford	Dean	Irwin	Miller
Bell of	Driscoll	Kimberly	Moore
Des Moines	Ellis		

The motion prevailed and the nominees were declared elected.

Senator Beardsley asked a roll call to determine the Senators present, and the roll call showed all members present except Senators Driscoll, Kimberly, and Irwin.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Irwin, on account of illness of his wife, on request of Senator Stevens.

The Journal of January 11th was corrected and approved.

On motion of Senator Beardsley the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 13, 1937.

The Senate met in regular session, President pro tem Byers presiding.

Prayer was offered by Rev. H. E. Morrow, pastor of Buck Creek Parish, Delaware county.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was organized and ready for business.

REPORT OF COMMITTEE TO NOTIFY HOUSE

Senator Lundy reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was received and the committee discharged.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Concurrent Resolution 1, providing for a joint convention to hear the Governor's message. A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 1

Be It Resolved by the House, the Senate Concurring: That a joint convention of the two houses of the Forty-seventh General Assembly be held on January 13, 1937, at 10:45 o'clock.

Be It Further Resolved, That Governor Herring be invited to read his message at this joint meeting of the two houses of the General Assembly and the President of the Senate and the Speaker of the House be designated to deliver the invitation to him.

Be It Further Resolved, That at this joint convention the vote for Governor and Lieutenant Governor be canvassed and the result announced and recorded as provided by law.

Senator Stevens asked and received unanimous consent to waive the rules and consider House Concurrent Resolution 1.

The resolution was adopted.

TELLER OF JOINT CONVENTION

Senator Donohue moved that Senator Stevens be elected to act as teller on the part of the Senate in canvassing the vote for Governor and Lieutenant Governor at the joint convention to be held for that purpose.

Senator Beardsley moved that the nominations cease, which motion prevailed.

Senator Donohue's motion was taken up, considered and adopted, and Senator Stevens was declared elected to act as teller of the joint convention on the part of the Senate.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House under direction of the sergeant-at-arms.

JOINT CONVENTION

In accordance with the law and concurrent resolution duly adopted the Joint Convention was called to order, President pro tempore of the Senate, Hon. Frank C. Byers, presiding.

The roll being called the following members responded as present, 138:

Alesch	Blue	Corwin	Doran
Augustine	Bowers	Cramer	Dreessen
Baumhover	Breen	Currie	Dykhouse
Beardsley	Brown	Curtis	Edwards
Beckler	Bruene	Dancer	Elliott
Bell of Crawford	Bulow	Davis	Ellis
Bell of	Burma	Dean	Elthon
Des Moines	Byers	Dewey	Engel
Beltman	Clements	Dietz	Evans
Benz	Christoffersen	Doods	Fishbaugh
Berg	Copeland	Dononhue	Flynn

Foster of Cedar	Johnson of	Moore of Shelby	Schlatter
Foster of Henry	Greene	Moore of Taylor	Scott of Fayette
Fox	Johnson of	Moore of	Scott or Sac
Frizzell	Hancock	Wodbury	Shaw
Fuelling	Judd	Morrow	Shifflett
Gallagher	Keefe	Murray	Smith
Gardner	Keeney	Nelson	Sours
Gillette	Kephart	Odden	Stevens
Goetsch	Kerr	O'Neill	Stewart of
Good of Boone	Knipping	Peisen	Fayette
Goode of Davis	Knudson	Parker	Stewart of
Groves	Kohlhaas	Pelzer	Washington
Grunewald	Kuester	Pine	Stimpson
Guernsey	Latchaw	Prall	Strickler
Hathaway	Lookingbill	Randall of Worth	Thompson of
Hickenlooper	Love	Randell of	Guthrie
Hill	Lovrien	Mahaska	Thompson of
Hoegh	McEnaney	Rasmussen	Pocahontas
Hoeven	McPatridge	Reilly	Wehling
Hopkins	McNie	Rice	Weichman
Hultman	Maniece	Riddle	Whitehill
Husted	Mason	Roan	Whitney
Irwin of Lee	Mercer	Roe	Wood
Johannes	Mighell	Ross	Woods
Johns	Miller	Rutherford	Yager
Johnson of	Moore of	Schadt	Zeigler
Buena Vista	Harrison		

Those absent were, 20:

Baldwin	Driscoll	Kimberly	Moore of
Billingsley	Geske	Kirketeg	Pottawattamie
Brodersen	Gillespie	Levis	Moore of Wayne
Chrystal	Henrickson	Lundy	Ryder
Craven	Irwin of Clinton	Millhone	Treimer

President Pro Tempore Byers announced a quorum present and the Joint Convention duly organized.

Senator Mason 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 Convention was ready to receive him. Motion prevailed and the President appointed Senator Mason on the part of the Senate, and Representatives Copeland of Dallas and Strickler of Polk, on the part of the House.

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

President pro tem Byers then presented Governor Clyde L. Herring, who delivered the following message:

Mr. President, Mr. Speaker, Members of the Senate and House of the Forty-seventh General Assembly of Iowa:

It is provided by the Constitution of the State of Iowa that the Governor shall communicate by message to the General Assembly, at every regular session, the condition of the state, and recommend such matters as he shall deem expedient. It is again my privilege as Governor to comply with that provision.

By statute of the state, it is further provided that after the oath of office has been administered to the Governor and Lieutenant Governor elected for the new term, the Governor shall deliver to the Joint Assembly "any message he may deem expedient." Therefore, my successor may be expected, in accordance with law and custom, later to deliver his message pertaining to those matters he deems of vital importance to the state. I shall leave it to him to make recommendations for such specific and definite action of this body as he shall consider fitting and proper, and confine myself to the duty imposed upon me, to impart my official views upon the condition of the state. To do so must necessarily call for a brief review of my administration.

FINANCE

When I assumed office in January, 1933, there was an actual cash balance in the hands of the Treasurer of State of \$472,000. Unpaid bills, both current and long accumulated, were outstanding in an amount far in excess of the cash on hand for payment thereof, and sufficient funds were not available to meet the necessary cost of the legislative session. It became necessary to borrow \$80,000.00 from a bank to pay the second installment of legislative salaries.

Upon my recommendation, the Legislature took steps to prevent a recurrence of this condition by prompt passage of the Budget and Finance Control Act, and thereby made impossible so long as that Act remains law, an unbalanced budget through expenditures in excess of state revenues.

As of December 31, 1936, there are no outstanding warrants. The budget is balanced; only immediate current obligations in small amounts are outstanding; the cash balance on hand is \$4,698,689.83.

During the past few months many conflicting statements have been made concerning the amount of taxes collected during each of the past four years. I have had prepared by the Comptroller, but shall omit the reading of, a detailed statement of such tax collections for each of these years. It will be found in your printed copy of this message. In this connection I am considering only taxes from the payment of which no Iowa citizen of the respective taxable groups is exempt. I do not refer to fees, cigaret, gasoline, insurance premium, and like taxes, the collection of which, and the amounts thereof, are controlled by and dependent upon voluntary purchases, and the volume of which rises and falls as business

TAX COMPARISONS

	Tax Levy to be Collected 1933	Tax Levy to be Collected 1934	Tax Levy to be Collected 1935	Tax Levy to be Collected 1936
General State Tax.....	\$ 7,467,082.18	\$ 6,607,055.53		\$ 9,076,740.99
Soldiers' Bonus Bond Tax.....	1,405,167.70	1,539,544.26	\$ 1,956,979.68	1,510,266.34
All County Taxes.....	27,975,447.80	25,551,368.74	27,509,790.74	30,405,499.49
City and Town Taxes.....	13,304,170.32	11,970,954.36	12,524,228.39	13,132,351.01
District School Taxes.....	41,091,896.85	35,493,591.12	34,898,903.61	35,592,060.43
Grand Total—All Property, Money and Credit Tax... 3 Point Tax Collections.....	\$91,243,764.85	\$81,162,514.01 5,458,277.90	\$76,889,902.42 15,553,320.85	\$ 89,716,918.26 18,233,617.37
Grand Total—Property and 3 Point Tax.....	\$91,243,764.85	\$86,620,791.91	\$92,443,223.27	\$107,950,535.63
Deductions:				
Refunded Back to Counties.....		*\$ 3,243,584.34	\$ 4,000,997.99	\$ 11,550,000.00
Emergency Relief.....		1,500,000.00	3,500,000.00	4,000,000.00
CCC Camps.....			125,000.00	250,000.00
Refunds to Individuals.....		16,617.30	63,746.07	84,484.91
Total Refunds, Relief, Etc.....		\$ 4,760,201.64	\$ 7,689,744.06	\$ 15,884,484.91
Net Taxes.....	\$91,243,764.85	\$81,860,590.27	\$84,753,479.21	\$ 92,066,050.72

* One-half State General Revenue Tax.

and economic conditions generally, rise and fall; thus in a good business year such fees and so-called taxes will increase in amount, in a bad year they will decrease. I am referring to property taxes, tangible and intangible, and revenues from the three-point tax measure.

STATE BUDGET AND FINANCIAL CONTROL

For the past several weeks, the State Comptroller, under authority given him by the Budget and Financial Control Act, has been holding hearings with representatives of all departments of state government, for the purpose of presenting to this Legislature estimates of financial requirements for the conduct of state business during the next biennium.

Due to the watchful eye of the Comptroller and the splendid cooperation of the various departments of state government, a balanced budget has been maintained, and, as has been reported elsewhere, a cash balance is available in the state general fund at all times.

We have been operating on a rapidly rising market and prices apparently have not yet reached their peak. Due to this situation and other necessary demands, it is the judgment of the Comptroller that approximately eighteen millions of dollars for each year of the next biennium will be required to keep the budget in balance. It is estimated that revenue other than direct taxes going to the general fund of the state will approximate seven million dollars per year. This will make necessary an amount of about eleven millions of dollars, to be raised from some source by the Forty-seventh General Assembly.

The Comptroller's office is prepared to present to the General Assembly, its committees, and its individual members, full and complete details of all financial transactions of the state government during the past four years, and its judgment as to the needs for the next biennium.

STATE HIGHWAY FINANCE PROGRAM

During the past two years \$7,839,000 was expended for highway maintenance, and \$22,809,000 for highway construction, of which the federal government provided \$15,210,000.

There was paid off during this period \$9,027,000 of primary road bonds. In accordance with authority granted by the Forty-sixth General Assembly, there was refunded during this period \$67,491,000 of primary road bonds then outstanding, and in this refunding operation not only were \$624,734 in premiums collected, but a total annual saving of \$1,440,000 was effected by obtaining an average reduction in the interest rate from 4.65% to 2.83%. The balance of the outstanding bonds would, likewise, have been refunded had it been possible under their terms to call them for payment.

During the past year, ten counties have voted \$8,835,000 of primary road bonds for paving and improving primary roads. From the time the first law authorizing the voting of primary road bonds was passed

in 1919, up to and including 1936, a total of \$118,171,000 of county primary road bonds were voted by ninety-six counties, and up to November 30, 1936, ninety-five of these counties had actually issued and sold primary road bonds to an amount of \$111,544,000. Up until November 30, 1936, a total of \$25,148,000 of these primary road bonds had been paid off and retired leaving upon that date outstanding \$86,396,000 of county primary road bonds.

A serious situation presented itself in May, 1933, when six millions of highway bonds and interest matured without sufficient reserve to meet them. To avoid default in many counties, it was necessary for the Comptroller to issue warrants which were stamped "Not Paid for Lack of Funds" in an amount in excess of four millions of dollars, and under the statute these warrants drew 5 per cent interest. They were retired within the year and since that day not a single warrant drawing interest has been issued, and under the above referred to refunding plan, ample reserves have been provided to meet maturities so that a situation such as occurred in May, 1933, cannot recur.

EMERGENCY RELIEF ADMINISTRATION

The Iowa Emergency Relief Administration, established for the purpose of administering funds granted by the federal government for relief purposes and continued for this purpose, and, continued also, for the administration of appropriations made by the Forty-fifth and Forty-sixth General Assemblies, has continued through 1935 and 1936.

Federal funds granted to Iowa and administered through this agency during 1935 and 1936 totaled \$13,862,471. State funds received and administered during this same period amounted to \$5,344,417, and local funds administered by this agency during this same period totaled \$7,108,744. This money was all expended for direct relief of persons in need because of unemployment, and to help pay the cost of such relief in those counties in which local funds were not sufficient to meet the need.

In November of 1935, the Federal Works Progress Administration took over the responsibility for employable relief cases. Several thousand projects throughout the state, of considerable value to the state and communities, were carried on under this administration, and during 1935 and 1936, \$23,793,418 was expended by the Federal Works Progress Administration in Iowa for work upon such projects. This work cared for many thousands in Iowa willing and able to work rather than accept direct relief. Approximately one-half of the employable persons in Iowa receiving relief were given an opportunity to work in exchange therefor. Wages were paid at the rate prevailing in the community for the type of work performed.

A full and detailed account of activities in the drought area, the supply of surplus commodities distributed, the educational program and student

aid program, the supplying for seed purposes of corn and soy beans purchased late in 1934, the distribution of some forty thousand hogs turned over by the Agricultural Adjustment Administration to this agency, the medical program, the certification of young men for employment in the Civilian Conservation Corps, the treatment of tuberculosis patients in state and county institutions, and many other worthy activities, are fully set forth in a detailed report by the administrator, Mr. J. C. Pryor.

OLD AGE ASSISTANCE

The problem of assistance to the aged in need has not been completely solved. No program so new in our legislative field, so vast in its scope, is solved in the first attempt, but a definite and constructive beginning has been made.

Iowa was the first state in the Union to have its old age assistance statute approved by the federal government, and Iowa was the first state to receive an allocation in cash from the federal government to match state funds. Up until December 31, 1936, the state had supplied \$6,587,038 to this fund and had received in grants from the federal government \$2,482,967. From these funds 29,900 aged and needy Iowa citizens have received assistance and every dollar thus expended has passed back through the channels of Iowa trade.

The incoming Governor will present a plan to provide sufficient funds to care for all of those qualified for this assistance. It has my endorsement without reservation.

SALES TAX

In 1934 the legislature passed what is commonly known as the "three-point tax law." That law has carried out the promises of its sponsors. The Board of Assessment and Review has created the necessary divisions and administered the law efficiently and economically well within the limitations as to cost imposed by the statute.

As the tax on retail sales expires automatically on April first, 1937, the question of its re-enactment will be before this General Assembly. Coupled as it is with a tax upon personal net income and a business tax on corporations, it is an effective revenue measure, raising large sums at small collection cost. It should be made a permanent part of our tax system.

BANKING

During the period from January, 1933, to June 30, 1934, the Banking Department was mainly occupied in administering the emergency legislation passed by the Forty-fifth General Assembly. The program for reorganization and re-establishment of banks on a safe and sound basis progressed steadily for eighteen months.

The soundness of the program and policy followed is evidenced by the splendid growth of our system of state banks. On June 30, 1934, we had 487 banks with total deposits of \$225,496,000. On June 30, 1935, we had 535 banks with deposits of \$300,000,000, and on June 30, 1936, we had 543 state banks with total deposits of \$346,713,000, a deposit increase of more than \$121,000,000, or approximately a 55 per cent growth.

UNEMPLOYMENT SERVICE BUREAU

Under authority granted by the Forty-fifth Extraordinary Session of the General Assembly, the establishment of additional unemployment offices in Iowa as continued in cooperation with the United States Department of Labor, and with additional funds provided by the state and federal government this bureau has been enlarged and made much more effective.

As you are aware, the Extraordinary Session of the Forty-sixth General Assembly, recently adjourned, transferred this service to the Unemployment Compensation Commission created by Act of that session.

INSURANCE

Iowa is known throughout the nation as a great insurance state, and the condition of insurance is an excellent index of general business and financial conditions. At this time, 779 insurance companies, of the several kinds, are licensed in this state, of which 236 are Iowa institutions, including 12 Life companies, 5 Fraternal, 11 Fire companies, 16 Casualty, 32 State Mutuals, 1 Reciprocal Exchange, and 159 County Mutuals.

\$1,741,000,000.00 of life insurance is in force in Iowa. Reserve deposits of Iowa companies in custody of the Commissioner of Insurance total \$478,000,000.00, an increase of \$57,000,000.00 in the past year.

Premium taxes and fees collected for the last biennium amounted to \$3,304,000.00, with a total departmental expense for the biennium of \$86,000.00.

STATE PLANNING

The Iowa State Planning Board, created in 1934, has demonstrated beyond question its value as a fact-finding, advisory, and program planning agency.

In my opinion it should be continued as a permanent unit of state government.

FARM DEBT ADJUSTMENT ACTIVITIES

In my message two years ago I reported upon the formation of and results obtained by the Iowa Farm Debt Advisory Council, established in 1934. The Farm Debt Advisory Council continued as originally organized up until July 1, 1935, at which time the Federal Resettlement Administration took over the administration of farm debt adjustment work in Iowa.

The work has been carried on by the Resettlement Administration under the same plan used by the Farm Debt Advisory Council. The state has provided office space for the Farm Debt Adjustment Super-

visor in the offices of the Department of Agriculture. All other expense, including district supervisors and county committee councils, has been paid since the inception of the work by the federal government.

Many millions of farm indebtedness in addition to those formerly reported, have been adjudicated by this council, thousands of farmers refinanced and millions of dollars of debts scaled down.

IOWA LIQUOR CONTROL COMMISSION

Since March 8, 1934, the Iowa Liquor Control Commission has operated in accordance with the Act passed by the Forty-fifth General Assembly upon March fifth of that year. Accomplishments from a social point of view during this time, approximately two and one-half years, have exceeded the most hopeful anticipation.

Month by month there has been evidence of a constantly growing public support from the citizens of Iowa. This system is based on the philosophy that liquor should be available to every citizen qualified to purchase it, but withheld from those undeserving of the privilege. The Iowa Liquor Control Commission has always stressed the promotion of temperance and the control of the liquor problem in the state. Profit from its operation of state-owned liquor stores has been a secondary consideration.

It has been a fundamental principle since the inception of this Liquor Control Commission, that the cost of its operation should be borne by those whom it serves, and without sacrificing the principles of temperance and control; this object has been accomplished.

A loan of \$110,000, repaid in ninety days, and made out of an appropriation of \$500,000, \$390,000 of which was never used, is all of the taxpayers' money as such which has ever been invested in the development of the Iowa Liquor Control Commission. Since the inception of its business to December 31, 1936, net earnings of the Iowa Liquor Control Commission have exceeded \$3,200,000. In addition to transferring to the general fund of the state \$1,100,000 during the current year, 1936, the Commission has an investment and assets of approximately two and three-quarter million dollars, with no liability other than current expenses.

During the past two years, ending December thirty-first, the Iowa Liquor Control Commission paid to the Board of Assessment and Review in sales tax collected, \$275,000; 601 persons are employed, and wages paid these employees during the calendar year 1935 and 1936 amounted to \$1,150,000, or about 68 per cent of the total operating cost of the Commission.

EDUCATIONAL INSTITUTIONS

During the past four strenuous years, it has been necessary for the administration to require unusual curtailment in the expenditures of our educational institutions. The needs for the coming two years will be fully presented through the Comptroller's office.

However, I feel this observation should be made. We can continue for the next biennium without substantial increase in appropriations for

physical equipment of our state educational institutions, but if we are to maintain the high standards which have been set by our state institutions of education, increases in salaries must be made to retain in our employment the many splendid men and women who have made personal sacrifices during the past four years in order that they might remain with us. Already we have lost too many who are most difficult to replace.

Our educational institutions are recognized throughout the United States as outstanding among the states, and they must not be permitted to drop back to become just other universities and colleges.

Today I come to the close of the happiest four years of my life, happy because I have been able to accomplish something for those of my neighbors and friends of Iowa who were in need.

When I took the oath as Governor four years ago there was no happiness among the people of Iowa, only distress and black despair. The sheriff, with his warrant for the sale of farms and homes was hurrying from place to place in the performance of his unwelcome duty. Neighbor met neighbor to resist with force, if need be, the effort to deprive the unfortunate of home and shelter.

We have had some pretty trying situations during these four years. Farm mortgages were being foreclosed and farmers driven upon the highway; banks were closed at the rate of two or three a day, and dropped from 1,800 down to less than 600; bank receiverships were liquidating bank securities upon a demoralized market, with the result that stockholders and depositors alike were suffering great losses. Nearly 70,000 families in Iowa were unable to provide themselves with food or shelter. Two-cent hogs and ten-cent corn had made impossible the payment of taxes, or interest, upon thousands of farms, and thousands of farmers faced actual want. We had never recognized our obligation to those of our citizens who, through no fault of their own, were not able longer, because of age, to care for themselves. The state budget was unbalanced because millions more had been spent in 1932 than had been collected in taxes, and due to these abnormal conditions, thousands of other problems presented themselves.

In the face of these conditions it was necessary that immediate and definite action be taken. Resistance to law could not be permitted, but it was against human nature to stand by while even children were being forced from the warm protection of their homes into the streets and highways. Some other way of meeting that situation was imperative. Without authority in law, but supported by every human instinct, I issued an executive order prohibiting farm foreclosures. The courts almost without exception recognized the vital importance of that order if human rights and human liberties were to be preserved, and foreclosures came to an immediate stop. The legislature, as soon as possible, sustained that order, and the first moratorium became law.

With similar promptness a law was enacted for the protection of bank depositors, and almost over night the most dangerous of our terrible heritage from former days was under control.

I do not for one moment take the credit for what was then accom-

plished. I am only grateful that fortune placed me in a position to be among those who saved the people of Iowa from dangers more engulfing than was ever dreamed.

You know that the variety and the complexity of the problems exceeded those of any other like period in our history.

But you may not realize—you cannot realize—as fully as I do that this great record of accomplishment—and it was a great record—was made possible only through the whole-hearted and loyal cooperation of the people of this state.

The citizens of the various communities helped with the banking problems.

Organized farm groups aided by creditors and debtors alike cooperated in the problem of farm mortgages.

Corn-hog committees and farm groups cooperated with state officials not alone in handling corn loans but in dealing with the problems of drought and chinch bug infestation.

Voluntary committees of citizens worked to solve relief problems quickly and effectively.

The women's clubs and other organized women's groups were ready and willing to aid in every movement to relieve distress.

And so I repeat—what we have accomplished in solving all these problems was done by cooperation.

We fought and worked together to make the homes and farms of Iowa secure, to relieve distress, to see that no family suffered for lack of the necessities of life.

The measure of our results is found in the security that exists today in Iowa.

Our homes are secure.

Our farms are secure.

Our banks are secure.

As I look back over the legislative enactment and administrative acts of the past four years, I detect running through it all the fundamental thought of more security.

The first proclamation forbidding foreclosures was issued that our farmers might be secure in their homes until refinancing was accomplished.

Our Banking Act was passed that both depositors and stockholders might be more secure.

Our Old Age Assistance Act was enacted that security might be given to our older people.

Our Liquor Control Act was based largely upon the desire to make our young folks secure from the bootlegger and his poisoned alcohol.

The refunding of our highway bonds was provided that we might be secure against the threat of default.

Our three-point tax measure was passed to transfer from the backs of thirty per cent of our people to one hundred per cent the cost of government, and, thereby make this thirty per cent more secure from injustice.

Our relief program for those in distress, our federal cooperation, and in fact, every act has running through it a silver thread of security.

Now that we have started, through state legislation, a broader program for the several phases of social security may I not express the hope that the general aims which the past four years' records so clearly reveal be continued through the future?

Today we face another danger, not in this state alone, but nation wide, which can be met only by broad-minded action of our courts or by a change in the fundamental laws of our land. I refer to the just demands of the farmer for protection against the ravages of nature in one season and the munificence of nature in another, alike disastrous. Through federal cooperation a plan must be devised that will balance the good year against the evil year. Likewise, the just demands of labor that hours of work and the compensation therefor shall be placed upon a basis fair both to the employer and the employee; likewise that those to whom the declining sun is a symbol shall not be forced to face old age with the threat of want ever before them.

These most important things now unsolved must be worked out by men and women who have in their hearts a real and abiding love for humanity, who will consider with fairness and good faith the rights of the farmer and with him the consumer, the laborer and with him the employer, the aged and with them the young, who must bear the burdens for those upon whom have fallen the heavy hand of devastating time. They must be done by those who are determined to find ways and means to do them; they will never be done by those who are dismayed by obstacles and deterred by detail.

Here in our beloved state we have, in so far as may be done by a state alone, given protection to the aged. We have provided for social security within the limitations of previous laws, and we have given all the aid to farm and labor possible as a state.

In the past four years the clouds that were low upon the horizon have been driven away, work has been provided for those who needed work, relief has been given to those in need, business has taken on new life. The future holds much of promise to those who four years ago wore only the mantle of discouragement.

Of all of these things we could have accomplished but little save with the aid of strong hands at our nation's capitol. From our great President came leadership not exceeded in our nation's history, and today he plans things as far-reaching as those already accomplished.

In a few days I leave you to join him in carrying out the program that means so much to all our people. I go with deepest regret, for I have enjoyed the work here as your Governor.

Monday when I take the oath as Senator in the Congress of the United States I shall be away from the places I have so long enjoyed, the people who have been so kind to me, but not one of you will be forgotten. Your needs, your wishes, will always be foremost in my thoughts. I will not, I could not if I would, forget that here upon the prairies of Iowa, in every hamlet and in every crossroads are friends, men and women, who have stood loyally by me, and whose friendship I prize more than office. With

such memories I go. Inspired by such friendships I shall do the best that within me lies.

To these things I pledge myself in this my last, message as your Governor.

Good-by and good luck.

SUPPLEMENTARY MESSAGE

January 14, 1937.

To the Senators and Representatives of the Forty-seventh General Assembly:

GENTLEMEN: In conformity to the assurances given in the message delivered at the joint session of the Legislature January fourteenth, I am submitting reports from the various departments as indicated below:

Agricultural

Farm Debt Advisory Council

Secretary of State

Insurance Department

State Planning Board

Emergency Relief

State Comptroller

Highways

Auditor of State

Treasurer of State

Bureau of Labor

Board of Assessment and Review

Banking Department

I shall be glad to obtain and supply to you any additional information which you may desire.

Respectfully submitted,

CLYDE L. HERRING, *Governor.*

AGRICULTURAL

Agriculture is in a more favorable position today than it has been for several years. Farmers are enjoying a greater measure of prosperity than they have for years; and prospects are better than they have been for more than a decade.

The cash income to Iowa farmers from the sale of crops and livestock, including benefit payments in 1935 was \$466,849,000. According to estimates, the 1936 farm income will reach \$510,000,000, making a total of \$976,849,000 for the last two years. This is a gain of more than \$200,000,000 over the income for the years 1933 and 1934, which was but \$728,794,000.

This is almost unbelievable when we consider that all records for drouth, heat and crop pest damage were broken in 1936. Much of the farmers' income was saved, however, through the use of 4,463 tons of poison bran grasshopper bait which was issued almost without expense to the 21,550 farmers in southern and western sections of Iowa.

Improved business conditions were reflected in the amount of fees collected by the department of agriculture. For example, the amount of money collected for each of the past four years is as follows: 1933, \$283,354.70; 1934, \$321,340.99; 1935, \$485,606.23; 1936, \$551,314.75. The department has been showing a gain of approximately \$100,000 per year in revenue collected.

This is significant when we stop to consider that the appropriations to the State Department of Agriculture proper have averaged about \$125,000 each year. In other words, the department is collecting approximately three dollars for each one dollar received in appropriation from the State Legislature.

FARM DEBT ADVISORY COMMITTEE

The Farm Debt Adjustment activities were carried on under the direction of the Iowa Farm Debt Advisory Council, established in 1934, up to July 1, 1935, at which time the Resettlement Administration took over the administration of farm debt adjustment work in the state. The work has been carried on under the same set-up as it was during the time it was under the direction of the Farm Debt Advisory Council. The state has provided office space for the State Farm Debt Adjustment Supervisor in the offices of the Department of Agriculture, and work out over the state has been carried on in the same manner as it was under the original set-up.

The past two years have shown very marked success on the part of the County Farm Debt Adjustment Committees who have spent a great deal of time and effort in assisting many distressed debtors who have come before them. The state is divided into eight districts with a District Farm Debt Adjustment Supervisor in charge of the work in each district.

During the period from January 1, 1935, to December 31, 1936, 8,969 farmers have come to the local committees for assistance. Of this number, the local committees were able to assist 3,475 in the adjustment of their debts to a point where they could continue to operate. In the settlement of the 3,475 cases, the indebtedness involved was \$73,924,736. The committees were able to prevail upon the creditors to reduce this indebtedness to \$65,418,816, which is a debt reduction of \$8,505,920.

In settling cases, which involves refinancing of farm mortgages to a large extent, it was necessary to pay delinquent taxes amounting to \$155,269. The 3,475 farmers who received assistance from the County Farm Debt Adjustment Committees were operating a total of 391,509 acres of land.

SECRETARY OF STATE

The Department of the Secretary of State is to be credited with a noteworthy record of economy and achievement.

For the third successive biennium, this Department voluntarily proposes a material reduction of budget for its general fund divisions, the budget reduction proposed for the coming biennium representing a cut

in operating expenses of nearly thirty per cent compared to the budget in force when the present Secretary of State, Mrs. Alex Miller, took office; this exclusive of the Iowa Highway Safety Patrol, which operates from the Motor Vehicle Department maintenance fund and Drivers' License fees.

The services of the Department have been maintained at a high standard—even expanded. The Securities Department has been very active in protecting the Iowa public in matters under its jurisdiction, as has the Real Estate Division in its particular field. The principal new project was the organization and placing on Iowa roads its first Highway Safety Patrol, which was created by the last General Assembly.

INSURANCE DEPARTMENT

During the year 1936, this Department had under its supervision 779 insurance companies, of which 236 are Iowa institutions, including 159 county mutual associations, and 77 companies operating over the entire state and many in other states as well. These companies are divided as to type as follows:

- 98 Life Insurance Companies including 12 Iowa companies.
- 44 Fraternal Beneficiary Associations including 5 Iowa.
- 270 Fire Insurance Companies including 11 Iowa.
- 154 Casualty Insurance Companies including 16 Iowa.
- 32 State Mutual Associations all in Iowa.
- 22 Reciprocal Exchanges including 1 Iowa.

Three Iowa companies, two life and one casualty, have discontinued independent business since July 1, 1935. All have been reinsured under the direction of the Department, with the complete protection of policy-holders.

The total amount of life insurance in force in Iowa at the beginning of 1936 was \$1,740,649,947.62.

The reserve deposit of the Iowa life companies in the custody of the Securities Division of the Department, as required by law, totaled \$477,672,772.32 on December 30, 1936. This amount is \$56,613,868.80 more than the amount of these deposits on July 1, 1935.

During the biennial period ending June 30, 1936, the total income of the Insurance Department from taxes and fees amounted to \$3,304,428.98. During this same period there was expended as Department expense a total of \$86,363.16. The net income of the Department for the two-year period was, therefore, \$3,218,065.82.

STATE PLANNING BOARD

The Iowa State Planning Board, a nonpartisan body created in 1934, has demonstrated beyond question its great value as a fact finding, advisory, coordinating, program planning agency, and its right to continued existence as a permanent unit of state government.

The Planning Board's careful determination of facts, impartial analysis of problems, and unquestioned public spirit have made it an accepted agency for the coordination of broad programs of land use, public works

and general welfare. The national government, in recognition of the high qualifications of this group of Iowa citizens, has imposed responsibilities of trust in the planning of programs for public construction, the analysis of population movements and trends, the study of urban growth, and the review of present land and water use policies. During the recent drouth it requested and received recommendations for long time proposals leading to better soil conservation and water utilization.

Development under the 25-year plan for conservation in Iowa has been greatly advanced by lake and stream improvement and other work sponsored by the State Planning Board in cooperation with the Conservation Commission. Nearly a hundred community parks developed under recent work programs have been based on plans prepared by the State Planning Board to demonstrate the value of planning before construction.

The pasture demonstration program in southern Iowa is a result of recommendations by the Iowa State Planning Board. The rural electrification program in Iowa has been expedited by preliminary studies and maps made by this agency.

Programs for reforestation, national park development and low cost housing have been started by the Planning Board and promised to produce more employment, greater security and more attractive environment for thousands of Iowans.

Taking advantage of the opportunity afforded by emergency work programs, the Iowa State Planning Board has cooperated with a number of state agencies in furthering their programs by studies of education facilities, public health programs, recreation and historic sites, and highway accidents. It has cooperated with municipal officials in studies of traffic, parking and other urban problems. It has cooperated further with town and county groups in the establishment of local planning committees, and is looked upon by them as a source of unbiased assistance.

Among the many valuable fact-finding studies of the Planning Board are tax analyses from which the effects of any proposed homestead tax relief measure may be determined, population studies which will be a great aid in future social legislation, and land use studies which have already proved their worth to the Soil Conservation Service and other public agencies.

New activities and relationships in modern government, greater cooperation between community, county, state and nation, have made necessary a continuous advisory, coordinating state agency. In this respect, the Iowa State Planning Board has provided a valuable service by bringing together for cooperative action various technical departments and agencies. For example, representatives of public health, conservation, transportation and other public interests recently collaborated with the State Planning Board in the analysis of Iowa water resources and in recommending measures for their future conservation and best use.

Iowa is one of 47 states having state planning boards. Although the Iowa Board is not one of the 34 which have been legalized by their legislators, it is outstanding in the scope of its program and the quality of its results. The work it has started should be continued in order to insure

for the people of Iowa a permanent, coordinated consideration of Iowa's resources and problems by a nonpartisan group of highly qualified Iowa citizens.

EMERGENCY RELIEF

The Iowa Emergency Relief Administration was established for the purpose of administering funds granted by the Federal Government to be used for relief purposes. The Extraordinary Session of the Forty-fifth General Assembly and the Regular Session of the Forty-sixth General Assembly also made appropriations to be administered through this agency. Grants of funds are made to the counties in the States in which local funds available are not sufficient to provide adequate relief, and special programs inaugurated to provide certain types or forms of relief are carried on through the Administration. No grants of Federal funds for general relief purposes have been made since November, 1935, although \$100,000 was granted during 1936.

During the early part of 1935, the Relief Program was very extensive, the high point for the four-year period in the number of families in need of relief because of unemployment having been reached in January of that year. With the establishment of the Works Progress Administration during the latter part of 1935, many of the activities and functions of this Administration were transferred to that agency. Many of the cases formerly receiving relief through this Administration are now employed under the Federal Work Program, and many special programs have now been transferred to those agencies with the result that this Administration provides funds only to supplement the money available locally for the care of persons who can not be given employment or relief through other agencies, and in addition thereto, acts as a service organization to coordinate the investigations necessary to determine the need for employment or relief which will be provided through other Administrations.

Federal funds granted to Iowa and administered through this agency totaled \$13,862,471 during the two years ending December 31, 1936. State funds were received in the amount of \$5,344,417, and local funds were provided to the amount of \$7,108,744 during the same period.

The Work Relief Program was continued until the Works Progress Administration was ready to carry on that phase of the Relief Program. Work was in operation under several thousand projects throughout the State, all of considerable value to the State or to the community. Through these projects a wide variety of work was available, including common and semi-skilled labor, highly skilled labor and clerical and professional work of many different types. Throughout the period when the Work Relief Program was in operation, approximately half of the employable persons receiving relief were given the opportunity to work in exchange thereof. Wages were paid at the rate prevailing in the community for the type of work performed and the persons assigned thereto worked the number of days necessary to earn the amount of the relief which was needed and which could be paid with funds available.

The Rural Rehabilitation Department of the Administration was especially active during the first half of 1935. Loans were made to approximately 900 families to assist them to become self-supporting. Through this department, also, money was loaned to approximately 4,000 farmers with which to purchase seed oats during the spring of 1935. The Iowa Farm Debt Advisory Council, a division of the Rural Rehabilitation Department, continued to function as effectively as previously, considering during the year, 7,722 cases and securing satisfactory adjustment in 1,980 of these. Reductions of debts in a total amount of more than seven million dollars were secured during the year. With the establishment of the Resettlement Administration under the Federal Relief Act of 1935, the work of the Rural Rehabilitation Department was transferred to the new Resettlement Administration as of July 1, 1935, and the Rural Rehabilitation Department of the I. E. R. A. was terminated.

A number of special programs inaugurated during the previous period were continued or brought to completion during 1935 and 1936. Cattle purchased in the Emergency Drought Area during 1934 were slaughtered and the meat canned for distribution to relief families.

The Emergency Education Program and the Student Aid Program were carried on by this Administration through 1935 providing worthwhile employment for nearly 1,000 teachers and more than 2,500 students, respectively. These phases of the employment program were transferred to the Works Progress Administration late in 1935.

This Administration continued to provide Federal Funds for the administration expense of the Iowa State Planning Board. The projects in operation under the Planning Board were carried on under the Work Program with all funds being provided through this Administration until November, 1935. Thereafter, these projects were in operation under the Works Progress Administration with the administrative cost of the Board paid through the I. E. R. A.

The Transient Relief Program was carried on until November, 1935, providing shelter and subsistence for persons in need thereof in those counties in which they did not have settlement rights. Suitable employment was provided for most of these persons and their minimum maintenance needs were cared for. This program, too, was transferred to W. P. A. toward the end of 1935.

A supply of corn and soy beans purchased late in 1934 were distributed for seed in the spring of 1935 to those persons in need thereof who were without funds to supply their own needs. The corn and soy beans remaining after these needs were supplied were sold to the highest bidder and the funds derived therefrom were used for the general relief program.

The Agricultural Adjustment Administration transferred to this agency during the latter part of 1934 nearly 40,000 hogs which were secured from persons who had hogs in excess of the number permitted by the A. A. A. agreement. Many of these hogs were slaughtered and disposed of to relief families during 1934 but nearly 10,000 were processed and distributed as fresh or smoked meat in 1935. The meat distributed totaled more than 700,000 pounds.

Other activities of the Administration and their present status are as follows:

The Medical Program, whereby proper medical care is assured to persons in need of relief at an expense which will be fair to the physicians and dentists and to the tax payer, is still in operation through this Administration. A child case consultant was provided by this Administration to assist with the numerous problems concerning children in relief families throughout the State until arrangements were made for the assumption of this service by the State Board of Control. Advisory nursing service was supplied until the latter part of 1935, and this service is now provided through the Works Progress Administration.

Insurance advisory service is provided to relief clients throughout the State through this Administration. Through this service persons in need of relief are assisted with their insurance problems and benefits are secured.

Through the Community Garden Program during the two years approximately three million dollars worth of vegetables were produced to aid in providing a more adequate living for relief families. The total cost of this program was approximately \$210,000.00 for the two-year period to contrast with the \$3,000,000 of benefit secured.

Through the Canning Program approximately \$610,000 worth of foods were preserved for later use while the total expense of this program including the purchase of fruit jars and canning equipment did not exceed \$65,000.00.

Grants of funds were secured for three self-help cooperatives in operation in this State, two of which are in active and successful operation. Advisory assistance is being given to these organizations at the present time.

Funds provided through this Administration made possible an investigation of individuals who had received treatment for tuberculosis in State or county institutions in previous years and to study also those persons who had been closely associated with persons who had received such treatment. This study has been completed to the extent of the funds available which were approximately \$35,000.

This Administration directs the selection of young men for employment in the Civilian Conservation Corps. During the past two years nearly 10,100 such selections have been made from more than double that number of applicants.

Since the establishment of the Works Progress Administration, the Iowa Emergency Relief Administration has been designated as the official agency to investigate families in need of relief and to certify those employable persons found to be in need, as eligible for employment under W. P. A. or other agencies carrying on the Federal Work Program. These investigations and certifications have constituted a large part of the administrative work of the State and County Relief offices during the fifteen months ending December 31, 1936. More than 65,000 of these certifications have been made during that period.

This Administration provided money and grain and forage to assist

cases in need because of drought in the early months of 1935, until the crops for that year became available. When drought conditions again prevailed in the State, beginning in July of 1936, this Administration was called on to act as the coordinating agency in determining the need for relief caused by the drought. The County Emergency Relief Administrators served as Chairmen of the County Drought Committees, which certified those in need thereof for grants, for loans, or for employment, so that funds could be provided for human subsistence and for stock feed. This work was carried on in connection with the Works Progress Administration and the Resettlement Administration, those agencies providing the funds necessary for actual relief with this Administration determining the need therefor.

The Federal Surplus Commodities Corporation granted to the State of Iowa approximately 65,000 dry-cured sheep pelts and 75,000 pounds of cotton during the summer of 1936. The Federal Emergency Relief Administration granted \$100,000 in cash to help pay the cost of processing this raw material into cloth, the cloth to be distributed to those in need of relief. Ninety-seven thousand six hundred sixty-five yards of wool and cotton material were produced. This cloth is being made into garments in the County Sewing Rooms, and these garments are distributed to families in need of relief.

STATE COMPTROLLER

At the close of business June 30, 1936, there was actual cash in the state treasury of \$692,282.83 belonging to the General Fund of the State, and in the hands of the various county treasurers \$3,626,841.21 subject to draft by the State Treasurer, making the total cash available for the State General Fund \$4,319,124.04.

This balance may appear large to some, but with the State operating on a \$15,000,000.00 budget, the expenditures used up most of the balance before the September tax payments could be received by the State. The severe drought seriously curtailed the September tax collections in many counties, making the balancing of the State budget more difficult than was anticipated on June 30, 1936.

We have been operating on a rapidly rising market and prices do not appear to have reached the peak. However, the Iowa Liquor Control Commission has helped materially in keeping the budget balanced by turning over to the General Fund of the State \$100,000.00 (profits from sale of liquor) each month beginning February, 1936.

Due to rising market and the necessity of repair and construction of buildings that were not taken care of during the depression years, it would appear to this office that approximately \$18,000,000 for each year of the biennium will be required to keep the budget in balance.

The indirect revenue that goes to the General Fund of the State should amount to \$7,000,000.00 (including liquor profits) each year, making necessary an additional amount of \$11,000,000.00 to be raised by taxation, or from some other source to be designated by the Forty-seventh General Assembly.

In providing revenue for the general operations of the State, the General Assembly should make provision to maintain at all times a reasonable cash balance in the state treasury.

HIGHWAYS

During the past biennium, the primary road system, which includes a total of 8,300 miles, has been maintained at a total cost of \$7,839,472.45. The cost of maintaining this road system for the year 1936 was \$835,000 in excess of the cost of maintaining said road system during 1935. This increased maintenance cost in 1936 is due principally to the exceedingly bad snow conditions during the months of January, February and part of March, 1936. During the same two years a total of \$22,809,975.22 was expended by the State Highway Commission for construction work on both the primary and secondary road system. The primary road construction expenditure was \$18,826,730.18. The secondary road construction expenditure by the State Highway Commission was \$3,983,245.04. The Federal Government paid about two-thirds of this construction expenditure; the State of Iowa paid the remainder. More exactly stated, the Federal Government paid \$15,210,253.87 of this total construction expenditure. The remaining \$7,599,721.35 was paid by the State of Iowa from primary road funds.

For this total construction expenditure the State received on both primary and secondary roads, a total of 27,956 lineal feet of tile drain, 62,706 lineal feet of guardrail, 630.5 miles of grading to finished grade, 747.1 miles of gravel, 143.1 miles of bituminous surface, 313.4 miles of pavement, and 3,508 bridges, culverts and railroad crossings.

During the biennium, \$9,027,500 of primary road bonds which were issued by the counties a number of years ago, have been paid. Pursuant to the provisions of Chapter 48 of the Laws of the Extra Session of the Forty-fifth General Assembly, \$31,306,000 of primary road bonds which had been previously issued, were refunded in 1935. The average annual interest rate on these bonds was thereby reduced from 4.63 per cent to 2.41 per cent, and premiums aggregating \$287,260.00 were received. In 1936 an additional \$21,148,000 of primary road bonds were refunded. The average annual interest rate on these bonds was reduced from 4.50 per cent to 1.78 per cent, and premiums aggregating \$96,636.00 were received. Said Chapter 48 of the Acts of the Extra Session of the Forty-fifth General Assembly was adopted in January of 1934. At that time there was a total of \$95,000,500.00 of county primary road bonds outstanding. A total of \$67,491,000 of these primary road bonds have been refunded in the three years since said law was enacted. The net result of these refunding operations is that the average annual interest rate on all outstanding primary road bonds has been reduced from 4.65 per cent to 2.83 per cent. The total annual primary road bond interest payment has thereby been reduced about \$1,444,000, and a total of \$624,734.00 has been received in premiums, on these refunded bonds. The remainder of these primary road bonds which were outstanding three years ago would have been refunded in this period of time, had it been possible to call these remaining bonds and refund them.

That the people of the state still desire highway improvements is evidenced by the fact that during the past year ten counties have voted \$8,835,000 of primary road bonds for paving and improving the primary roads of their respective counties.

AUDITOR OF STATE

Prior to the enactment of the present audit law by the Forty-fifth General Assembly, the Auditor of State was only required to audit the ninety-nine counties of the state annually, and one hundred and five cities and towns of 2,000 population or over, biennially.

The revised law added to the duties of the Auditor of State, the annual auditing of all State Institutions and Educational Units, all State Departments, Bureaus and Commissions, a daily audit of the office of the Treasurer of State, an annual audit of all School Districts in the State, and changed the period of audit on cities and towns from every two years to at least once every year.

These annual audits now include the auditing of 99 counties, 105 cities and towns, 4,871 school districts, 15 state institutions under the State Board of Control, five state education units under the State Board of Education, the Iowa State Highway Commission, the State Liquor Control Commission with 136 retail stores, the State Income Tax Division, the State Sales Tax Division, the Old Age Assistance Commission, the Iowa State Emergency Relief Administration, and 65 State departments.

In addition thereto, the Auditor of State is required to supervise all state Building and Loan Associations, and examine or require them to be examined annually. At the present time, fifty of the seventy associations are being examined by the Auditor of State, the remainder being audited by private accounting firms under his supervision. Also, the Auditor of State supervises and examines all Morris Plan banks and all partial payment investment houses operating within the boundaries of the state.

Before the enactment of the present audit law, the Auditor of State made approximately two hundred audits annually. Under the present statute, approximately 5,300 annual audits are required, or an increase of approximately 5,100 annually.

These audits have brought to light many shortages, embezzlements, irregularities and improper practices in the various units audited, and have resulted in the recovery of thousands of dollars annually. Many of these irregularities and improper practices have been corrected, and many needless expenditures have been eliminated because of the audits, thus resulting in large savings to the taxpayers of Iowa.

STATE TREASURER

The following is a comparative statement as to the condition of the treasury at the close of business January 3, 1935, and January 3, 1937:

	1935	1937
General Revenue Fund.....	\$ 793,133.72	\$ 2,998,783.16
Trust Fund	1,852,399.94	1,342,767.45
Additional Bonus and Disability Fund.....	76,863.07	30,464.69
Soldier Bonus Bond Sale Receipts.....	3,387.80	3,387.80
Soldier Bonus Tax Fund.....	116,287.10	173,626.59
Special Funds—		
Anticipatory Warrant Retirement Fund.....	294,795.00	37,549.95
State Sinking Fund for Public Deposits.....	2,834,270.81	318,398.31
Beer Revenue Fund, Administration Treasurer of State.....	1,342.21	1,847.11
Board of Assessment and Review—Special Tax Fund	14,312.67	3,830,383.09
Board of Assessment and Review—Claim Store Tax Fund.....		12,599.75
Board of Assessment and Review—Chain Store Trust Fund.....		70,149.05
Board of Assessment and Review—Chain Store Gross Receipts Trust Fund.....		23,391.50
Motor Vehicle Fuel Tax Fund Collections....		29,596.56
Motor Vehicle Fuel Tax Fund Administration and Refunds.....	103,586.62	155,480.97
Old Age Pension Fund.....	840,648.00	467,048.71
Primary Road Contingent Fund.....	358,434.06	318,865.70
Federal Funds—		
Board of Control—Child Welfare Fund.....		8,159.64
Bureau of Labor—United States Employment Service Fund.....	1,508.64	6,254.12
Department of Health—Maternal and Child Health Fund		9,112.73
Department of Health—Public Health Service Fund		66,043.58
Old Age Assistance Fund.....		296,212.50
State University of Iowa—Crippled Children Fund		3,842.30
Vocational Education—George-Ellzey Fund	37,871.54	40,746.09
Vocational Education—George-Reed Fund..	19,695.20	
Vocational Education—Smith-Hughes Fund	32,420.11	33,140.19
Vocational Rehabilitation	9,215.85	16,674.86
State College of Agriculture and Mechanic Arts Endowment Funds—		
Agricultural College Endowment Fund—Principal	47,779.42	2,779.50
Agricultural College Endowment Fund—Interest	6,582.75	16,746.11
Agricultural College Endowment Fund—Morrill Endowment Fund.....		50,072.60
	\$ 7,444,534.51	\$10,364,124.61

In reviewing the above statement as a whole, a decided increase is noted. While there has been no such radical change during the last two years, as during the two-year period from January, 1933, to January, 1935, a more steady growth has taken place by the constructive enactment of both federal and state laws. The healthy condition of the treasury is the result of consistent and careful attention to the receipts of all funds coming into that department, as well as good judgment exercised by the Treasurer of State in the disbursements of all funds. A substantial increase in the balance of the General Revenue Fund on January 3,

1937, over that on January 3, 1935, is noted and in addition there is \$1,591,239.34 in the hands of the county treasurers subject to the draft of the Treasurer of State. In this fund alone, the trend towards better condition in business is reflected and the period of depression soon will be only an unhappy memory.

Then again in the item of the Board of Assessment and Review Special Tax Fund, better known as the three-point tax law, is a sizable balance shown, practically all of which will be set aside for the application of refunds on taxes to the taxpayers of this State.

The Treasurer of State is by law the collecting agency for beer taxes, cigarette taxes and gasoline taxes. In line with the general betterment of conditions, it may be noted that increased revenues have taken place from all three of these sources. The amount collected under these laws for the last three calendar years is set out below:

	Beer	Cigarette	Gasoline
1934	\$ 936,118.62	\$ 1,259,969.71	\$11,898,587.22
1935	1,079,928.92	1,402,625.32	12,687,170.74
1936	1,238,511.10	1,582,171.69	13,695,875.35

Under the jurisdiction of the Treasurer of State the law pertaining to the State Sinking Fund for Public Deposits is administered. On November 1, 1934, anticipatory warrants in the amount of \$3,500,000 were issued for the purpose of paying public fund claims on deposit in closed banks. This issue of anticipatory warrants carried maturity dates as late as July 1, 1938, but due to the increased revenue to this fund, the entire issue was retired on July 1, 1936—exactly two years prior to the date anticipated at the time of the issue of these warrants and from this date, payment of claims against the State Sinking Fund have been paid directly out of the receipts to this fund, which consists of beer taxes, interest on public funds and dividends from closed banks in the process of liquidation. The receipts of all sources due this fund have been approximately \$1,700,000 during the past six months and thus it has been possible to make payment to some 540 claimants representing counties, municipalities, school districts and townships located in sixty of the ninety-nine counties of this state. The liability of this fund has been reduced from approximately \$20,000,000 to \$9,000,000 and it would appear, in the event the revenue to this fund continues, that the balance of the claims against this fund may be paid out in full within the next two or three years. In line with the provisions of this law, it is of value to note that the amount of funds in closed banks in this office on January 3, 1933, of \$2,806,958.73 has been reduced to \$344,427.49 on January 3, 1937.

At this time there are no outstanding warrants drawn against the General Revenue Fund on which interest is accruing, and the only bonded indebtedness of the State of Iowa is the unpaid amount of Soldiers Bonus Bonds issued in 1923, in the amount of \$6,600,000.00.

BUREAU OF LABOR

During this period the Bureau has been the chief source of information for the laborer, with many hundreds seeking advice and guidance.

During the two-year period ending June 30, 1936, there were 6,546 factory inspections made of establishments in the state. In addition to factory inspections, many investigations were made relative to child labor and the operation of private employment agencies during the period.

The employment of children in industry has, in recent years, declined until it no longer presents a problem of any magnitude. Specialization of occupations, efficiency and experience, ratification of the National Child Labor Amendment, exclusion of children under 16 years of age in N. R. A. industrial codes have all shown a strong tendency toward eliminating children from the industrial field. The surplus of adult labor on the market during this biennial period has also shown a marked influence in keeping the child from industrial occupational pursuits.

The Iowa State Employment Service, affiliated with the United States Employment Service during the biennial period July 1, 1934, to June 30, 1936, placed 74,342 persons into jobs, of this number 15,418 were women and 11,375 were veterans. During this period 70,733 new applications were received, of this number 24,944 were applications of women and 3,182 were applications of veterans. Also during this period the employment service officers cooperated with the relief agencies and various governmental programs to make referrals to public works employment and other governmental activities.

A statistical section was established in the Bureau of Labor for the gathering and compilation of data about which the state has hitherto had inadequate information. Factual information was gathered for the biennial period on the basis of occupational qualifications, educational attainments, and wages earned by workers and classified according to their abilities to perform certain specified duties.

On July 1, 1935, the Labor Commissioner became Director of the National Reemployment Service operating in Iowa. This service placed during the fiscal year ending June 30, 1936, a total of 53,808 persons into jobs, of this number 1,951 were women and 5,424 were veterans. For the biennial period, the Iowa State Employment Service and the National Reemployment Service, placed 128,150 persons; of this number, 17,360 were women and 16,799 were veterans.

BOARD OF ASSESSMENT AND REVIEW

Additional duties and responsibilities were added to this Board in 1934 when the Legislature passed what is commonly known as a "Three-Point Tax Law" which embodies the Personal Net Income Tax, Business Tax on Corporations, and a tax on gross receipts from Retail Sales.

That the law has carried out every promise made by its sponsors cannot be denied. The Board has also administered the Chain Store Tax which has been declared unconstitutional insofar as the gross receipts tax is concerned. As the law now stands it leaves only the unit tax, and that to date has yielded \$84,883.00, with about \$320,000 more claimed but not paid by reason of certain disputes still undetermined. No doubt this Legislature will re-enact some form of a Chain Store Tax which will meet constitutional objections made to the present Chain Store Tax Law.

The tax on Retail Sales under the present law expires automatically on April 1, 1937, unless re-enacted.

The best way probably to have a clear understanding of the Sales Tax and Income Tax laws is to summarize the total receipts and disbursements as of December 31, 1936, which discloses the following facts and figures:

The summary of the administration costs for the two fiscal years ending June 30, 1935, and 1936, is as follows:

	Sales Tax		Income Tax	
	June 30, 1935	June 30, 1936	June 30, 1935	June 30, 1936
Salaries	\$161,701.72	\$161,991.80	\$ 67,829.10	\$130,298.23
Travel expense	50,348.42	40,755.81	13,328.95	23,587.24
Other expense	28,758.17	35,113.41	22,697.19	41,295.96
Depreciation	7,835.04	10,913.20	2,113.54	8,807.52
Total expense	\$248,643.35	\$248,799.22	*\$105,968.78	\$203,988.95

*About 6 months, operations.

Administration por- tion of collections....	2.2%	1.849%	5.022%	5.446%
The administrative costs for both divisions as per cents of the total collections were:				

	June 30, 1935	June 30, 1936
Retail Sales Tax	1.854%	1.446%
Income Tax790%	1.186%
Total.....	2.644%	2.632%

Exhibit "A"

CASH SUMMARY REPORT

Retail Sales Tax and Income Tax Divisions, Iowa State Board of Assessment and Review, from April, 1934, to December 31, 1936

Receipts

Retail Sales Tax.....	\$32,316,698.77
Income Tax—	
Individual	\$ 5,933,659.67
Corporation	1,004,857.68
Total Receipts	\$39,255,216.12

Allocations

Refund to Counties.....	\$18,794,582.33*
Emergency Relief	9,000,000.00
General State Fund.....	6,000,000.00
Emergency Conservation (C. C. C.).....	375,000.00
Administration	1,175,809.81
Refunds to Relief Agencies and Overpay- ments	164,848.28
Total Allocations	\$35,510,240.42

Balance

Total on deposit and in transit.....	\$ 3,744,975.70
*Actual Allocations—	
September, 1934	\$ 3,243,584.34

August, 1935	4,000,997.99
August, 1936	11,550,000.00
	<u>\$18,794,582.33</u>

Exhibit "B"

CASH RECEIPTS DETAIL

Retail Sales Tax and Income Tax Divisions, Iowa State Board of
Assessment and Review, for Fiscal Years from
April, 1934, to December 31, 1936

Retail Sales Tax

For the Period Ending	
June 30, 1934.....	\$ 30,021.05
June 30, 1935.....	11,301,789.66
June 30, 1936.....	13,450,641.15
Dec. 31, 1936.....	<u>7,534,246.91</u>
Total Sales Tax.....	\$32,316,698.77

Income Tax

Individual for the Period Ending	
June 30, 1935.....	\$ 1,832,098.30
June 30, 1936.....	3,251,582.82
Dec. 31, 1936.....	<u>849,978.55</u> \$ 5,933,659.67
Corporation for the Period Ending	
June 30, 1935.....	\$ 277,852.22
June 30, 1936.....	494,109.45
Dec. 31, 1936.....	<u>232,896.01</u> 1,004,857.68
Total Income Tax....	\$ 6,938,517.35
Total Receipts	<u>\$39,255,216.12</u>

(See Cash Summary Report.)

Exhibit "C"

ALLOCATION DETAIL

Retail Sales Tax and Income Tax Divisions, Iowa State Board of
Assessment and Review for Fiscal Years from
April, 1934, to December 31, 1936

Refunds to Counties

For Year Ending	
June 30, 1935.....	\$ 6,988,202.46
June 30, 1936.....	9,345,505.04
December 31, 1936.....	<u>2,460,874.83</u>
Total Refunds to Counties.....	\$18,794,582.33

Emergency Relief

For Year Ending	
June 30, 1935.....	\$ 3,000,000.00
June 30, 1936	4,000,000.00
December 31, 1936.....	<u>2,000,000.00</u>
Total to Emergency Relief.....	9,000,000.00

General State Fund

For Year Ending		
June 30, 1935.....	\$ 3,000,000.00	
June 30, 1936.....	3,000,000.00	
Total to General State Fund.....		6,000,000.00

Emergency Conservation (C. C. C.)

For Year Ending		
June 30, 1936.....	\$ 250,000.00	
December 31, 1936.....	125,000.00	
Total to C. C. C.....		375,000.00

Administration

For Year Ending		
June 30, 1935.....	\$ 403,072.44	
June 30, 1936.....	516,070.37	
December 31, 1936.....	256,667.00	
Total to Administration.....		1,175,809.81

Refunds

(Relief Agencies and on Overpayments)

For Year Ending		
June 30, 1935.....	\$ 50,486.33	
June 30, 1936.....	84,758.01	
December 31, 1936.....	29,603.94	
Total Refunds		164,848.28
Total Allocations (See Cash Summary Report)		\$35,510,240.42

BANKS AND BANKING

During the period of January, 1933, to June 30, 1934, the Banking Department was mainly occupied in administering the emergency legislation passed by the Forty-fifth General Assembly. The program of reorganization and reestablishment of banks on a safe and sound basis progressed steadily for eighteen months.

During the biennium covered by this report, our Banking Department has continued this work, but has worked mainly to consolidate the improvements and advancements previously accomplished. The soundness of the program and policy is evidenced by the splendid growth of our system of State banks.

In June 30, 1934, we had 487 banks with deposits aggregating \$225,496,141.00. On June 30, 1935, there were 535 banks with deposits of \$300,701,633.00, and on June 30, 1936, there were 543 banks with deposits of \$346,713,047.00—an increase of \$121,216,906.00, or approximately fifty-five per cent.

On June 30, 1934, these banks had loans aggregating \$100,348,776.00; on June 30, 1935, \$111,215,061.00; and on June 30, 1936, \$139,769,128.00—an increase of \$39,420,352.00, or 40 per cent.

On June 30, 1934, cash reserves aggregated \$75,552,030.00, or 33.5 per cent; on June 30, 1935, \$105,825,730.00, or 35.19 per cent; and on June 30, 1936, \$113,701,509.00, or 32.79 per cent.

During the period, 29 new charters have been issued; 4 National banks have been converted to State, 12 banks have been moved to larger and more promising locations, and 29 small banks have either voluntarily liquidated 100 per cent, or consolidated with a neighboring bank. It is the program of the Department to encourage the organization of a new bank or the transfer of an existing bank for every community that can and will support a sound and profitable institution. With proper distribution, reasonable banking service can be rendered to all points without again creating an over-banked condition within the State. For furthering this idea, the Superintendent of Banking has issued 73 new bank office licenses, thereby assuring daily banking service to that number of bankless towns, and increasing the number of such offices to 142.

In the reorganization of banks under the provisions of Senate File 483, there were issued to depositors, trust certificates aggregating \$38,630,000.00, and from June 30, 1934, to June 30, 1936, cash dividends aggregating \$10,118,074.00, were paid upon these certificates.

During the year of 1935, there was paid to depositors in closed banks the sum of \$10,088,038.50, and 101 receiverships were finally closed, and during the year of 1936, there were dividends paid to depositors in closed banks of \$6,722,805.78, and 113 of these were final dividends, and 214 receiverships were fully completed leaving only 207 banks now in receivership.

The banks of Iowa are today in sounder condition, more efficiently managed, and in a better position to meet the demands of business than they have been at any time in the past.

IOWA LIQUOR CONTROL COMMISSION

Under date of March 5, 1934, the Forty-fifth General Assembly passed the Iowa Liquor Control Act.

On March 8th the Governor appointed, after approval by the Senate, three Commissioners, charged with the administration of the act. The Commissioners promptly undertook the formation of an organization to carry out the provisions of the act.

Notwithstanding the mistakes made in embarking on a new and untried social experiment, without precedent to serve as a guide and handicapped by untrained personnel the Iowa Liquor Control Commission has perfected an organization that is indeed a credit to the State.

Accomplishments from a social point of view during the approximately two and one-half years the state-owned liquor system has been in operation have exceeded the most hopeful anticipation. Month by month a growing public support has indicated that the citizens of Iowa appreciate the fine system available to them in the purchase of liquor. It is a system that has promoted true temperance. It is a system based on the philosophy that liquor should be available to every citizen qualified to purchase it but not available to those undeserving of the privilege. The system, of course, has not met with the approval of extremists. There are some who believe that the system is too stringent, too restrictive; there are others who believe that sale of liquor in any form should be prohibited by law. It is realized that no law of man is acceptable to all men.

The Iowa Liquor Control Commission has always stressed the promo-

tion of temperance and the control of the liquor problem in the state; profit from operation of state-owned liquor stores has been a minor consideration. Without sacrificing the primary principles of temperance and control the Iowa Liquor Control Commission out of its earnings has contributed to the General Fund of the state since February 1, 1936, to and including December 31, 1936, a total of one million one hundred thousand dollars (\$1,100,000.00) or an average of one hundred thousand dollars (\$100,000.00) every month.

A loan of one hundred ten thousand dollars (\$110,000.00) for a period of ninety days has been the only cost to the citizens of Iowa in the development of the Iowa Liquor Control Commission. With repayment of that loan the Commission has a record of not having cost the citizens of Iowa one cent.

In addition to earnings transferred to the General Fund the Iowa Liquor Control Commission has an investment in assets of approximately two and three-quarter million dollars against which there are no liabilities other than current obligations. As reported in the Governor's message to the Forty-sixth General Assembly, net income of the Iowa Liquor Control Commission from its inception to December 31, 1934, amounted to \$656,782.12. Earnings for the biennium to December 31, 1936, are approximately two million six hundred thousand dollars (\$2,600,000.00).

The two per cent state sales tax collections from liquor sales which are remitted to the Board of Assessment and Review, during the two years ended December 31, 1936, amounted to approximately \$275,000.00.

On December 31, 1936, the Iowa Liquor Control Commission provided employment for six hundred one employees. Wages paid employees during the calendar years 1935 and 1936 amounted to approximately \$1,150,000.00 and represented about sixty-eight per cent of the total operating expense of the Commission.

According to the provisions of the Iowa Liquor Control Act and a ruling of the Supreme Court, the enforcement of liquor laws is wholly a problem for local law enforcement officers. Local officials, however, have been somewhat lax in the performance of this duty and, therefore, it is recommended that the legislature make a study of this problem with a view to granting the Attorney General's office a somewhat larger appropriation for the use of its law enforcement unit so that this unit can be available to assist local officers in the performance of their duty.

The Iowa Liquor Control Commission sells alcohol only to doctors, dentists, druggists, clinics and manufacturers holding a special permit to buy alcohol. Large quantities of high-proof alcohol for beverage purposes, largely used in connection with "spiked beer," are smuggled into Iowa without payment of any state tax. The enlargement of the law enforcement unit of the Attorney General's office will undoubtedly help to reduce this illegitimate traffic in alcohol.

Section 21, sub-section "A" of the Iowa Liquor Control Act provides for the issuance of individual permits at a fee of \$1.00 per year. It was the intention of the legislature, we believe, at the time the \$1.00 fee was specified that the income from the sale of individual permits would provide for the initial financing of the activities of the Commission until such time as the Commission would be on a liquid cash basis. It is now recom-

mended to the legislature that this section be amended to reduce the individual permit fee to twenty-five cents per year.

The Attorney General of the State has ruled that there is no provision under present laws whereby the Iowa Liquor Control Commission may provide insurance coverage for its general warehouse and office building and contents therein. Approximately one million dollars of liquor stocks are carried in the Commission's warehouse in Des Moines at all times and business prudence would suggest that the state secure protection to safeguard it from large monetary loss occasioned by fire or tornado. Liquor is a highly inflammable commodity and constitutes, therefore, a greater fire hazard than ordinary state property.

It is recommended that the legislature initiate an amendment to the Iowa Liquor Control Act whereby insurance coverage may be purchased for the Commission's warehouse and office building in Des Moines.

President Pro Tempore Byers appointed the following committee to escort Governor Herring to the Executive Chamber: Senators Moore and Breen on the part of the Senate and Representatives Elliott of Woodbury and Johnson of Buena Vista on the part of the House.

Senator Shaw moved that the Joint Convention recess until 1:00 o'clock this afternoon. Motion prevailed.

AFTERNOON SESSION

Joint Convention reconvened, Speaker Foster in the chair.

CANVASS OF VOTES

The Speaker announced that the time had arrived for the canvass of the votes cast for the offices of Governor and Lieutenant Governor at the general election held on November 3, 1936, and announced the election by the Senate as teller on the part of the Senate, Stevens of Wapello and the election by the House as teller on the part of the House, Mercer of Johnson.

The Speaker further announced that, in accordance with statute, Stevens of Wapello and Mercer of Johnson would constitute the judges of said canvass.

The Speaker then opened the returns in the presence of the Joint Convention, and the teller and the judge proceeded to canvass the vote for the Governor and Lieutenant Governor of the State of Iowa cast at the general election held on November 3, 1936.

Senator Shaw moved that the Joint Convention now recess until 1:45 o'clock p. m., Thursday, January 14, 1937. Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session.

INTRODUCTION OF BILLS

Senate File 1, by Senators Shaw, Dewey, Bell of Crawford, Driscoll, Berg, Mason, Zeigler and Goetsch, a bill for an act to encourage the acquiring and ownership of homesteads; to amend Chapter 329-F1 of the Code of 1935, relating to taxation, income and retail sales; to renumber paragraph two (2) of Section 6943-f63 of the Code of 1935 and to insert in lieu thereof a new paragraph two (2) relating to the allocation of funds arising under the provisions of said Chapter 329-F1 to the old age pension fund; to strike from Section 6943-f64, paragraph three (3) thereof, and substitute in lieu thereof a new paragraph three (3) of said section and additional paragraphs of said section relating to the allocation of funds arising under the provisions of said Chapter to the reduction of taxes on homesteads and prescribing the procedure of county treasurers in the certification and distribution to the several taxing districts of the counties of money received from the Comptroller on order of the board; to define homesteads and providing for the designation thereof, and prescribing the duties of officers and providing a method of entering credit against the tax on the first twenty-five hundred (2,500) dollars of the assessed value of homesteads less exemption if any afforded by Section 6946; and providing a method for determining beneficiaries for such credits; to provide for the disposition of the excess, if any, transmitted to county treasurers and apportioned by them over and above the total tax levied on homesteads within such twenty-five hundred (2,500) dollar limit; to provide a method of review of all questions relating to tax credits on homesteads, and providing a penalty for making false affidavits for the purpose of securing such credits; and amending Section 6943-f39 by striking therefrom the date of the original termination of the Sales Tax thereby extending said tax on and after April 1, 1937, and providing for the taking of effect of said act by and upon publication.

Read first and second times and passed on file.

Senate File 2, by Senators Shaw and Dewey, a bill for an act to amend Chapter 266-F1 of the Code of 1935 by repealing that part of Section 5296-f34 levying and providing for the collection

of a two (2) dollar head tax, providing for cancellation of such tax levied and collectible as of January 1, 1937, to remove forfeiture of claim for old age pension by reason of failure to pay said tax for more than three (3) years, and to repeal Section 5296-g5 of the Code relating to taxes erroneously paid and application for refund thereof and limiting time in which claims may be filed therefor, and repealing Section 5296-f35 of the Code relating to the taking of census of persons subject to the payment of such head tax.

Read first and second times and passed on file.

Senate File 3, by Senator Gillette, a bill for an act to amend Chapter nine (9) Code, 1935, relating to the general land office of the state of Iowa; the duties of the secretary of state in relation thereto; the transfer of certain maps, records and surveys thereto; and the preservation of records therein; and to repeal Sections fifty-four hundred eighty-three (5483), fifty-four hundred eighty-six (5486), fifty-four hundred eighty-eight (5488), fifty-four hundred eighty-nine (5489), fifty four hundred ninety (5490); to amend sections fifty-one hundred thirty-three (5133), sixty-two hundred eight-eight (6288), seventy hundred forty-five (7045), seventy hundred sixty-four (7064); and to repeal Sections fifty-four hundred eighty-two (5482), fifty-four hundred eighty-four (5484), fifty-four hundred eighty-five (5485), fifty-four hundred eighty-seven (5487), fifty-four hundred ninety-six (5496), sixty-three hundred two (6302), ten thousand two hundred twenty-five (10225), and to enact substitutes for said repealed sections; all of said sections relating to land surveys and to perpetuating the records thereof, and all of said sections being of the Code, 1935.

Read first and second times and passed on file.

Senate File 4, by Senator Hopkins, a bill for an act to repeal Sections seven hundred forty-nine (749) to seven hundred sixty (760), inclusive, Code, 1935, and to enact substitutes therefor; and to amend Section seven hundred seventy-five (775), Code, 1935, all relating to official ballots.

Read first and second times and passed on file.

Senate File 5, by Senator Doran, a bill for an act to prohibit the attendance at movies and/or sound picture shows of minors of

the age of eighteen (18) years and under, and to provide a penalty for the violation thereof.

Read first and second times and passed on file.

Senate File 6, by Senator Doran, a bill for an act to amend Section ten thousand four hundred eighty-two (10482) of Chapter 471 of the 1935 Code of Iowa relating to divorce and providing for a penalty for wilful disobedience of decree of court.

Read first and second times and passed on file.

Senate File 7, by Senator Donohue, a bill for an act to legalize execution sales made by execution officers who have failed to make required entries and endorsements on the execution and have failed to give notice to select homesteads and have failed to plat or have defectively platted homesteads and who have not properly offered property for such sale as provided by law.

Read first and second times and passed on file.

Senator Dewey moved that a committee be appointed to confer with the Executive Council and the custodian to arrange for serving sandwiches and soft drinks in the building during the session.

The motion prevailed and President pro tem Byers appointed Senators Dewey, Baldwin, Murray, Berg, and Evans on said committee.

Senator Donohue asked and received unanimous consent that, owing to the absence of Senator Irwin, Senator Goetsch serve in his place on the committee on committees.

SENATE CONCURRENT RESOLUTION 3

Senator Donohue asked unanimous consent to consider the following resolution and moved its adoption:

Resolved by the Senate, the House Concurring: That when adjournment is had on Thursday afternoon, January 14, 1937, it be to reconvene Tuesday afternoon, January 19th, at 2:00 p. m.

The resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 1, providing for the appointment of a committee to arrange for the inauguration of the Governor and Lieutenant Governor.

Also: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, directing the superintendent of printing to furnish Codes and Session Laws to the members of the press.

Also: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3, providing for adjournment of the General Assembly Thursday, January 14, 1937, to reconvene Tuesday, January 19th, at 2:00 p. m.

A. C. GUSTAFSON, *Chief Clerk.*

STATEMENT OF REASONS FOR DECLINING TO SERVE ON COMMITTEE OR COMMITTEES

To the President and Members of the Senate:

We hereby give notice that we decline to serve on the committee on committees of the Senate for each and all of the following reasons.

The Lieutenant Governor, by constitutional provision, is the president and presiding officer of the Senate. Since the establishment of our commonwealth government, the Senate rules have permitted him to appoint all standing committees of the Senate. The only exception to this established rule was in the Forty-fourth (44th) General Assembly when Republican Lieutenant Governor, Arch E. McFarlane, voluntarily surrendered this right to a Republican Senate for reasons well known to everyone familiar with Iowa history.

The Lieutenant Governor is the only representative of the administration in power with direct influence over legislation, and his influence is limited to the aforesaid appointment of committees. He does not have a vote on legislation itself, but the appointment of committees has throughout the years served the administration in power by way of directing administration policies and sponsoring administration legislation.

John K. Valentine was elected Lieutenant Governor of Iowa, November 3, 1936, by a majority of 26,656 votes. His election was at the hands of all the voters of Iowa and it was unquestionably understood and believed by those voters that, as President and presiding officer of the Senate, he would appoint the standing committees of the Senate.

The temporary rules adopted Monday, January 11th, by Republican member votes only, has deprived the Lieutenant Governor of this long-established privilege. It has vested the authority of appointing committees in a committee of five members to be elected by the Senate and to consist of three Republicans and two Democrats.

No one questions the right of the Senate membership to make its own rules, but the only apparent reason for this action was to transfer the

influence from the Lieutenant Governor, who is part of this administration which was elected by all the people of Iowa, to the control of the Republican members of this Senate. This rule has resulted in the Republican majority selecting not only the three Republican members of the committee but the two Democratic members of the committee, and in effect, the Republican bloc of the Senate by this action has usurped all of the power and influence that has throughout the history of Iowa been the traditional right of the Lieutenant Governor.

The action of this Republican bloc with reference to the employment of the Senate employees wherein they insisted upon and did elect their own nominations and refuse to consider a single nomination made by Democratic members convinces us that the Republican bloc is actuated by purely partisan motives.

The Republican majority in this Senate is the result of two general elections and local conditions in the fifty senatorial districts. They cannot honestly claim a mandate from the people equal to the mandate on November 3, 1936, where, in a state-wide election, all Democratic state officials, including the Lieutenant Governor, were elected.

We do not care to be parties to a scheme which breaks faith with all the people of Iowa by turning over legislative influence to the Republican majority only of this Senate. We are authorized to state that our views are shared by all of our Democratic colleagues in this Senate.

The Lieutenant Governor, being an important part of our administration, not only helped draft the platform upon which we were elected but did personally go before the electorate of Iowa and support all of the important legislative proposals of this administration. His was a responsibility to all the people of Iowa in keeping with those utterances which in our minds supersedes the responsibility of any one member of this body to the State as a whole.

Furthermore, the Republican members of this Senate, in 1934 or in 1936, ran upon and supported the State Republican platform which was repudiated by the voters. It therefore seems that their claim of responsibility to the State of Iowa is baseless and without foundation.

Despite the partisan tactics used by the Republican majority of this Senate to destroy the administrative mechanics which by all rule of precedent is ours, we and our Democratic colleagues pledge ourselves to strive in every honorable manner to carry out the mandate of the people to the end that our legislative program may be accomplished. But we do prefer, if such be their wish, that the Republican majority openly and without camouflage take over control of the appointment of standing committees in the name of and by the Republican majority of this Senate. We do not desire to serve on a committee wherein we could exercise no influence.

Respectfully submitted,
SAM D. GOETSCH.
ROY E. STEVENS.

President pro tem Byers appointed Senators Chrystal, Donohue, Driscoll, Elthon, Goetsch, and Lundy to serve on the committee to arrange for the inauguration of the Governor and Lieutenant Governor.

EXTRA COPIES SENATE FILE 1

Unanimous consent was granted Senator Dewey for printing 5,000 additional copies of Senate File 1.

The Journal of January 12th was corrected and approved.

On motion of Senator Hoeven, the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 14, 1937.

The Senate met in regular session, President pro tem Byers presiding.

Prayer was offered by Rev. C. E. Lookingbill of the Methodist Episcopal Church of Nevada, Iowa.

INTRODUCTION OF BILLS

Senate File 8, by Senator Donohue, a bill for an act to repeal section thirteen thousand three hundred and fifteen (13,315) of the Code of 1935 and to enact in lieu thereof an act relating to contributions for political purposes and prohibiting the use of motor vehicles owned by the State of Iowa or any political subdivision thereof for the transportation of campaign literature or persons engaging either directly or indirectly in a political campaign and prohibiting officers and employees of the State of Iowa from leaving their places of employment and duties for the purpose of soliciting votes or engaging in campaign work and providing penalty for violation thereof.

Read first and second times and passed on file.

Senate File 9, by Senator Billingsley, a bill for an act to amend Chapter forty-nine (49), Code, 1935, relative to costs of contesting elections for seats in the general assembly.

Read first and second times and passed on file.

Senate File 10, by Senator Murray, a bill for an act to authorize cities having a population between seventy-five thousand (75,000) and ninety thousand (90,000) to incur indebtedness and exceed the amount set forth in the budget of said cities for the year beginning April 1, 1936, and ending March 31, 1937, and permitting said cities to make a levy for the general fund not exceeding forty thousand dollars (\$40,000.00), said levy being in addition to other levies for said General Fund, as provided by

law, on all taxable property within said cities, said levy being payable in the year 1938, and authorizing said cities to issue warrants in anticipation of the collection of said levy.

Read first and second times and passed on file.

Senate File 11, by Senator Murray, a bill for an act to legalize the actions of the City Council and the City Auditor of the City of Sioux City, Iowa, in making expenditures, incurring indebtedness and issuing warrants between the dates of February 18, 1936, to April 10, 1936, inclusive, in the sum of sixty-two thousand six hundred eighty-four dollars, thirty cents (\$62,684.30), said warrants being drawn on the "General Fund—Emergency", and to make said warrants a legal, binding and valid obligation of the City of Sioux City, Iowa.

Read first and second times and passed on file.

Senate File 12, by Senator Doran, a bill for an act to amend Section nine hundred fifty (950) of the Code of Iowa, 1935, and to provide the manner in which absent voters' ballots shall be counted and the results tabulated in precincts using voting machines.

Read first and second times and passed on file.

Senate File 13, by Senator Doran, a bill for an act to amend, revise and repeal Section thirteen thousand two hundred twenty-seven (13,227) of the Code of Iowa, 1935, and to enact a substitute therefor which prohibits the disturbance of any religious assembly and provides for a penalty for violation thereof.

Read first and second times and passed on file.

RESIGNATION OF COMMITTEE CLERK

MR. PRESIDENT: I hereby resign as clerk for Senator Levis, effective January 14, 1937.

FARRIE W. HUGHES.

The resignation was accepted.

Elizabeth West was sworn in as committee clerk for Senator Levis, succeeding Farrie W. Hughes.

On motion of Senator Beardsley, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened at the sound of the gavel, President pro tem Byers presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House under direction of the Sergeant-at-Arms.

JOINT CONVENTION

The Joint Convention reconvened, Hon. Frank C. Byers, President pro tempore of the Senate, presiding. The roll was called.

Those present were, 136:

Alesch	Edwards	Johnson of	Pelzer
Augustine	Elliott	Hancock	Pine
Baldwin	Ellis	Judd	Prall
Baumhover	Elthon	Keefe	Randall of Worth
Beardsley	Engel	Keeney	Randell of
Beckler	Evans	Kephart	Mahaska
Bell of	Fishbaugh	Kerr	Reilly
Des Moines	Flynn	Kirketeg	Riddle
Beltman	Foster of Cedar	Knippling	Roan
Benz	Foster of Henry	Knudson	Roe
Berg	Fox	Kohlhaas	Ross
Billingsley	Frizzell	Kuester	Rutherford
Blue	Fuelling	Latchaw	Schadt
Bowers	Gardner	Levis	Schlatter
Breen of Webster	Geske	Lookingbill	Scott of Fayette
Brodersen	Gillespie	Love	Scott of Sac
Brown	Gillette	Lundy	Shaw
Bruene of Tama	Goetsch	McEnaney	Shifflett
Bulow	Good of Boone	McFatrige	Sours
Burma	Goode of Davis	McNie	Stevens
Byers	Groves	Maniece	Stewart of
Christoffersen	Grunewald	Mason	Fayette
Chrystal	Guernsey	Mercer	Stewart of
Clements	Hendrickson	Mighell	Washington
Copeland	Hill	Moore of	Stimpson
Corwin	Hoegh	Harrison	Thompson of
Cramer	Hoeven	Moore of Shelby	Pocahontas
Currie	Hopkins	Moore of Taylor	Treimer
Curtis	Hultman	Moore of Wayne	Wehling
Dancer	Husted	Moore of	Weichman
Davis	Irwin of Lee	Woodbury	Whitehill
Dean	Johannes	Murray	Whitney
Dewey	Johns	Nelson	Wood
Dodds	Johnson of	O'Neill	Woods
Doran	Buena Vista	Parker	Yager
Dreessen	Johnson of	Peisen	Zeigler
Dykhouse	Greene		

Those absent were, 22:

Bell of Crawford	Hathaway	Millhone	Rice
Craven	Hickenlooper	Moore of	Ryder
Dietz	Irwin of Clinton	Pottawattamie	Smith
Donohue	Kimberly	Morrow	Strickler
Driscoll	Lovrien	Odden	Thompson of
Gallagher	Miller	Rasmussen	Guthrie

The President pro tempore declared a majority of the General Assembly present at the Joint Convention.

The Speaker of the House then announced and made public the canvass of the vote.

HALL OF THE HOUSE OF REPRESENTATIVES.
DES MOINES, IOWA, JANUARY 14, 1937.

Mr. President and Members of the Joint Convention:

As Speaker of the House of Representatives of the Forty-seventh General Assembly of Iowa and as provided by the Constitution of the State of Iowa, I do hereby publish the canvass of the vote cast for candidates for the office of Governor and Lieutenant Governor at the election held November 3, 1936.

The total vote cast for candidates for Governor is as follows:

For Nelson G. Kraschel.....	524,178
For George A. Wilson.....	521,747
For Wallace M. Short.....	31,436
For Ted Fitch.....	1,159
For J. P. Russell.....	971

And the total vote cast for Lieutenant Governor is as follows:

For John K. Valentine.....	515,141
For W. C. Edson.....	488,485
For Arthur Houver.....	19,400
For L. J. Smay.....	1,300
For A. W. Saarman.....	1,137
For Frank Nedved.....	1
For J. Sinek.....	1

All of which is respectfully submitted.

LAMAR FOSTER,
Speaker of the House of Representatives.

We the duly elected Judges and Tellers of the canvass above published do hereby certify the same to be correct.

ROY E. STEVENS,
Judge and Teller on the part of the Senate.
LEROY S. MERCER,
Judge and Teller on the part of the House of Representatives.

Senator Stevens moved that the report be adopted. Motion prevailed and the report was adopted.

President pro tempore Byers, of the Joint Convention, announced that Nelson G. Kraschel, having received the highest number of votes cast for Governor, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is elected and qualified, and that John K. Valentine was duly elected to the office of Lieutenant Governor for the ensuing term or until his successor is duly elected and qualified.

The following certificates were signed in the presence of the Joint Convention:

CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, IOWA, JANUARY 14, 1937.

This is to certify that upon a canvass in joint convention of the Senate and the House of Representatives of the Forty-seventh General Assembly of the State of Iowa of all the votes cast at the general election held November 3, 1936 for the office of Governor of the State of Iowa it appeared that Honorable Nelson G. Kraschel of Harlan, Iowa, received the highest number of votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 14th day of January, 1937.

FRANK C. BYERS,

*President Pro Tempore of the Senate and
President of the Joint Convention.*

LAMAR FOSTER,

Speaker of the House of Representatives.

ROY E. STEVENS,

Judge and Teller on the part of the Senate.

LEROY S. MERCER,

*Judge and Teller on the part of the House
of Representatives.*

A. C. GUSTAFSON,

Clerk of the Joint Convention.

CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, IOWA, JANUARY 14, 1937.

This is to certify that upon a canvass in Joint Convention of the Senate and the House of Representatives of the Forty-seventh General Assembly of the State of Iowa of all the votes cast at the general election held November 3, 1936, for the office of Lieutenant Governor of the State of Iowa it appeared that Honorable John K. Valentine of Centerville, Iowa, received the highest number of votes cast for any candidate at said election

for said office and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 14th day of January, 1937.

FRANK C. BYERS,
*President Pro Tempore of the Senate and
President of the Joint Convention.*

LAMAR FOSTER,
Speaker of the House of Representatives.

ROY E. STEVENS,
Judge and Teller on the part of the Senate.

LEROY S. MERCER,
*Judge and Teller on the part of the House
of Representatives.*

A. C. GUSTAFSON,
Clerk of the Joint Convention.

President pro tempore Byers then directed the abstract of votes and certificates of election to be filed with the Secretary of State.

Moore of Shelby moved that a committee of five, consisting of two from the Senate and three from the House, be appointed to notify Governor-elect Nelson G. Kraschel and Lieutenant Governor-elect John K. Valentine of the official result of the canvass of votes.

Motion prevailed and President pro tempore Byers named as such committee Senators Guernsey of Appanoose, Geske of Clayton and Representatives Moore of Shelby, McFatrige of Appanoose and Rice of Keokuk.

REPORT OF COMMITTEE

MR. PRESIDENT: As a committee appointed at the Joint Convention to inform the Honorable Nelson G. Kraschel and Honorable John K. Valentine of their election to the offices of Governor and Lieutenant Governor respectively, we beg leave to report that we have performed the duty assigned to us and that each officer assured us that he stands ready to assume the duties of his office.

House of Representatives:

E. A. MOORE.
C. M. MCFATRIDGE.
C. L. RICE.

Senate:

HUGH G. GUERNSEY.
M. X. GESKE.

Representative Moore of Shelby moved that the report of the

committee be adopted. Motion prevailed and the report was adopted.

The Sergeant-at-Arms announced the arrival of Governor-elect Nelson G. Kraschel and Lieutenant Governor-elect John K. Valentine, accompanied by the Governor's staff.

Governor-elect Kraschel and Lieutenant Governor-elect Valentine were escorted to the Speaker's station.

Invocation was delivered by the Rev. James Brett Kenna, First M. E. Church, Des Moines, Iowa.

The oath of office was administered to Governor-elect Nelson G. Kraschel by the Hon. Paul W. Richards, Chief Justice of the Supreme Court of Iowa.

The oath of office was administered to Lieutenant Governor-elect John K. Valentine by Hon. Paul W. Richards, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor John K. Valentine, President of the Joint Convention, presiding, then presented Governor Nelson G. Kraschel, who delivered the following message:

Mr. President, Mr. Speaker, Members of the Forty-seventh General Assembly:

Today we pass the forty-seventh biennial milepost in Iowa's governmental history. As we slowly turn the pages of the record, we are conscious of the fact that the last four years is destined to constitute an important page in the history of our commonwealth. The period began and ended with emergency legislation. Those of us who took part in formulating that legislation will long remember farm debt moratorium, Senate File 111, moratorium on insurance companies' cash payments, postponement of tax paying dates, direct relief, old age pension, tax reduction measures, the revamping of our antiquated taxing laws, all of which was climaxed with the social securities act of three weeks ago.

The far-reaching influence of that legislation upon the public's attitude toward government is definite. Like a thread of gold, we find woven through the tapestry of it all, the brilliance of Christian tolerance and a greater consideration for the unfortunate members of society. Temporarily, the exercise of financial and legal power over the weak was suspended. Fair trade legislation of all kinds was a part of the program. Our experience during those hectic days has left a profound impression upon us. Today we stand humbly in the presence of God, a grateful people, closer united, in a common cause.

The crisis of the depression has passed and only the effects of the devastating drouth retards our recovery. We confidently expect better

crops. We are, therefore, justified in turning our attention from the emergency legislation to a long time program for the future. Your state government is eager to, and capable of, assuming leadership. Our experience has taught us to lean more heavily upon the power of well directed government. Too often, value of government has been rated by its cost. We have learned that real economy is the economical operation of all needed functions and not the elimination of any needed service solely for the purpose of reducing the total tax bill.

If we are to preserve the profit system in business and protect the interests of all citizens, we must use the power of government wisely. Constructive legislation does not emanate from the mind of one man alone. It develops in answer to public need and is drafted from the composite opinions of many. In addressing myself on this occasion to the duty imposed, it is my purpose to call your attention only to the problems that exist. The state confidently relies upon you for their solution.

AGRICULTURE

The happiness and prosperity of our people definitely depends upon agriculture. It is our chief industry, and Iowa is the most important agricultural state of the nation. It is my duty on this occasion to be specific in referring to this important question.

Iowa possesses more "Class A" farm land than any other state. Our seventy-five year crop record is unequalled. We are, therefore, an important fact in the production of the nation's food supply. Our concern is to protect our valuable lands from further deterioration from excessive farming and help rehabilitate the agricultural industry in America to the end that farming will again be profitable in this commonwealth.

We cannot continue destruction of our farms, nor refrain from taking active part in the formulation of an agricultural policy for the nation. We are grateful to the federal government which, as never before, recognized its responsibility to the nation's basic industry. In 1922, the late Henry C. Wallace, one of Iowa's greatest citizens, while Secretary of Agriculture, said:

"If the business of farming is not given greater respect by the people, and more adequate protection by the government, we will see peasantry on the farms of Iowa within ten years."

The lack of respect and governmental protection to which he referred continued and his prophecy came true. The nation is now aroused to the importance of this problem, and the federal government is making a courageous effort to correct the mistakes of the past and place the agricultural industry on a sound basis. Iowa is honored and fortunate that her illustrious son, the Honorable Henry A. Wallace, son of the late Henry C. Wallace, is chief director of that program.

Agricultural history is being made. Tariff laws are being modified. National legislation of all kinds is being proposed and enacted, and out of it all will come a national agricultural policy and program that will affect the fortunes of Iowa people for the next fifty years. The im-

portance of this program requires the attention of your state government.

The farm organizations, the agricultural press, our great Iowa agricultural college at Ames, together with the extension service, voluntary farm committees for administrative purposes and many other constructive forces have rendered valuable service to agriculture. They have not always agreed. Often our congressional delegation was divided. The time has arrived when the State of Iowa should direct its government to bring about a coordination of all the constructive forces within the state, to end that Iowa's policy on agriculture will be clear and definite. Such action will permit those of our citizens who speak for the state in the halls of congress, in national conferences on agriculture, from the platform, or in the press, to know the policy of the people and be guided by it. We can take a lesson from the record of our sister industrial states of the East who, without respect to politics or other internal dissension, have always been united in the support of their state's program in congress and elsewhere.

What is Iowa's position on farm tenancy, soil conservation, crop reduction program, farm financing, western reclamation projects, resettlement administration, tariffs, reciprocal trade treaties? Many of these questions are still to be debated and argued. It is our duty to provide the machinery that will enable us to intelligently answer these, and other questions, and enable Iowa to present a united front wherever its influence can be used to the advantage of all our people. I cannot conscientiously assume the duties of chief executive of this state without making proper provision to protect Iowa's interests in the formulating of a national agricultural program that may affect our state for generations to come. I shall solicit your advice and assistance on this question before the legislature adjourns.

We have perplexing internal farm problems that deserve attention. The State Planning Board, Greater Iowa Committee and the Farm Debt Advisory Committee have rendered valuable service in pointing the way to the solution of some. The practical experience of farmers, together with scientific surveys now available, teach us that a proper land use program is necessary. Many millions of acres which have been intensely farmed for many years are so badly eroded and infested with obnoxious weeds, that the operating farmers can no longer make a living from the land.

This land, at present value, represents a sound investment if seeded to blue grass and devoted to beef-cattle grazing. Iowa purchases approximately a million feeder cattle from the ranges of the Rocky Mountain district annually. The freight bill on these cattle is nearly four million dollars (\$4,000,000.00). If our eroded lands were returned to blue grass pasture, we could raise every one of those cattle within the confines of this state. Such a move would necessarily mean ownership in larger units, which would ultimately mean some readjustment of population. State leadership is required for the permanent solution of such problems.

FEDERAL COOPERATION

A few weeks ago in special session, we adopted social security legislation which was necessary to cooperate with the federal government to the end that our people would reap the benefit of the national social security act. By common consent, further review of this act is planned in this session.

Other enabling legislation will be necessary to give Iowa people the benefit of federal aid to the blind, dependent children and vocational rehabilitation. Your duty is to investigate carefully the need for legislation to enable Iowa farmers to participate in the national farm program. We should be grateful for the opportunity to cooperate with the federal government to strengthen these programs.

SALES TAX

The present two per cent (2%) sales tax automatically expires April 1st, this year. Since its enactment in 1934, it has served our state well; \$32,314,116.59 has been raised from this source that would otherwise have been paid by the real estate and property tax payers. It is generally conceded that property tax payers were entitled to some relief from their excessive burden. I, therefore, recommend that this legislature extend indefinitely the sales tax at its present rate, and that the annual revenues from the sales tax, the personal net income tax and the corporation income tax be pooled and allocated as follows:

1. A sufficient amount should be set aside which, together with federal funds available, will pay in full every eligible qualified applicant for old age pension under the Iowa Old Age Assistance Act. It is estimated that approximately six million dollars (\$6,000,000.00) will be required for this purpose. The two dollar (\$2.00) head tax and the million dollar (\$1,000,000.00) annual property levy now in force for its support should be terminated.

2. After making proper allocation for relief, I urge that the remainder of these revenues, which this year would approximate ten million dollars (\$10,000,000.00), be allocated exclusively to homestead tax relief. Legislation to obtain this objective fairly, will be both complicated and difficult, but justice demands its accomplishment insofar as legally possible.

It will insure the allocation of sales and income tax revenues exclusively to Iowa property owners. It will help to solve our farm tenancy problem. It will provide tax preference to all those who live in their own homes and on their own farms, thereby increasing the attractiveness of home ownership, which will contribute more than anything else that we can do to insure the stability of our society and perpetuity of our institutions.

RELIEF

The State of Iowa, in conjunction with the federal government, has been liberal with its citizens who were unable to find employment. It should never be said that government, state or national, failed to respond when citizens were in need. Save for the drouth of last year, Iowa would today be able to discontinue relief. A recent survey in-

dicates that three million dollars will be required to continue the assistance now in force. Frankly, I am hopeful that with returning prosperity, the full payment of old age pensions and good crops will soon terminate the need of relief, but I cannot fail to recommend that you make appropriations in keeping with the apparent need.

MORATORIUM AND FARM TENANCY

The financial distress in the drouth counties of the state has created a situation which requires, in the public interest, that the farm debt moratorium law be extended. The ownership of approximately thirteen thousand (13,000) farms is being protected for their owners by the present moratorium law which expires March 1, 1937. If the law should not be extended, thousands of practical and dependable farmers would lose their farm homes. Such a wholesale loss of ownership would be a major disaster, not alone to the farmers who lose title to the land, but to the communities in which they live, because of the tremendous increase in the number of farms that will be added to the already menacing problem of farm tenancy. It is estimated that more than fifty per cent (50%) of Iowa farms are now operated by tenants. The problem has created great concern throughout the nation. Interested citizens are conducting a national survey throughout the nation this week. No single business reform can correct the situation, but Iowa will have made a practical approach to the problem if you extend our moratorium law and grant tax preference to farm and city homestead owners.

HIGHWAY AND MOTOR TRAFFIC

Improved highways have led the march of civilization throughout world history. Today, all weather roads are necessary for proper transportation of mail, passenger and freight traffic. Iowa enjoys a most enviable record in the rapid construction of permanent roads. A network of all weather roads within our primary system now connects all of our principal cities and towns by carefully planned routes. The development of this system now presents us three new problems:

1. The tremendous toll of lives and personal injury from highway accidents constitutes a menace to every highway traveler.

2. The increasing freight traffic by heavy unregulated trucks adds not only to the danger of the highway, but it is felt that they are not paying their full share toward maintenance and construction of highways.

3. A well planned system of farm-to-market roads of cheaper construction than our primary system should be immediately devised and constructed to carry the benefits of modern transportation into every community of Iowa.

In order to construct a carefully planned farm-to-market road system throughout the state, two important requirements must be met at the out-set: One is the funds with which to do the work, and the other is proper supervision.

Under the present Iowa law, there is approximately five million dollars

(\$5,000,000.00) from the gasoline tax funds allocated to the counties for farm to market road construction and their maintenance.

The Iowa State Highway Commission is this year receiving six hundred and fifty thousand dollars (\$650,000.00) from the federal government for secondary road construction. These funds must be matched with a like amount of funds under the control of the Iowa State Highway Commission. We are led to believe that these federal appropriations will increase in future years. If the state would levy a proper highway usage tax upon trucks using our highways and the increased revenues thus produced be allocated to the Iowa State Highway Commission for the purpose of constructing secondary roads, it would place in their hands a substantial sum of money.

If these combined state and federal secondary road funds were used to match a like amount of the gasoline tax funds now allocated to the counties, a secondary road construction fund, at least four times the federal allotment, would thus be built up. Supervision of such construction should be under the direction of the Iowa State Highway Commission. It is not unreasonable to expect that eventually such a plan would provide as much as ten million dollars (\$10,000,000) annually for this program and insure a coordinated system of well constructed farm-to-market roads.

This proposal does not contemplate a neglect either of the primary system or the expansion thereof. It does not contemplate interference with other Iowa State Highway Commission finances or duties. It merely contemplates taking full advantage of the opportunity afforded by the new policy of the federal government in providing federal aid for the construction of secondary roads.

The enforcement of road law involves not only regulation of passenger car traffic, but the enforcement of truck usage tax, license laws and overload. Enforcement of truck regulations that would positively limit the size and weight of trucks to the accommodation of our highways is a needed function of this department. All of this enforcement can be more efficiently and economically administered by centralizing all road, truck and motor vehicle law enforcement in a single department. In 1935, the legislature set up a small road patrol. It has proven effective insofar as its authority extended. Highway deaths have been reduced from five hundred seventy-five (575) in 1935, to five hundred twenty-five (525) in 1936. This program was financed from a driver's license fee of twenty-five cents (25c) for two years. An increase of the driver license fee would not only make it possible to exercise more caution in the issuance of drivers' licenses, but to finance an adequate motor patrol whose authority would extend to the enforcement of all laws pertaining to highway traffic.

BOARD OF CONTROL

The State of Iowa maintains fifteen institutions under the Board of Control. They consist of juvenile homes, hospitals, penitentiaries and reformatories for the care of our unfortunate citizens. Most of these

institutions operate large farms in an attempt to produce food requirements at the lowest possible cost. There are approximately fifteen thousand (15,000) people in these institutions. The increasing cost of living will necessitate an increased budget for operating expenses. Iowa owes proper and considerate care to the unfortunate citizens whose lives must be spent in these institutions.

For many years prior to the depression most of these institutions were badly in need of repair, replacement, or enlargement. Many of them are not only unsanitary but veritable fire-traps. It would seem desirable now to start a carefully planned building program that would in a few years completely rehabilitate these buildings and bring them to the high standard where they belong.

The trend of government today is to extend assistance to those in need. If that philosophy of government is correct, it is proper that those who are able should pay for the service of government. There are many people treated in certain state institutions capable of paying and who are paying for their care. Others just as capable are not and should be required to do so. Law violators committed to our penitentiaries and reformatories, if able, should also be required to pay the cost heretofore borne by the state. There are many cases in which proper action accompanying the arrest and prosecution would produce revenue sufficient to pay for their stay in our institutions without injustice to their families. If a law violator possesses wealth there is no sound reason why Iowa should bear the expense.

PUBLIC HEALTH

It is the recognized duty of state government to protect the public health by insisting upon proper sanitation and preventing the spread of contagious and infectious diseases. In no field has the world progressed as rapidly in the past fifty years as in medicine, surgery and other branches of the healing arts. Public benefits from this progress can be accomplished only by a greater distribution of information designed to prevent disease and its effects. If all people possessed the information known to health scientists, life would be happier and more extended. The mothers of Iowa are entitled to all information available that will enable them to rear more healthy children, thereby contributing to a stronger, more virile race. Gradually the restraint and sensitiveness of free discussion of diseases and ailments is being broken down. It is being recognized as a practical problem confronted by all human beings. Particularly is this true in the field of so-called social diseases, which affect ten per cent of the people in this nation. The secrecy which has surrounded this menace in the past has prevented proper medical treatment and is, in great part, responsible for its rapid advance. The Iowa Department of Health should be adequately equipped to meet its responsibility and should be encouraged by adequate support to attack the problem which contagious and infectious diseases present, in a courageous public manner.

REORGANIZATION AND CONSOLIDATION OF DEPARTMENTS OF GOVERNMENT

Four years ago the legislature authorized a comprehensive survey of state government, looking forward to consolidation and revision of methods for the purpose of more economy and efficiency. The budget and financial control act and the revision of taxing methods are among the notable results of that survey. There is much more to be accomplished and I recommend that a committee of this legislature review this survey and such other proposals as may be made, and make such recommendations as they regard as helpful in achieving greater efficiency and economy.

HOUSING OF STATE DEPARTMENTS

More than fifty years ago the state of Iowa constructed this beautiful State Capitol building. Architecturally, it stands out among the most beautiful in the entire country, but any casual observer will note that it possesses but little practical office space. The state has outgrown the facilities of this building. Today, we are paying nearly seventy thousand dollars (\$70,000.00) a year rental for office space in downtown Des Moines. The Board of Control is located in a remodeled school building; the Board of Health and the Board of Education in frame buildings more than a block from the Capitol; the Labor Department is located in an old school building long ago abandoned for school purposes and long since condemned; the Insurance Department is located in a downtown office building entirely removed from all other departments; the Board of Assessment and Review is in another office building; the State Relief office in another; the Old Age Assistance office is now operating temporarily in quarters in downtown Des Moines; the new Social Security Act will soon require an office for more than one hundred employees, and there are no provisions of a permanent nature for them. Every inch of available space here in the State House has been utilized, even to the corridors.

These conditions jeopardize the lives of many employees, threaten the loss of valuable and irreplaceable public records, books and documents, decrease efficiency of operation, and would not long be tolerated by any private business.

The annual expenditure for rent which the state is now making, would finance, over a relatively short period, the erection of a new building adequate to house all these departments under one roof. Consideration might well be given to the question as to whether economy as well as efficiency would not be promoted by adopting that course.

INDUSTRY AND LABOR

In our effort to develop greater opportunities for our people, we are brought face to face with the necessity of expanding industry and protecting labor. Iowa is truly an inland empire, bounded on the east

and west by rivers that are some day destined to be navigable, which together with our railroads and highways simplify the problem of transportation. Living costs are lower and living conditions more pleasant in Iowa than in the industrial centers of the east. Therefore, it appears that Iowa offers splendid inducement to new industry or to those who seek a better location.

Iowa farmers should welcome an increase in the population of this state. Transportation costs on products for local consumption would be saved. The fine highways radiating from our cities and towns afford ideal home sites for factory workers. In the packing industry, Iowa presents marvelous opportunities. We are the largest producers of finished livestock in America. Every animal fattened on our farms should be processed in Iowa packing houses. We lead the world in hog production. Forty-two cents (42c) out of each Iowa farm dollar comes from hogs. We can and should raise, finish and pack the world's finest corn fed ham and bacon. If we would treat this opportunity as California has promoted "Sun-Kist" oranges, it would greatly increase our income.

Iowa possesses valuable coal fields. More than ten thousand (10,000) people work in our mines. We owe this industry our protection in order that operator and miner alike might profit. We are finally approaching the happy day when industry and labor will exist for each other and common problems will be solved by conference and arbitration, rather than the hostile methods of the past. Labor prospers when industry can meet the payrolls. Industry prospers when labor possesses a buying power. We are committed to the belief that the public should pay to industry a proper price in order that it can employ labor at good wages. The farmer prospers when industry and labor prospers, and, somehow it seems that the entire structure depends upon the farmer's buying power. The philosophy of government should be a square deal to all people and all interests.

The state owes to labor a minimum wage scale. When the state contracts for construction, it is perfectly apparent that material dealers can protect their prices by refusing to sell it at a loss but labor is left to the cruel price slashing of competition that oftentimes imposes an unfair hardship.

Iowa has always prospered, excepting when affected from damaging forces over which we have no control. The ruthless competition of out-of-state corporations which enjoy privileges unavailable to Iowa business men is a case in point. This condition has led Iowa to support the principle of chain store taxation, which is designed to protect Iowa merchants and the system known as independent distribution. I believe that Iowa has a greater obligation to her business men than to merely constitute a source of profit for foreign corporations. Certainly, legislation for the protection of our people is within the realm of proper action on the part of this or any other legislature. I urge your careful consideration of this problem.

EDUCATION

No activity of local and state government is more important than the education of our youth. Iowa enjoys an enviable reputation in this field. Our State University is recognized as one of the best in the country. Education is the department upon which we spend the largest part of our tax dollar and it produces the greatest returns. The elementary school system in Iowa presents an unusual problem. Because of our even distribution of population, we have from the beginning adhered to the policy of local support and local financing of our schools. Throughout the more prosperous years of the past, this system has been successful. In recent years, we have found that the need for school service is frequently out of proportion to the local ability to pay, and, as a result, there are many districts in the state improperly served and improperly financed. Refinancing alone will not insure success. Educators are not agreed upon the service and the system necessary to insure efficiency and economy. The taxpayer is quite willing to pay for adequate school service if he is convinced that the system employed is the proper one and that every reasonable economy is being practiced. It is quite generally agreed that we should greatly increase the standards of the teaching force in our elementary system. This will necessitate higher salaries. It will, also, involve increasing the facilities of the Iowa Teachers' College, which trains the greater part of our teaching staff. To solve the problem may involve consolidation of districts, re-districting, transportation of pupils or financial aid from sources outside the community. Fortunately the majority of districts are not confronted with these problems, and it seems that a careful survey by a proper tribunal that represents the views of educators, the interests of the pupils and the taxpayer is a regular prelude to any drastic change in our taxing system for the support of schools.

One of the important questions that should be settled for the duration of this era, at least, is to determine the exact obligation that the people of Iowa want to assume for the educating of their youth. How much education are we willing to pay for, out of the public chest? How much education shall our children obtain free from the state? Shall it be twelve years? Should it be more or should it be less? When this question is definitely decided, we should then take steps to permanently finance an efficient administration.

One of the unfortunate results of the depression was the salary reduction of faculty members and teachers everywhere. Inability to restore these reductions has resulted in the loss of many valuable instructors and educational leaders throughout the entire school system. The solution of these many problems is our challenge today.

The state should never be meddlesome in local affairs, but it should always be helpful and respond to calls for assistance. Our entire educational system should be entirely divorced from politics. If the Superintendent of Public Instruction is to continue as the one coordinating influence between state and the public school system and the public school system with the rest of the educational system, it seems desirable that the selection of the incumbent should be the responsibility of the Board of Education or some other non-partisan body created for the express pur-

pose of dealing with educational problems. We believe in the same principle for selecting the judiciary. If the Board of Education is to exert a greater influence over the problem of educating our youth, it should take cognizance of the question from kindergarten to the university.

In recent years, much progress has been made by way of adopting a uniform course of study for our elementary system. Further progress in that field is desirable. We cannot countenance any program that restricts educational service or the revenues for its support. If we are to expect competent persons to devote their life to teaching, we should look toward the completion of a retirement annuity that would assure them security at the end of their career.

Public officials can profit by the attitude of cooperation practiced by the public in the channel of trade. School, town, county, and state government could establish more voluntary cooperation in the discharge of their duties with a saving to the taxpayers and no reduction in efficiency. Tax levies already made in the local taxing districts show an increase of several million dollars for the ensuing year. These increases are unavoidable because of returning prosperity and a higher level of prices for services and the commodities of life. It would be much more pleasant to us as officials if we could look forward to the operation of necessary government at a lower cost, but we must choose between two alternatives:

(1) Necessary governmental service and pay the cost, or (2) inadequate service at an apparent lower cost.

I plead for friendly cooperation between citizens and officials and between officials, themselves.

Great paintings have been made but the world's best has not yet been put on canvass. Great sculptors are proud of their handiwork, but the best has not yet been produced. The best song has not been sung, nor have the best results in government yet been obtained. It is our duty to plan with all our talents to the end that this generation will be adequately served, and that we may pave the way for greater opportunities for our children. It is your duty and mine to approach our problem with a full sense of our great responsibilities, with a firm determination to solve the problems in a spirit of cooperation for the public's good. Differences of opinion may well arise among honorable and enlightened men, but let us trust they will in this body be finally resolved in legislative enactment designed to accomplish the fine purposes to which we, as public servants, are committed.

With your cooperation, with my cooperation, with the benediction of the God who rules our actions, we may look forward to a session of constructive accomplishments.

The minutes of the Joint Convention were read.

Dressen of Crawford moved that the minutes as read be approved. Motion prevailed and the minutes were approved.

Senator Dewey moved that the Joint Convention be now dissolved. Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session, President Valentine presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked: House Concurrent Resolution 2 relative to extra help for the General Assembly. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION 2

Be It Resolved by the House, the Senate Concurring: That a joint committee of six members be appointed, three from the Senate to be appointed by the Senate 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.

HOUSE CONCURRENT RESOLUTION 2 CONSIDERED

By unanimous consent, on request of Senator Beardsley, House Concurrent Resolution 2 was taken up, considered and adopted.

The President appointed as members of the committee on extra help on the part of the Senate, Senators Berg, Shaw, and Mason, heretofore selected.

THIRD READING OF BILLS

By unanimous consent, on motion of Senator Baldwin, Senate File 10, by Senator Murray, a bill for an act to authorize cities having a population between seventy-five thousand (75,000) and ninety thousand (90,000) to incur indebtedness and exceed the amount set forth in the budget of said cities for the year beginning April 1, 1936, and ending March 31, 1937, and permitting said cities to make a levy for the general fund not exceeding forty thousand dollars (\$40,000.00), said levy being in addition to other levies for said General Fund, as provided by law, on all taxable property within said cities, said levy being payable in the year 1938, and authorizing said cities to issue warrants in anticipation of the collection of said levy, was taken up and considered.

Senator Baldwin moved that the rules be suspended which required reference of a bill to a committee, which motion prevailed.

Senator Baldwin moved that the rules be suspended by which no bill may be read the second and third times the same day, which motion prevailed.

The bill was read for information.

Senator Doran offered the following amendment:

Amend Senate File 10 by changing the period at the end of the publication clause to a comma, and adding "without expense to the state."

Senator Murray addressed the Senate as follows:

The members of this Senate may be assured that the City of Sioux City is ready to and will reimburse the State of Iowa for any and all expense incurred in connection with the printing and publication of Senate File 10.

Senator Doran asked and received unanimous consent to withdraw his amendment.

Senator Baldwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Ellis	Hill	Miller
Baldwin	Elthon	Hoeven	Moore
Beardsley	Evans	Hopkins	Murray
Billingsley	Geske	Husted	Pelzer
Breen	Gillespie	Kirketeg	Schadt
Byers	Gillette	Levis	Shaw
Corwin	Goetsch	Lundy	Stevens
Dewey	Grunewald	Mason	Whitehill
Doran	Guernsey	Mighell	Zeigler
Edwards			

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Chrystal	Irwin	Parker
Bell of	Dean	Kimberly	Smith
Des Moines	Donohue	Millhone	Stewart
Berg	Driscoll		

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

Senator Baldwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Baldwin asked and received unanimous consent that Senate File 10 be messaged to the House immediately.

Senator Baldwin moved that the President appoint a temporary committee on enrolled bills, which motion prevailed.

The President appointed Senators Dewey, Murray, and Baldwin as a committee on enrolled bills to consider Senate File 10.

CONSIDERATION OF PROCLAMATION

By unanimous consent on request of Senator Stevens the Senate considered the following proclamation:

PROCLAMATION

On Thursday, January 21, 1937, the Third General Assembly of the Council of State Governments will convene for a four-day session in Washington, D. C. The official delegates to the Assembly will deliberate and take action upon important problems involving cooperative action by the states with each other and with the federal government. Specific recommendations, some in the form of proposed model legislative measures, model compacts, or model administrative agreements, will be presented to the Assembly by the following official affiliates of the Council of State Governments:

Interstate Commission on Conflicting Taxation.

Tax Revision Council.

Interstate Commission on Crime.

Interstate Commission on Social Security.

Interstate Commission on the Delaware River Basin.

Interstate Commission on Council Development.

Interstate Commission on Conservation.

American Legislators' Association.

National Association of Attorneys General.

National Association of Secretaries of State.

The Assembly will also consider and debate other problems necessitating interstate cooperation in new fields, and will make recommendations to specialized Interstate Commissions and National Associations for further action.

This Call Is Issued to
Lieutenant Governor of Iowa
For Official Action

Each of the forty-eight states is entitled to send three voting delegates, one to represent the Senate, one to represent the House of Representatives, and one to represent the Governor. The Governor of each state is an honorary member of the Assembly. In states having Commissions on Interstate Cooperation, the official delegates representative of the three official departments named above, shall be appointed by that Commission. In all other states the delegates shall be chosen by the Senate, the House

of Representatives, and the Governor, separately. Prompt response to this call is earnestly requested.

Council of State Governments.

(Signed) PAUL V. MCNUTT.

PAUL V. MCNUTT, *President.*

American Legislators' Association.

(Signed) HENRY PARKMAN, JR.

HENRY PARKMAN, JR., *President.*

National Association of Attorneys General.

(Signed) CLYDE R. CHAPMAN.

CLYDE R. CHAPMAN, *President.*

National Association of Secretaries of State.

(Signed) THEODORE DAMMANN.

THEODORE DAMMANN, *President.*

SEAL OF
THE COUNCIL
OF STATE
GOVERNMENTS

Senator Stevens moved that the President of the Senate ask Senator Herring to represent the State of Iowa at the Third General Assembly of the Council of State Governments which will convene in Washington, D. C., on January 21, 1937, which motion prevailed, and the President was instructed to act accordingly.

Senator Baldwin moved that the committee selected yesterday to consult the Executive Council concerning food and beverages, also be empowered to take up the matter of parking space for automobiles by legislators.

The motion prevailed.

APPOINTMENT OF PAGES

I hereby appoint the following persons to act as pages pursuant to the provisions of the rules of the Senate:

Don Ivan Francis—Lieutenant-Governor's page.

Alexander Robertson—Secretary's page.

Tom Hoak.

Jack Chalmers.

Edwin Berggren.

Frank Cardaman.

Jack Stradtman.

Charles Robinson.

Dick Walsh.

Scott Mighell.

JOHN K. VALENTINE, *Lieutenant-Governor.*

The foregoing pages with the exception of Charles Robinson appeared and were duly sworn in.

Senator Baldwin moved that the President appoint a committee of three to prepare a joint resolution fixing the compensation of the committee clerks, pages, and employees of the 47th General Assembly.

The motion prevailed and the President appointed Senators Mason, Byers, and Beardsley.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 10, a bill for an act to authorize cities having a population between seventy-five thousand (75,000) and ninety thousand (90,000) to incur indebtedness and exceed the amount set forth in the budget of said cities for the year beginning April 1, 1936, and ending March 31, 1937, and permitting said cities to make a levy for the general fund not exceeding forty thousand dollars (\$40,000.00), said levy being in addition to other levies for said General Fund, as provided by law, on all taxable property within said cities, said levy being payable in the year 1938, and authorizing said cities to issue warrants in anticipation of the collection of said levy.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Dewey, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File 10.

A. CLAIRE DEWEY, *Chairman Senate Committee.*

JOHN W. MOORE, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 10.

BILLS SENT TO THE GOVERNOR

Senator Dewey, from the special committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 14th day of January, 1937, sent to the Governor for his approval, Senate File 10.

A. CLAIRE DEWEY, *Chairman.*

Passed on file.

The Journal of January 13th was corrected and approved.

On motion of Senator Ellis, the Senate adjourned, to reconvene after the recess, January 19th, at 2 p. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 19, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. P. N. McDermott, Pastor of the SS. Peter and Paul Church of Atlantic, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Geske, on request of Senator Moore; Senator Hopkins, on request of Senator Beardsley.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Corwin, from the members of Liberty Camp 2056, Royal Neighbors of America, located at West Liberty, opposing the tax on fraternal insurance.

By Senator Guernsey, from the board of supervisors of Appanoose county, favoring the continuation of the present valuations on real estate.

By Senator Berg, from the members of the Waterloo Branch of the American Association of University Women, favoring increased state aid for education.

By Senator Mason, from the farmers of Poweshiek county, favoring an increased bounty on gophers.

INTRODUCTION OF BILLS

Senate File 14, by Senator Guernsey, a bill for an act to amend Chapter thirty-six (36) of the Code, 1935, relating to nominations by primary election.

Read first and second times and passed on file.

Senate File 15, by Senator Hill, a bill for an emergency act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continuance of such actions; providing for determination by the court of the rights of the holder of such mortgages, and of the owner or owners of the real estate, and of persons liable on such mortgages, deeds of trust, or the notes secured thereby, to the possession of the real estate, and to the rents, income and profits therefrom; providing for suspension of conflicting acts; providing that applications heretofore filed under Chapter one hundred eighty-two (182) of the acts of the Forty-fifth General Assembly, and/or Chapter one hundred fifteen (115), acts of the Forty-sixth General Assembly, whether ruled upon or not, shall be considered as refiled under this act; and providing for the termination of this act.

Read first and second times and passed on file.

Senate File 16, by Senator Hill, a bill for an emergency act relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed; declaring that the emergency still exists; providing for the making of applications for extensions of the period of redemption and for the kind and manner of notices to be given; making the provisions of this act applicable to all cases where the courts have granted such extension; and providing for applications now on file, for payment and distribution of rents and for suspension of all acts or parts of acts in conflict with this act.

Read first and second times and passed on file.

Senate File 17, by Senator Mason, a bill for an act to repeal Section twenty-nine hundred thirty (2930), Code, 1935, relating to aid to the farm bureau.

Read first and second times and passed on file.

The Journal of January 14th was corrected and approved.

Charles Robinson was sworn in as page, effective January 15th.

On motion of Senator Dewey, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 20, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. C. V. Pence, pastor of the Christian Church, Nevada.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stewart, for the day, on request of Senator Corwin.

INTRODUCTION OF BILLS

Senate File 18, by Senator Hoeven, a bill for an act to amend Chapter four hundred seventy-one (471), Code, 1935, relating to divorce.

Read first and second times and passed on file.

Senate File 19, by Senator Hoeven, a bill for an act to amend Section fifty-eight hundred sixty-nine (5869), of the Code of Iowa, 1935, relating to the bond of the treasurer of municipal hospitals.

Read first and second times and passed on file.

Senate File 20, by Senator Gillespie, a bill for an act to amend Section eleven thousand six hundred twenty-six (11626), Code, 1935, relating to the liability of successful party for costs in actions where judgments have been rendered.

Read first and second times and passed on file.

Senate File 21, by Senator Dean, a bill for an act to amend Section forty-six hundred forty-four-c fifty-eight (4644-c 58), Code, 1935, relating to the levy of a road poll tax.

Read first and second times and passed on file.

Senate File 22, by Senator Dean, a bill for an act to amend Section five thousand two hundred sixty-one (5261), Code, 1935, relating to the construction of county buildings, and to authorize the County Board of Supervisors to expend not more than ten thousand (\$10,000) dollars for the construction of a county highway maintenance garage.

Read first and second times and passed on file.

Senate File 23, by Senator Dean, a bill for an act to amend Section fifty-two hundred ninety-six-f two (5296-f2), Code, 1935, providing for a limit on annual compensation of members of the Old Age Assistance Commission.

Read first and second times and passed on file.

Senate File 24, by Senators Breen and Doran, a bill for an act to repeal Section one thousand three hundred eighty-seven (1387) of the Code of Iowa, 1935, and to enact a substitute therefor relating to medical, surgical aid, hospitalization and other relief for employees by employers, where the employee comes within the provisions of the Workmen's Compensation Act, and to provide the manner for the determination of the reasonableness of charges made therefor by submission to the industrial commissioner.

Read first and second times and passed on file.

Senate File 25, by Senator Baldwin, a bill for an act to prohibit the sale, offering or exposing for sale of fireworks; defining fireworks and to regulate the manner of using fireworks, and to provide penalties for the violation of the provisions of this act.

Read first and second times and passed on file.

REPORT OF COMMITTEE ON COMMITTEES

MR. PRESIDENT: Your committee on committees begs leave to report that it has appointed the standing committees of the Senate for the 47th General Assembly of Iowa; that there is attached hereto a list of the committees with the names of the members thereof, and a list of the names of the Senators with the names of the committees upon which they have been appointed, and that said committees shall be and constitute the standing committees of the Senate for the 47th General Assembly and that the persons whose names are shown on the attached list

as members of the various committees shall be and constitute the members of said committees.

GEORGE M. HOPKINS.
WM. S. BEARDSLEY.
FRANK C. BYERS.

AGRICULTURE

Husted— Chairman	Elthon	Kirketeg	Shaw
*Dean	Evans	Mason	Stevens
Doran	Grunewald	Miller	Stewart
	Gillette		

APPROPRIATIONS

Elthon— Chairman	Billingsley	Ellis	Mason
*Stevens	Chrystal	Goetsch	Miller
Baldwin	Corwin	Grunewald	Moore
Bell of Crawford	Dean	Hill	Parker
Bell of Des Moines	Dewey	Hoeven	Schadt
Berg	Donohue	Husted	Shaw
	Doran	Levis	Whitehill
	Driscoll	Lundy	Zeigler

BANKS AND BANKING

Irwin—Chairman	Breen	Elthon	Miller
*Evans	Byers	Husted	Murray
Billingsley			

BOARD OF CONTROL AND PUBLIC WELFARE

Parker— Chairman	Evans	Kimberly	Miller
*Whitehill	Gillette	Mason	Stewart
Driscoll	Hoeven	Mighell	

BOUNDARY BRIDGES

Moore— Chairman	*Corwin	Bell of Des Moines	Kimberly
	Baldwin		Schadt

CITIES AND TOWNS

Berg—Chairman	Breen	Irwin	Millhone
*Gillespie	Byers	Kimberly	Moore
Augustine	Corwin	Kirketeg	Murray
Baldwin	Driscoll	Levis	Stevens
Bell of Des Moines	Hill	Lundy	Whitehill
	Hoeven		

CLAIMS

Mason— Chairman	Augustine	Edwards	Mighell
*Kirketeg	Chrystal	Ellis	Pelzer
	Driscoll	Gillette	Zeigler

COMPENSATION OF PUBLIC OFFICERS

Miller— Chairman	Baldwin	Geske	Schadt
*Pelzer	Dean	Hopkins	Smith

* Indicates ranking member.

CONSERVATION

Dewey— Chairman	Breen	Evans	Schadt
*Chrystal	Corwin	Geske	Stevens
Augustine	Doran	Grunewald	Whitehill
Beardsley	Ellis	Millhone	Zeigler
	Elthon	Pelzer	

CONSTITUTIONAL AMENDMENTS

Chrystal— Chairman	Billingsley	Parker	
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COUNTY AND TOWNSHIP AFFAIRS

Edwards— Chairman	Levis	Moore	Pelzer
*Guernsey	Millhone	Murray	Smith

DEPARTMENTAL AFFAIRS

Goetsch— Chairman	Berg	Husted	Murray
*Mighell	Breen	Kimberly	Shaw
	Hopkins		

DRAINAGE

Bell of Crawford —Chairman	*Hill	Dean	Gillette
	Corwin	Dewey	Mighell

EDUCATIONAL INSTITUTIONS

Schadt— Chairman	*Irwin	Dean	Lundy
	Berg	Gillespie	Parker

ELECTIONS AND CONTESTS

Zeigler— Chairman	*Ellis	Guernsey	Pelzer
	Dewey		

ENROLLED BILLS

Pelzer— Chairman	*Geske	Stewart	
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FEDERAL CO-ORDINATION

Geske— Chairman	Augustine	Guernsey	Hopkins
*Kirketeg	Breen	Hill	Shaw
	Gillespie	Hoeven	

GREATER IOWA

Grunewald— Chairman	*Edwards	Parker	Stewart
	Driscoll		

HIGHWAYS

Millhone— Chairman	Beardsley	Goetsch	Mason
*Miller	Billingsley	Grunewald	Moore
Augustine	Ellis	Kirketeg	Smith
	Evans	Levis	Whitehill

HORTICULTURE AND FORESTRY

Corwin— Chairman	*Grunewald	Mason	Miller
	Dewey	Mighell	Stewart

INSURANCE

Doran— Chairman	Baldwin Bell of Crawford	Geske Guernsey	Millhone Murray
*Bell of Des Moines	Byers Donohue Ellis	Hill Levis	Shaw Zeigler

JUDICIARY NO. 1

Shaw— Chairman	Breen Doran	Irwin Kirketeg	Lundy Millhone Schadt
*Bell of Crawford	Hill		

JUDICIARY NO. 2

Donohue— Chairman	Guernsey Baldwin	Levis	Hoeven Murray
*Geske	Byers		

LABOR

Hill— Chairman	*Driscoll Billingsley	Kimberly Moore	Murray Zeigler
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LIVESTOCK AND DAIRYING

Stewart— Chairman	Augustine Evans	Husted Pelzer	Smith Stevens
*Dean	Grunewald		

MANUFACTURING, COMMERCE AND TRADE

Kirketeg— Chairman	*Baldwin Augustine	Berg Edwards	Gillespie Lundy
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MILITARY AFFAIRS

Whitehill— Chairman	Bell of Crawford Berg	Breen Edwards	Hoeven Irwin
*Billingsley			

MINES AND MINING

Lundy— Chairman	*Guernsey Beardsley	Doran Gillespie	Levis Millhone
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MOTOR VEHICLES

Beardsley— Chairman	Doran Elthon	Husted Mighell	Pelzer Shaw Zeigler
*Augustine Dean	Goetsch Hill	Murray	

PHARMACY

Gillespie— Chairman	*Parker Berg	Corwin	Millhone
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POLITICAL AND JUDICIAL DISTRICTS

Driscoll— Chairman	*Ellis Chrystal	Edwards	Goetsch
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PRINTING

Baldwin— Chairman	*Dewey Doran	Geske Hopkins	Shaw Stevens
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PUBLIC HEALTH

Smith— Chairman	Berg Billingsley	Edwards Gillespie	Mighell Parker
*Moore	Breen	Irwin	Schadt

PUBLIC LAND AND BUILDINGS

Bell of Des Moines— Chairman	*Goetsch Bell of Crawford	Elthon Gillette	Hoeven Husted
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PUBLIC LIBRARIES

Billingsley— Chairman	*Gillette Donohue	Lundy Mason	Millhone Stevens
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PUBLIC SCHOOLS

Hopkins— Chairman	Edwards Ellis	Husted Lundy	Moore Stewart
*Mighell	Guernsey		

PUBLIC UTILITIES

Levis— Chairman	Baldwin Byers	Lundy Mason	Moore Whitehill
*Guernsey	Evans	Miller	Zeigler

RAILROADS AND AERONAUTICS

Hoeven— Chairman	Bell of Des Moines	Donohue Grunewald	Kimberly Smith
*Corwin	Chrystal	Irwin	

RULES

Byers— Chairman	*Irwin Beardsley	Donohue	Geske
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SOCIAL SECURITY

Stevens— Chairman	Bell of Des Moines	Edwards Gillespie	Kirketeg Parker
*Donohue	Driscoll	Hopkins	Whitehill
Bell of Crawford			

STATE PLANNING

Evans— Chairman	Bell of Des Moines	Goetsch Gillette	Schadt Smith
*Bell of Crawford	Byers Chrystal	Guernsey Kimberly	Stewart

WAYS AND MEANS

Kimberly— Chairman	Augustine Beardsley	Dean Dewey	Goetsch Hoeven
*Smith	Chrystal	Gillette	Hopkins

SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR AUGUSTINE

Cities and towns	Highways	Manufacturing, com- merce and trade
Claims	Livestock and dairying	*Motor vehicles
Conservation		Ways and means
Federal co-ordination		

SENATOR BALDWIN

Appropriations	Compensation of public officers	*Manufacturing, commerce and trade
Boundary bridges	Insurance	Printing—Chairman
Cities and towns	Judiciary No. 2	Public utilities

SENATOR BEARDSLEY

Conservation	Mines and mining	Rules
Highways	Motor vehicles—Chairman	Ways and means

SENATOR BELL OF CRAWFORD

Appropriations	*Judiciary No. 1	*State planning
Drainage—Chairman	Military affairs	Social security
Insurance	Public land and buildings	

SENATOR BELL OF DES MOINES

Appropriations	*Insurance	State planning
Boundary bridges	Public land and buildings—Chairman	Social security
Cities and towns		Railroads and aeronautics

SENATOR BERG

Appropriations	Educational institutions	Military affairs
Cities and towns—Chairman	Manufacturing, commerce and trade	Pharmacy
Departmental affairs		Public health

SENATOR BILLINGSLEY

Appropriations	Highways	Public health
Banks and banking	Labor	Public libraries—Chairman
Constitutional amendments	*Military affairs	

SENATOR BREEN

Banks and banking	Departmental affairs	Military affairs
Cities and towns	Federal co-ordination	Public health
Conservation	Judiciary No. 1	

SENATOR BYERS

Banks and banking	Judiciary No. 2	Rules—Chairman
Cities and towns	Public utilities	State planning
Insurance		

SENATOR CHRYSAL

Appropriations	Constitutional amendments—Chairman	Railroads and aeronautics
Claims	Political and judicial districts	State planning
*Conservation		Ways and means

SENATOR CORWIN

Appropriations	Conservation	Pharmacy
*Boundary bridges	Drainage	*Railroad and aeronautics
Cities and towns	Horticulture and forestry—Chairman	

SENATOR DEAN

*Agriculture	Drainage	*Livestock and dairying
Appropriations	Educational institutions	Motor vehicles
Compensation of public officers		Ways and means

	SENATOR DEWEY	
Appropriations Conservation— Chairman	Drainage Elections and contests Horticulture and Forestry	*Printing Ways and means
	SENATOR DONOHUE	
Appropriations Insurance	Judiciary No. 2— Chairman Public libraries	Railroads and aero- nautics Rules *Social security
	SENATOR DORAN	
Agriculture Appropriations Conservation	Insurance—Chairman Judiciary No. 1 Mines and mining	Motor vehicles Printing
	SENATOR DRISCOLL	
Appropriations Board of control and public welfare Cities and towns	*Labor Political and judicial districts—Chairman	Social security Greater Iowa Claims
	SENATOR EDWARDS	
Claims County and township affairs—Chairman *Greater Iowa	Manufacturing, com- merce and trade Political and judicial districts	Military affairs Public health Public schools Social security
	SENATOR ELLIS	
Appropriations Claims Conservation	*Elections and contests Highways Insurance	*Political and judicial districts Public schools
	SENATOR ELTHON	
Appropriations— Chairman Agriculture	Banks and banking Conservation Motor vehicles	Public land and buildings
	SENATOR EVANS	
Agriculture *Banks and banking Board of control and public welfare	Conservation Highways Livestock and dairying	Public utilities State planning— Chairman
	SENATOR GESKE	
Compensation of public officers Conservation *Enrolled bills	Federal co-ordination— Chairman Insurance	*Judiciary No. 2 Printing Rules
	SENATOR GILLESPIE	
Educational institutions Federal co-ordination Manufacturing,	commerce and trade Mines and mining Pharmacy— Chairman	Public health *Cities and towns Social security
	SENATOR GILLETTE	
Agriculture Board of control and public welfare Claims	Drainage Public land and buildings	*Public libraries State planning Ways and means

SENATOR GOETSCH

Appropriations	Highways	*Public land and buildings
Departmental affairs—	Motor vehicles	State planning
Chairman	Political and judicial districts	Ways and means

SENATOR GRUNEWALD

Agriculture	Highways	Livestock and dairying
Appropriations	*Horticulture and forestry	Railroads and aeronautics
Conservation		
Greater Iowa—		
Chairman		

SENATOR GUERNSEY

*County and township affairs	Insurance	Public schools
Elections and contests	Judiciary No. 2	*Public utilities
Federal co-ordination	*Mines and mining	State planning

SENATOR HILL

Appropriations	Federal co-ordination	Labor—Chairman
Cities and towns	Insurance	Motor vehicles
*Drainage	Judiciary No. 1	

SENATOR HOEVEN

Appropriations	Judiciary No. 2	Railroads and aeronautics—Chairman
Board of control and public welfare	Military affairs	Ways and means
Cities and towns	Public land and buildings	
Federal co-ordination		

SENATOR HOPKINS

Compensation of public officers	Federal co-ordination	Social security
Departmental affairs	Printing	Ways and means
	Public schools—	
	Chairman	

SENATOR HUSTED

Agriculture—	Departmental affairs	Public land and buildings
Chairman	Livestock and dairying	Public schools
Appropriations	Motor vehicles	
Banks and banking		

SENATOR IRWIN

Banks and banking—	Judiciary No. 1	Railroads and aeronautics
Chairman	Military affairs	*Rules
Cities and towns	Public health	
*Educational institutions		

SENATOR KIMBERLY

Board of control and public welfare	Departmental affairs	State planning
Boundary bridges	Labor	Ways and means—
Cities and towns	Railroads and aeronautics	Chairman

SENATOR KIRKETEG

Agriculture	*Federal co-ordination	Manufacturing, commerce and trade—
Cities and towns	Highways	Chairman
*Claims	Judiciary No. 1	Social security

SENATOR LEVIS

Appropriations
Cities and towns
County and township
affairs

Highways
Insurance
Judiciary No. 2

Mines and mining
Public utilities—
Chairman

SENATOR LUNDY

Appropriations
Cities and towns
Educational institu-
tions

Judiciary No. 1
Manufacturing, com-
merce and trade
Mines and mining—
Chairman

Public libraries
Public schools
Public utilities

SENATOR MASON

Agriculture
Appropriations
Board of control and
public welfare

Claims—
Chairman
Highways

Horticulture and
forestry
Public libraries
Public utilities

SENATOR MIGHELL

Board of control and
public welfare
Claims
*Departmental affairs

Drainage
Horticulture and
forestry

Motor vehicles
Public health
*Public schools

SENATOR MILLER

Agriculture
Appropriations
Banks and banking
Board of control and
public welfare

Compensation of pub-
lic officers—
Chairman
*Highways

Horticulture and
forestry
Public utilities

SENATOR MILLHONE

Cities and towns
Conservation
County and township
affairs

Highways—Chairman
Insurance
Judiciary No. 2

Mines and mining
Pharmacy
Public libraries

SENATOR MOORE

Appropriations
Boundary bridges—
Chairman
Cities and towns

County and township
affairs
Highways
Labor

*Public health
Public schools
Public utilities

SENATOR MURRAY

Banks and banking
Cities and towns
County and township
affairs

Departmental affairs
Insurance
Judiciary No. 2

Labor
Motor vehicles

SENATOR PARKER

Appropriations
Board of control and
public welfare—
Chairman

Constitutional amend-
ments
Educational institutions
Greater Iowa

*Pharmacy
Public health
Social security

SENATOR PELZER

Claims
*Compensation of
public officers
Conservation

County and township
affairs
Elections and contests

Enrolled bills—
Chairman
Livestock and dairying
Motor vehicles

SENATOR SCHADT

Appropriations	Conservation	Judiciary No. 1
Boundary bridges	Educational institu-	Public health
Compensation of public officers	tions—Chairman	State planning

SENATOR SHAW

Agriculture	Federal co-ordination	Motor vehicles
Appropriations	Insurance	Printing
Departmental affairs	Judiciary No. 1— Chairman	

SENATOR STEVENS

Agriculture	Conservation	Public libraries
*Appropriations	Livestock and dairying	Social security— Chairman
Cities and towns	Printing	

SENATOR STEWART

Agriculture	Greater Iowa	Livestock and dairy-
Board of control and public welfare	Horticulture and forestry	ing—Chairman
Enrolled bills		Public schools
		State planning

SENATOR SMITH

Compensation of public officers	Livestock and dairying	Railroads and aero-
County and township affairs	Public health— Chairman	navics
Highways		State planning
		*Ways and means

SENATOR WHITEHILL

Appropriations	Conservation	Public utilities
*Board of control and public welfare	Highways	Social security
Cities and towns	Military affairs— Chairman	

SENATOR ZEIGLER

Appropriations	Elections and con-	Labor
Claims	tests—Chairman	Motor vehicles
Conservation	Insurance	Public utilities

On motion of Senator Hopkins the report was adopted.

Senator Hopkins announced that the committee on committee rooms was not ready to make assignments at this time but would have a report ready tomorrow.

Senator Murray asked and received unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 26, by Senator Murray, a bill for an act to amend Section five thousand six hundred ninety-four (5694), Code, 1935, all relating to the applicability and exceptions of those covered under Civil Service in cities and towns.

Read first and second times and passed on file.

CORRECTION IN MILEAGE

On request of Senator Hill the report on his mileage as shown on page 9 of the Senate Journal was corrected to 85 miles. Senator Hill also requested that his warrant for mileage in the 47th General Assembly be cancelled due to the fact that his mileage at the 46th Extra Session was computed on the double mileage basis and warrant issued accordingly.

The Journal of January 19th was corrected and approved.

BILLS ASSIGNED TO COMMITTEES

President Valentine reported the following assignment of bills to committees:

Senate File	Committee	Senate File	Committee
1	Ways and means.	16	Judiciary No. 1
2	Ways and means	17	Agriculture
3	Departmental affairs	18	Judiciary No. 2
4	Elections	19	Cities and towns
5	Judiciary No. 2	20	Judiciary No. 2
6	Judiciary No. 1	21	County and township affairs
7	Judiciary No. 2	22	County and township affairs
8	Judiciary No. 1	23	Compensation of public officers
9	Judiciary No. 1	24	Social security
10	Passed	25	Judiciary No. 2
11	Judiciary No. 2	26	Cities and towns
12	Elections		
13	Judiciary No. 1		
14	Elections		
15	Judiciary. No. 1		

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 21, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. G. L. Alderman, pastor of the Easton Heights Evangelical Church, Des Moines.

PETITIONS AND MEMORIALS

The following petition was presented and referred to the designated committee:

By Senator Irwin, from the citizens of Clinton county, favoring homestead tax exemption for Iowa. Ways and means.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Baldwin for the forenoon, on request of Senator Moore; Senator Geske for the day, on request of Senator Moore; Senator Kimberly for the day, on request of Senator Corwin.

INTRODUCTION OF BILLS

Senate File 27, by Senator Levis, a bill for an act to amend Section ninety-eight hundred eighty-five (9885), Code, 1935, relating to the production, manufacture, sale, and distribution of commodities of commerce and providing that telephone service shall be included within the meaning of said section.

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

Senate File 28, by Senators Irwin and Driscoll, a bill for an act to amend Chapter eighty-two (82) of the acts of the Forty-fifth General Assembly, Extra Session, relating to taxation.

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

Senate File 29, by Senators Hill and Shaw, a bill for an act to authorize cities and town to construct, equip and maintain

a nurses' home, to provide that the Board of Hospitals Trustees of such city or town shall have charge and supervision of the erection of such building and when erected, the management, control and government thereof.

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

Senate File 30, by Senator Hill, a bill for an act to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matters.

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

Senate File 31, by Senators Hill and Shaw, a bill for an act to amend Section fifty-eight hundred sixty-seven (5867) of the Code of Iowa, 1935, relating to the election and term of office of a board of hospital trustees in cities and to repeal Section fifty-eight hundred sixty-nine (5869) of said Code, and to enact a substitute therefor, relating to the treasurer of the Board of hospital trustees in cities.

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

Senate File 32, by Senators Hill and Shaw, a bill for an act to repeal Section fifty-eight hundred seventy-three (5873) of the Code of Iowa, 1935, authorizing city councils to appropriate from the general fund for the improvement and maintenance of city hospitals and to amend subsections twenty-six (26) and twenty-seven (27) of Section sixty-two hundred eleven (6211) of the Code of Iowa, 1935, relating to the hospital funds.

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

Senate File 33, by Senator Augustine, a bill for an act to amend Section forty-two hundred seventy-seven (4277), relating to the transportation of nonresident high school pupils.

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

Senate File 34, by Senator Breen, a bill for an act to amend Section fifty-seven hundred eighty-seven (5787) of the Code, 1935, relating to the election or appointment of Park Commissioners, to amend Section sixty-five hundred sixty-four (6564) of the Code, 1935, relating to general powers and duties of the council in cities having the Commission form of government, and to add Section sixty-five hundred seventy-eight-b two (6578-b2).

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

Senate File 35, by Senator Breen, a bill for an act to amend Section six thousand one hundred and forty-three (6143), Code, 1935, by adding thereto a prohibition precluding charges in excess of the maximum rates prescribed in the franchise ordinance; by adding thereto a provision authorizing cities and towns to fix a time and place for hearing on any proposed ordinance or resolution fixing or changing rates, and prescribing a notice therefor; and by adding thereto a provision requiring gas and electric companies to annually file with the city or town council certain information pertaining to the company, and by providing a penalty for failure to file such information.

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

Senate File 36, by Senator Augustine, a bill for an act to regulate and control the organization and operation of cemetery associations in the State of Iowa; prohibiting incorporation of cemeteries for profit, regulating purchase and sales of land for cemetery purposes, amending paragraph six (6) Section seventy-eight hundred and six (7806) of the Code, so as to allow cemeteries in cities and towns to acquire land by eminent domain, and requiring the establishment of maintenance funds for the care of all cemeteries and regulating the care and accounting of said funds, and prescribing penalties for the violation of this act.

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

Senate File 37, by Senators Mighell, Hoeven, Chrystal, Murray, Bell of Crawford, and Millhone, a bill for an act creating an Emergency Feed Loan Fund for drouth area.

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

Senate File 38, by Senator Edwards, a bill for an act to repeal Section three hundred seventy-five (375), Code, 1935, and to enact a substitute therefor, relating to the filing of budget estimates, to the fixing of time of hearing on such estimates and to the publication of such estimates and time of hearing thereon.

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

Senate File 39, by Senator Edwards, a bill for an act to amend Section thirteen thousand two hundred ten (13,210), Code, 1935, relating to the possession of gambling devices.

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

Senate File 40, by Senator Husted, a bill for an act to amend Sections forty-four hundred eighty-eight (4488), forty-five hundred six (4506), and forty-five hundred seven (4507), Code, 1935, relating to interest on the permanent school fund.

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

REPORT OF COMMITTEE ON COMMITTEE ROOMS

MR. PRESIDENT: Your committee on assignment of committee rooms begs leave to report as follows:

Agriculture—Monday and Thursday, 4:00 p. m.; Lieutenant Governor's room.

Appropriations—Monday and Wednesday, 1:30 p. m.; Lieutenant Governor's room.

Banks and Banking—Monday and Wednesday, 3:00 p. m.; Room 23.

Board of Control and Public Welfare—Friday, 1:00 p. m.; Room 28.

Boundary Bridges—Friday, 1:00 p. m.; Room 22.

Cities and Towns—Monday and Wednesday, 2:30 p. m.; Lieutenant Governor's room.

Claims—Wednesday and Friday, 4:00 p. m.; Room 22.

Compensation of Public Officers—On call of Chairman.

Conservation—Friday, 3:00 p. m.; Room 28.

Constitutional Amendments—On call of Chairman.

County and Township Affairs—Monday, 4:00 p. m.; Room 22.

Departmental Affairs—Tuesday and Thursday, 3:00 p. m.; Room 22.

Drainage—Friday, 3:00 p. m.; Room 22.

Educational Institutions—Tuesday and Thursday, 2:00 p. m.; Room 22.

Elections and Contests—Friday, 9:30 a. m.; Room 22.

Enrolled Bills—Room 26.

Federal Co-ordination—Friday, 4:00 p. m.; Room 23.

Greater Iowa—Monday, 3:00 p. m.; Room 22.

Highways—Tuesday and Thursday, 2:00 p. m.; Room 23.

Horticulture and Forestry—Wednesday, 4:00 p. m.; Lieutenant Governor's room.

Insurance—Tuesday and Thursday, 1:00 p. m.; Room 22.

Judiciary No. 1—Monday and Wednesday, 1:00 p. m.; Room 22.

Judiciary No. 2—Monday and Wednesday, 1:00 p. m.; Room 23.

Labor—Tuesday, 4:00 p. m.; Lieutenant Governor's room.

Livestock and Dairying—Thursday, 3:00 p. m.; Lieutenant Governor's room.

Manufacturing, Commerce and Trade—Tuesday, 4:00 p. m.; Room 23.

Military Affairs—Wednesday, 2:30 p. m.; Room 22.

Mines and Mining—Monday, 2:30 p. m.; Room 23.

Motor Vehicles—Tuesday and Thursday, 1:30 p. m.; Lieutenant Governor's room.

Pharmacy—Monday, 9:30 a. m.; Lieutenant Governor's room.

Political and Judicial Districts—Tuesday, 9:30 a. m.; Lieutenant Governor's room.

Printing—Wednesday, 9:30 a. m.; Lieutenant Governor's room.

Public Health—Friday, 2:00 p. m.; Lieutenant Governor's room.

Public Land and Buildings—Monday, 2:00 p. m.; Press Gallery.

Public Libraries—Wednesday, 2:00 p. m.; Room 23.

Public Schools—Tuesday and Thursday, 3:30 p. m.; Room 23.

Public Utilities—Thursday, 4:00 p. m.; Room 22.

Railroads and Aeronautics—Friday, 2:00 p. m.; Room 22.

Rules—On call of Chairman; Press Gallery.

Social Security—Monday and Wednesday, 3:00 p. m.; Lieutenant Governor's room.

State Planning—Tuesday, 3:00 p. m.; Lieutenant Governor's room.

Ways and Means—Monday and Thursday, 3:30 p. m.; Lieutenant Governor's room.

GEO. M. HOPKINS, *Chairman.*

ELMER P. CORWIN.

J. J. GILLESPIE.

On motion of Senator Hopkins, the report was adopted.

Senator Millhone asked and received unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 41, by Senators Millhone, Shaw, and Breen, a bill for an act to provide for the use of alternate jurors in certain cases and to that end to amend Chapter six hundred forty-four (644) of the Code, 1935, relating to trial.

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

Senate File 42, by Senator Mason, a bill for an act to add Section 5083-b7 requiring the placing of safety appliances on the rear of all motor vehicles being operated on the public highways.

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

Senate File 43, by Senators Breen, Shaw, Murray, Hoeven, Millhone, and Bell of Crawford, a bill for an act to provide for the manner of commencing civil actions; to provide for the original notice; the time of appearance of the defendants; the returns in connection therewith; the manner of entering default and judgment thereon in case of default; and to repeal sections eleven thousand fifty-five (11055), eleven thousand fifty-six (11056), eleven thousand fifty-nine (11059), and to amend sections eleven thousand fifty-seven (11057), eleven thousand sixty (11060), eleven thousand eighty-three (11083), eleven thousand eighty-seven (11087), five thousand seventy-nine-d thirteen (5079-d13), eleven thousand five hundred eighty-eight (11588), eleven thousand five hundred ninety-two (11592), eleven thousand six hundred seventy-nine (11679), eleven thousand seven hundred thirty-seven (11737), twelve thousand one hundred thirty-one (12131), twelve thousand one hundred fifty-seven (12157) and twelve thousand one hundred sixty-five (12165), Code, 1935, all relating to the manner of commencing civil actions.

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

Senate File 44, by Senators Breen, Shaw, Murray, Hoeven, Millhone, and Bell of Crawford, a bill for an act to amend section thirteen thousand eight hundred and three (13803), Code, 1935, relating to the withdrawal of a plea of guilty.

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

Senate File 45, by Senators Breen, Shaw, Murray, Hoeven, Millhone, and Bell of Crawford, a bill for an act to provide for pleadings and the time of filing the same, and the hearing there-

on, and the duties of the court in relation thereto; and to repeal sections eleven thousand one hundred twenty-one (11121), eleven thousand one hundred twenty-one-d one (11121-d1), eleven thousand one hundred twenty-two (11122), eleven thousand one hundred thirty-six (11136), and to amend sections eleven thousand one hundred twenty-three (11123), eleven thousand one hundred twenty-three-d one (11123-d1), eleven thousand one hundred thirty-four (11134), eleven thousand one hundred thirty-seven (11137), and eleven thousand one hundred thirty-eight (11138), Code, 1935, all relating to pleading in civil actions.

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

Senate File 46, by Senators Breen, Shaw, Murray and Hoeven, a bill for an act to provide for advance notice of the defenses of insanity or alibi in criminal cases.

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

Senate File 47, by Senators Husted and Millhone, a bill for an act to repeal sections one hundred thirteen (113) and one hundred twenty-four (124), both of the Code, 1935, and to enact substitutes therefor, relating to the auditing of financial records of counties, schools, townships, cities and towns, including cities under special charter, and other municipalities.

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

Senate Joint Resolution 1, by Senator Mason, a joint resolution fixing the compensation of officers and employees of the Forty-seventh General Assembly.

Read first and second times.

REPORT OF COMMITTEE TO FIX SALARIES

Senator Mason stated that the report of the committee to fix salaries was embodied in Senate Joint Resolution 1 and, at his request, the committee was discharged.

THIRD READING OF BILLS

By unanimous consent, on motion of Senator Mason, Senate Joint Resolution 1, a joint resolution fixing the compensation of

the officers and employees of the Forty-seventh General Assembly, was taken up and considered.

Senator Mason moved that the rule be suspended by which no bill may be read the second and third times the same day, which motion prevailed.

The bill was read for information.

Senator Mason moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the joint resolution pass?" the vote was:

Ayes, 40.

Augustine	Edwards	Hoeven	Millhone
Bell of	Ellis	Hopkins	Moore
Des Moines	Elthon	Husted	Murray
Berg	Evans	Irwin	Pelzer
Breen	Gillespie	Kirketeg	Schadt
Byers	Gillette	Levis	Shaw
Corwin	Goetsch	Lundy	Smith
Dean	Grunewald	Mason	Stewart
Dewey	Guernsey	Mighell.	Whitehill
Donohue	Hill	Miller	Zeigler
Driscoll			

Nays, none.

Absent or not voting, 10.

Baldwin	Billingsley	Geske	Parker
Beardsley	Chrystal	Kimberly	Stevens
Bell of Crawford	Doran		

The joint resolution, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senator Mason moved that the vote by which the joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Mason asked and received unanimous consent to have Senate Joint Resolution 1 messaged to the House immediately.

Senator Beardsley asked and received unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 48, by Senators Beardsley and Elthon, a bill for an act to repeal section nineteen hundred twenty-one-fifty

(1921-f50), Code, 1935, and to enact a substitute therefor, relating to the disposal of moneys in the liquor control act fund.

Read first and second times and referred to committee on departmental affairs.

On motion of Senator Millhone, the Senate recessed until 11:30 a. m.

The Senate reconvened, President Valentine presiding.

On motion of Senator Millhone, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

On motion of Senator Millhone, the Senate recessed until 2:00 p. m.

The Senate reconvened, President Valentine presiding.

REPORT OF COMMITTEE ON RENTAL OF TYPEWRITERS

MR. PRESIDENT: Your special committee, appointed to consider the matter of typewriter rentals for the Forty-seventh General Assembly, begs leave to report that it has had the same under consideration, and recommends that typewriters now in use by the Senate, and additional typewriters which may be required, be secured from the L. C. Smith Typewriter Company of Des Moines, and Underwood Typewriter Company of Des Moines, on a rental basis of \$10.00 each for the period of the entire session, and \$3.00 per month for any typewriters used for only a part of the session.

Your committee further recommends that the enrolling machine be repaired by the L. C. Smith Typewriter Company of Des Moines at a cost of not exceeding \$15.00.

PAUL L. MILLHONE.

I. G. CHRYSTAL.

On motion of Senator Millhone, the report was adopted and the committee discharged.

REPORT OF COMMITTEE

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File 37, a bill for an act creating an Emergency Feed Loan Fund for drought areas, begs leave to report it has had the same

under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 4 by striking the entire section and substituting in lieu thereof the following:

Sec. 4. For the purpose of creating said fund to make the loans herein provided, the Board of Supervisors is hereby authorized to provide a fund not in excess of \$50,000 for such purpose, and shall provide by resolution for the issuance of said warrants by the county auditor and the sale thereof by the county treasurer, said warrants to be drawn against the fund in denominations of \$100, \$500, and \$1,000, as hereinafter set out, and for such purpose said Board shall make a millage levy accordingly to provide for said fund. Said levy shall be pledged exclusively to the payment of the warrants herein provided. When the purposes of this act have been accomplished, and the warrants paid, said fund so created and all accumulations thereto shall revert to the general fund of the county.

Amend Section 5 by striking all of said section and substituting in lieu thereof the following:

Sec. 5. Said anticipatory warrants of the denominations herein above referred to shall be sold as the need of said fund demands in the office of the county treasurer at private sale, after giving notice of the time and place of said sale by publishing a notice thereof once in an official newspaper of said county at least three days before the date of sale.

Amend line 5 of Section 6 by inserting after the word "of" and before the word "three" the words "not to exceed", and by striking from lines 6 and 7 of said Section 6 the words "without any interest rate".

Amend Section 7 by striking all following the period in line 6 of said section and substituting in lieu thereof the following:

The Board of Supervisors is authorized to make a loan or loans to any farm operator who is without feed and without funds with which to purchase feed for his livestock. The Board of Supervisors, in its discretion, may inquire of the prospective applicant as to whether or not he has made application for a loan from either private or governmental agencies.

Amend Section 9 by striking all of said section and substituting in lieu thereof the following:

Sec. 9. The Board of Supervisors may approve the application or applications and, in its discretion prescribe such terms and conditions as may be deemed advisable to secure repayment of the said loan, and the borrower shall execute an obligation for the amount of the loan approved, in which the spouse, if any, of the said borrower shall join, payable to the county auditor of said county for the use and benefit of the said fund.

Amend Section 10 by striking all of said section.

Amend Section 13 by striking the period in line two, substituting a comma therefore, and adding the following: "so far as they may affect this act."

A. J. SHAW, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Mighell, Senate File 37, a bill for an act creating an Emergency Feed Loan Fund for drought areas, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was taken up and considered:

Amend Section 4 by striking the entire section and substituting in lieu thereof the following:

Sec. 4. For the purpose of creating said fund to make the loans herein provided, the Board of Supervisors is hereby authorized to provide a fund not in excess of \$50,000 for such purpose, and shall provide by resolution for the issuance of said warrants by the county auditor and the sale thereof by the county treasurer, said warrants to be drawn against the fund in denominations of \$100, \$500, and \$1,000, as hereinafter set out, and for such purpose said Board shall make a millage levy accordingly to provide for said fund. Said levy shall be pledged exclusively to the payment of the warrants herein provided. When the purposes of this act have been accomplished, and the warrants paid, said fund so created and all accumulations thereto shall revert to the general fund of the county.

Senator Shaw asked and received unanimous consent to correct the amendment by striking the word "said" in line 5 of section 4 of the committee amendment, and substituting in lieu thereof the word "anticipatory".

Senator Shaw moved the adoption of the first committee amendment as corrected, which motion prevailed and the amendment was adopted.

The second committee amendment was taken up and considered.

Amend Section 5 by striking all of said section and substituting in lieu thereof the following:

Sec. 5. Said anticipatory warrants of the denominations herein above referred to shall be sold as the need of said fund demands in the office of the county treasurer at private sale, after giving notice of the time and place of said sale by publishing a notice thereof once in an official newspaper of said county at least three days before the date of sale.

Senator Shaw asked and received unanimous consent to correct the amendment by striking the word "private" in line 3 of the proposed section 5, and inserting in lieu thereof the word "public".

Senator Elthon moved to amend line 2 of the proposed section 5 by inserting after the word "sold" and before the word "as" the words "to the highest bidder".

The amendment to the amendment was adopted.

The amendment as corrected and amended was adopted.

The third committee amendment was taken up and considered.

Amend line 5 of Section 6 by inserting after the word "of" and before the word "three" the words "not to exceed", and by striking from lines 6 and 7 of said Section 6 the words "without any interest rate".

Senator Donohue asked and received unanimous consent to correct the amendment by striking the figures "6" and "7" from line three of the proposed amendment and inserting in lieu thereof the figures "5" and "6" respectively.

The amendment as corrected was adopted.

The fourth committee amendment was taken up and considered.

Amend Section 7 by striking all following the period in line 6 of said section and substituting in lieu thereof the following:

The Board of Supervisors is authorized to make a loan or loans to any farm operator who is without feed and without funds with which to purchase feed for his livestock. The Board of Supervisors, in its discretion, may inquire of the prospective applicant as to whether or not he has made application for a loan from either private or governmental agencies.

The amendment was adopted.

The fifth committee amendment was taken up and considered.

Amend Section 9 by striking all of said section and substituting in lieu thereof the following:

Sec. 9. The Board of Supervisors may approve the application or applications and, in its discretion, prescribe such terms and conditions as may be deemed advisable to secure repayment of the said loan, and the borrower shall execute an obligation for the amount of the loan approved, in which the spouse, if any, of the said borrower shall join, payable to the county auditor of said county for the use and benefit of the said fund.

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Section 9 of Senate File 37 as amended by inserting in line seven after the word "approved" and before the comma the following words: "which shall bear interest at not less than three per cent per annum".

The amendment was adopted.

The sixth committee amendment was taken up and considered.

Amend Section 10 by striking all of said section.

The amendment was adopted.

The seventh committee amendment was taken up and considered.

Amend Section 13 by striking the period in line two, substituting a comma therefor, and adding the following: "so far as they may affect this act."

The amendment was adopted.

Senator Murray moved to amend section four as amended by striking from line three the figures "\$50,000" and inserting in lieu thereof the figures "\$75,000".

The amendment was adopted.

Senator Donohue moved to amend section seven of Senate File 37 as amended by inserting in line two thereof after the word "therefor" and before the ",", the words "under oath".

The amendment was adopted.

Senator Elthon moved to amend section 8 of Senate File 37 as amended by striking the words "is deemed" in line 2 and substituting in lieu thereof "it deems"; also by striking in line 3 the words "by it"; also by striking in line 4 the word "their" and substituting in lieu thereof the word "its"; also by striking in line 6 the word "their" and substituting in lieu thereof the word "its".

The amendment was adopted.

Senator Shaw asked and received unanimous consent that the sections be renumbered.

Senator Shaw asked unanimous consent to rewrite section 12 to read as follows:

"All acts or parts of acts in conflict with this act are suspended so far as they affect this act, while this act is in effect."

Unanimous consent was granted and the section rewritten.

Senator Doran moved to strike in line 2 of section 13 the words "twelve months" and insert in lieu thereof the following: "not to exceed twelve months, payable on or before due date".

The amendment was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 1, a bill for an act creating an Emergency Feed Loan Fund for drought areas.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 1, a bill for an act creating an Emergency Feed Loan Fund for drought areas, and providing for the levying of taxes therefor.

Read first and second times.

Senator Doran moved that the rules be suspended and that House File 1 be substituted for Senate File 37 on the Senate calendar, which motion prevailed.

Senator Doran moved to strike all after the enacting clause of House File 1 and substitute in lieu thereof the following:

Section 1. Counties of the State of Iowa, through their boards of supervisors, in addition to the powers already possessed by them, are hereby authorized by resolution of their boards of supervisors, to immediately establish what shall be known as the "Emergency Feed Loan Fund".

Sec. 2. That the fund for said Emergency Feed Loan Fund shall be created as hereinafter set out.

Sec. 3. Said Emergency Feed Loan Fund shall be under the supervision of the county treasurer, and no funds shall be drawn therefrom except upon an order drawn against the same as hereinafter provided.

Sec. 4. For the purpose of creating said fund to make the loans herein provided, the Board of Supervisors is hereby authorized to provide a fund not in excess of \$75,000 for such purpose, and shall provide by resolution for the issuance of anticipatory warrants by the county auditor and the sale thereof by the county treasurer, said warrants to be drawn against the fund in denominations of \$100, \$500, and \$1,000, as hereinafter set out, and for such purpose said Board shall make a millage levy accordingly to provide for said fund. Said levy shall be pledged exclusively to the payment of the warrants herein provided. When the purposes of this act have been accomplished, and the warrants paid, said fund so created and all accumulations thereto shall revert to the general fund of the county.

Sec. 5. Said anticipatory warrants of the denominations herein above referred to shall be sold to the highest bidder as the need of said fund

demands in the office of the county treasurer at public sale, after giving notice of the time and place of said sale by publishing a notice thereof once in an official newspaper of said county at least three days before the date of sale.

Sec. 6. Said anticipatory warrants shall be signed by the chairman of the board of supervisors and attested by the county auditor with his official seal thereto attached, and be dated as of the date of sale, and shall draw interest at the rate of not to exceed three (3) per cent per annum, and shall not be sold at less than their par value.

Sec. 7. All persons desiring to procure a feed loan from said fund shall make a written application therefor, under oath, setting forth that the applicant is a bona fide resident of the county, the amount and kind of property owned by said applicant, the amount and kind of feed owned by him at the time of making said application. The Board of Supervisors is authorized to make a loan or loans to any farm operator who is without feed and without funds with which to purchase feed for his livestock. The Board of Supervisors, in its discretion, may inquire of the prospective applicant as to whether or not he has made application for a loan from either private or governmental agencies.

Sec. 8. The board of supervisors shall inspect said application and make such investigation as it deems advisable, and after such inspection and investigation, approve or reject said application, as in its judgment seems expedient, and if said application is approved the board of supervisors shall indorse thereon its approval, stating the amount and duration of said loan. The action of the board of supervisors in passing upon any and all applications shall be final, except the rights of said applicant to at a later date reapply for a loan.

Sec. 9. The Board of Supervisors may approve the application or applications and, in its discretion prescribe such terms and conditions as may be deemed advisable to secure repayment of the said loan, and the borrower shall execute an obligation for the amount of the loan approved, which shall bear interest at not less than three (3) per cent per annum, in which the spouse, if any, of the said borrower shall join, payable to the county auditor of said county for the use and benefit of the said fund.

Sec. 10. All anticipatory warrants, issued under the provisions of this act shall be numbered consecutively and be registered in the office of the county treasurer, and shall be subject to call in numerical order at any time when sufficient money is in the hands of the county treasurer to retire any of said warrants, together with the accrued interest thereon.

Sec. 11. Counties authorized to accept from the general government any sums of money made available for feed purposes, shall place said sums of money in the fund herein created; and the same shall become a part of said fund the same as the proceeds provided for herein, and may be used for the purpose of retiring existing warrants or for making loans under the provisions hereof.

Sec. 12. All acts or parts of acts in conflict with this act are suspended, so far as they affect this act, while this act is in effect.

Sec. 13. All loans made under the provisions of this act shall be made for a period of not to exceed twelve months, payable on or before due date.

Sec. 14. From and after the first day of July, 1938, this act shall cease to be in force, except for the purpose of collecting the tax and loans, and retiring the warrants.

Sec. 15. This act being brought forth to meet an emergency through the police power of the state, and being deemed of immediate importance, shall be in full force and effect after its publication in the Le Mars Globe-Post, a newspaper published at Le Mars, Iowa, and in the Battle Creek Times, a newspaper published at Battle Creek, Iowa.

The motion prevailed and the amendment was adopted.

Senator Doran moved that the rule which prohibits the reading of a bill the second and third times on the same day be suspended, which motion prevailed.

The bill was read for information.

Senator Doran moved that the reading just had be considered the third reading and the bill be placed upon its passage, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Augustine	Driscoll	Hill	Murray
Beardsley	Edwards	Hoeven	Parker
Berg	Ellis	Irwin	Pelzer
Billingsley	Elthon	Kirketeg	Schadt
Breen	Evans	Levis	Shaw
Byers	Gillespie	Lundy	Smith
Chrystal	Gillette	Mason	Stevens
Corwin	Goetsch	Mighell	Stewart
Dewey	Grunewald	Miller	Whitehill
Donohue	Guernsey	Millhone	Zeigler
Doran			

Nays, none.

Absent or not voting, 9.

Baldwin	Bell of	Geske	Kimberly
Bell of Crawford	Des Moines	Hopkins	Moore
	Dean	Husted	

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

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Doran asked and received unanimous consent that House File 1 be messaged to the House immediately.

Senator Shaw asked and received unanimous consent to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File 49, by Senator Billingsley, a bill for an act to amend section ten hundred forty-three (1043), Code, 1935, relative to costs of contesting election of county officers.

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

Senate File 50, by Senator Murray, a bill for an act to legalize the election and proceedings relating to the sale and issuance of bonds by the Consolidated Independent School District of Smithland, Woodbury County, 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 51, by Senator Gillespie, a bill for an act to amend section 10653 of the Code of Iowa, 1935, providing for the rotation of the names of candidates for the various offices on the municipal court judiciary ballot.

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

Senate File 52, by Senator Stevens, a bill for an act to legalize the action of the County Board of Supervisors of Wapello County, Iowa, in making expenditures and approving claims against the secondary road maintenance fund and construction fund of said County; to make the expenditures and the approving of the claims by the Board of Supervisors legal, valid and binding obligations of said County; to authorize the County Auditor of said County to issue the warrants in 1937 from the maintenance fund and the construction fund, and to authorize the County Treasurer of said County to pay said warrants out of any funds coming into his

hands in 1937 and belonging to the secondary road maintenance fund and the construction fund.

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

RESIGNATION OF DOORKEEPER

MR. PRESIDENT: I hereby resign as doorkeeper for the Senate, effective January 20, 1937.

THOMAS J. NOLL.

The resignation was accepted.

Senator Beardsley moved that S. M. Hedges be employed as doorkeeper for the Senate.

The motion prevailed and S. M. Hedges appeared and was sworn in.

The Secretary of the Senate announced the assignment of the following seat in the press gallery:

H. R. Gross, WHO news editor, seat 60.

COMMITTEE ON CHAPLAINS

On motion of Senator Hopkins, Senator Husted was elected a committee of one to arrange for chaplains.

The Journal of January 20th was corrected and approved.

On motion of Senator Driscoll, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 22, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. H. D. Robinson, pastor of the First Presbyterian Church, Maxwell.

On motion of Senator Beardsley, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel at 11:50.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Geske, for the day, on request of Senator Dewey; Senator Baldwin, for the day, on request of Senator Dewey; Senator Dean, for the day, on request of Senator Dewey.

INTRODUCTION OF BILLS

Senate File 53, by Senators Corwin and Smith, a bill for an act to amend section forty-two hundred eighty-three (4283), Code, 1935, relating to public school facilities for children cared for in a charitable institution.

Read first and second times and referred to committee on board of control and public welfare.

Senate File 54, by Senator Moore, a bill for an act to authorize the designation of primary road extensions in any city or town of the State of Iowa which may be separated from the remainder of the state by a river more than five hundred feet in width.

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

Senate File 55, by Senator Smith, a bill for an act to authorize and empower the board of supervisors of any county to buy and lease land for the purpose of operating thereon lime stone quarries; to operate said lime stone quarries in whole or in part with

labor furnished from the relief roles of said county for the purpose of furnishing relief employment; to purchase and operate machinery adapted to the production of agricultural lime, and to produce and sell said agricultural lime only within said county.

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

Senate File 56, by Senator Whitehill, a bill for an act relating to the giving of proof of financial responsibility by owners and operators of motor vehicles.

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

REPORT OF MILEAGE COMMITTEE

Senator Parker asked and received unanimous consent to amend the report of the mileage committee to include the mileage of Lieutenant Governor Valentine, 90 miles, \$9.00.

On motion of Senator Shaw, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

On request of Senator Mason, the Senate returned to introduction of bills.

INTRODUCTION OF BILLS

Senate File 57, by Senator Mason, a bill for an act to impose an excise tax upon all pipe line companies, to be based upon the gross receipts of said pipe line companies on intra-state business which shall be paid into the general fund of the state of Iowa and providing for the making of reports to the state board of assessment and review, and to provide for the payment, collection, distribution of said excise tax, and to provide for penalty for violation of this act.

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

Senate File 58, by Senators Shaw and Breen, a bill for an act to amend section thirteen thousand seven hundred seventy-three (13773), Code, 1935, to provide for the appointment of counsel

for any minor accused of any indictable offense, unrepresented by counsel whether or not he shall request counsel.

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

Senate File 59, by Senator Donohue, a bill for an act to amend section nineteen hundred twenty-one F-sixteen (1921-F16), nineteen hundred twenty-one F-twenty-eight (1921-F28), nineteen hundred twenty-one F-twenty-nine (1921-F29), and nineteen hundred twenty-one F-fifty (1921-F50) of chapter ninety-three (93) F-one (F-1) of the Code of Iowa of nineteen hundred thirty-five (1935), relating to the Iowa liquor control act and to provide for the maximum profit on all liquors handled by the said commission; to reduce the cost of permits to be issued by the said commission; to reduce the cost of duplicate permits to be issued by the commission and to provide for the transfer of profits to the old age pension fund.

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

Senate File 60, by Senators Donohue, Irwin and Stevens, a bill for an act to amend section nine thousand three hundred thirty (9330) of the Code of 1935, all relating to the issue of stock or shares by the state building and loan associations.

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

Senate File 61, by Senators Mason and Driscoll, a bill for an emergency act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continuance of such actions; providing for determination by the court of the rights of the holder of such mortgages, and of the owner or owners of the real estate, and of persons liable on such mortgages, deeds of trust, or the notes secured thereby, to the possession of the real estate, and to the rents, income and profits therefrom; providing for suspension of conflicting acts; providing that applications heretofore filed under chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly, whether ruled upon or not, shall be considered as refiled under this act; and providing for the termination of this act.

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

Senate File 62, by Senators Mason and Driscoll, a bill for an emergency act relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed; declaring that the emergency still exists; providing for the making of applications for extensions of the period of redemption and for the kind and manner of notices to be given; making the provisions of this act applicable to all cases where the courts have granted such extension; and providing for applications now on file, for payment and distribution of rents and for suspension of all acts or parts of acts in conflict with this act.

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

Senate File 63, by Senators Shaw and Goetsch, a bill for an act to amend sections forty-four hundred forty-six (4446), forty-four hundred forty-seven (4447), forty-two hundred thirty-eight (4238), and forty-four hundred fifty-nine (4459), Code, 1935, and to repeal section forty-four hundred sixty (4460), Code, 1935, and enact a substitute therefor, relating to textbooks in the public schools.

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

Senate File 64, by Senator Hopkins, a bill for an act to amend section seven thousand seven hundred fourteen-g one (7714-g1), Code, 1935, relating to the composing and refunding of indebtedness of drainage districts.

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 1, a joint resolution fixing the compensation of officers and employees of the Forty-seventh General Assembly.

Also: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 3, memorializing Congress to establish permanent rates of interest on Federal Land Bank Loans.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 3

Whereas, The welfare of the great commonwealth of Iowa depends upon the stabilization of agriculture, and

Whereas, The emergency farm loan interest rate of 3½ per cent made possible by special act of the National Congress to the farmer borrowers having Federal Land Bank loans, expires July 1, 1937, and

Whereas, Thousands of farmers throughout the State of Iowa have Land Bank Commissioner loans which call for 5 per cent interest and which require principal payments commencing September 1, 1936, of 5 per cent or 10 per cent in addition to the interest payments, and

Whereas, It appears to be possible to extend lower interest rates to the farmers without an excessive burden to the taxpayer and with almost no administrative costs, and

Whereas, Agricultural recovery has been delayed by droughts and pests, thereby causing hundreds of farmers throughout the State of Iowa to become delinquent in the payment of interest and taxes, and

Whereas, It is our opinion that low interest rates accorded to the farmers of Iowa through the Federal Land Bank system contributes much to the stabilization of agriculture,

Therefore, Be It Resolved by the House, the Senate Concurring: That the Legislature of Iowa respectfully petitions the members of the National Congress to use every possible effort to secure the passage of a law making the 3½ per cent interest rate permanent to the farmer borrowers of the Federal Land Bank or at least extend the same for a period of not less than two years and that this Legislature respectfully urges the members of the National Congress to use every possible effort to secure the passage of a law making 4 per cent interest rate permanent to the farmer borrowers of the Land Bank Commissioner and to extend the principal payments on Land Bank Commissioner loans over a period of thirty-four years as provided for Federal Land Bank loans and that a copy of this resolution be sent to each United States Senator and Representative from the State of Iowa, to the Speaker of the National House of Representatives, to the President of the United States Senate and to the President of the United States.

HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION 1

Amend lines twenty-eight and fifty-two of section one by striking the figures "4.00" and inserting in lieu thereof the figures "3.60".

Also amend lines thirty-two and fifty-seven of section one by striking the figures "3.60" and inserting in lieu thereof the figures "3.00".

The President asked if there were any objections to the distribution in the Senate of an article by Ed R. Brown, representative of Polk county, entitled "Does the State of Iowa Need a New Office Building?"

There being no objections permission was granted for the distribution.

HOUSE AMENDMENTS CONSIDERED

Senator Mason asked and received unanimous consent to consider Senate Joint Resolution 1, as amended by the House.

The House amendments were read for information.

Senator Beardsley moved to defer consideration of the House amendments to Senate Joint Resolution 1, until Monday, January 25th.

On request of Senator Driscoll, the roll was called to determine if a quorum were present.

The roll call disclosed the presence of a quorum.

Senator Beardsley's motion to defer action prevailed and action on the House amendment to Senate Joint Resolution 1 was deferred until Monday, January 25th.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and concurred in Senate amendments to House File 1, a bill for an act creating an Emergency Feed Loan Fund.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS

1. Amend Senate amendments to House File 1 by adding the following as a new section immediately after section 13:

"Sec. 14. The provisions of this act shall apply only to counties designated by the United States Department of Agriculture as being in the drought area."

Also further amend by renumbering the remaining sections.

2. Amend section four by adding the following:

"It is further provided that if Federal funds are provided and used to retire warrants issued under this act that the board of supervisors is hereby granted the option of placing the tax levy."

3. Amend section two, line two, by substituting the word "may" for the word "shall".

4. Amend section four by striking from line four of said section the word "shall", and inserting in lieu thereof the words "may, if said fund is provided by the board,".

5. Amend section four, line eight, by striking the word "shall" and inserting the words "may, if said fund is provided,".

6. Amend section eleven, line one, by striking the word "general" and inserting in lieu thereof the word "federal".

7. Amend section four, line three, by adding after the comma the following: "provided said sum shall not exceed the amount that would be raised by a millage levy of not to exceed one mill,".

8. Amend section eleven, line five, by striking the word "may" and inserting in lieu thereof the word "shall".

9. Further amend section eleven, line five, by inserting a period after the word "warrants" and striking the balance of the line.

10. Amend section fifteen, the publication clause, by striking all after the word "publication" in line four thereof and inserting in lieu thereof the words: "as provided by law."

Senator Doran asked and received unanimous consent to consider at this time the House amendments to the Senate amendment to House File 1.

The House amendments were read for information.

Senator Doran moved to concur in House amendments numbers 3, 6, 8 and 10.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 38:

Augustine	Edwards	Husted	Parker
Beardsley	Ellis	Irwin	Pelzer
Billingsley	Elthon	Kirketeg	Schadt
Breen	Evans	Lundy	Shaw
Chrystal	Gillespie	Mason	Smith
Corwin	Goetsch	Mighell	Stevens
Dewey	Grunewald	Miller	Stewart
Donohue	Hill	Moore	Whitehill
Doran	Hoeven	Murray	Zeigler
Driscoll	Hopkins		

Nays, none.

Absent or not voting, 12:

Baldwin	Berg	Geske	Kimberly
Bell of Crawford	Byers	Gillette	Levis
Bell of	Dean	Guernsey	Millhone
Des Moines			

The House amendments having received a constitutional ma-

majority were declared to have been adopted and concurred in by the Senate.

Senator Elthon asked that amendment 1 be voted upon separately.

Senator Doran moved that the Senate refuse to concur in House amendment 1 to the Senate amendment to House File 1.

On the question, "Shall the Senate refuse to concur?" the vote was:

Ayes, 33:

Augustine	Ellis	Irwin	Pelzer
Beardsley	Gillespie	Kirketeg	Schadt
Billingsley	Goetsch	Lundy	Shaw
Breen	Grunewald	Mason	Smith
Corwin	Hill	Mighell	Stevens
Dewey	Hoeven	Miller	Stewart
Doran	Hopkins	Murray	Whitehill
Driscoll	Husted	Parker	Zeigler
Edwards			

Nays, 1:

Elthon

Absent or not voting, 16:

Baldwin	Byers	Evans	Kimberly
Bell of Crawford	Chrystal	Geske	Levis
Bell of	Dean	Gillette	Millhone
Des Moines	Donohue	Guernsey	Moore
Berg			

The Senate refused to concur in the House amendment.

Senator Doran moved that the Senate refuse to concur in House amendments 2, 4, 5, 7 and 9.

On the question, "Shall the Senate refuse to concur in House amendments 2, 4, 5, 7, and 9, to the Senate amendment to House File 1?" the vote was:

Ayes, 36:

Augustine	Driscoll	Hoeven	Murray
Beardsley	Edwards	Hopkins	Parker
Billingsley	Ellis	Husted	Pelzer
Breen	Elthon	Irwin	Schadt
Chrystal	Evans	Kirketeg	Shaw
Corwin	Gillespie	Lundy	Smith
Dewey	Goetsch	Mason	Stevens
Donohue	Grunewald	Mighell	Whitehill
Doran	Hill	Miller	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Berg	Gillette	Millhone
Bell of Crawford	Byers	Guernsey	Moore
Bell of Des Moines	Dean	Kimberly	Stewart
	Geske	Levis	

The Senate refused to concur in the House amendments.

Senator Doran asked and received unanimous consent to have the Senate action on the House amendments to the Senate amendment to House File 1 messaged to the House immediately.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has receded from its amendments 1, 2, 4, 5, 7, and 9 to Senate amendments to House File 1, a bill for an act creating an Emergency Feed Loan Fund for drought areas. A. C. GUSTAFSON, *Chief Clerk*.

EXTRA COPIES SENATE FILE 4

On request of Senator Hopkins, 1,200 extra copies of Senate File 4 were ordered printed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House File 1.

FRANK PELZER, *Chairman, Senate Committee*.

JOHN R. IRWIN, *Chairman, House Committee*.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 1.

AMENDMENT FILED

Senator Mason filed the following amendment:

Amend House amendment to Senate Joint Resolution 1 as follows:

Amend line 1 of the first House amendment by striking the words "lines twenty-eight and" and inserting in lieu thereof the word "line".

Amend line 1 of the second House amendment by striking the words "line thirty-two and" and inserting in lieu thereof the word "line".

The Journal of January 21st was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. C. R. Frankhouser, 510 East 13th Street, Des Moines.

Senator Dewey presented the following concurrent resolution and asked and received unanimous consent for its immediate consideration:

SENATE CONCURRENT RESOLUTION 4

Whereas, It has pleased a Divine Providence to call to her Eternal Home, a most valued and highly respected officer of the State of Iowa, the Honorable Mrs. Alex Miller, Secretary of State, and,

Whereas, In the death of Mrs. Miller the State of Iowa has lost a faithful and devoted servant whose deep and unflinching interests were always dedicated to the welfare of all of the people of Iowa, now, therefore,

Be It Resolved by the Senate, the House Concurring: That we, the members of the General Assembly of the State of Iowa do hereby publicly express our profound regret in her passing and extend to the bereaved family and relatives our deepest sympathy in this their great sorrow;

That as a mark of respect the General Assembly shall stand adjourned on Tuesday, January 26, 1937;

That a joint committee of six be appointed, three by the President of the Senate and three by the Speaker of the House, to represent the General Assembly at the final services for Mrs. Miller to be held at Washington, Iowa, January 26, 1937, at three o'clock.

Be It Further Resolved, That a copy of these Resolutions shall be sent to the bereaved family.

Senator Dewey spoke as follows:

The citizens of Iowa were indeed shocked to learn that the Honorable Mrs. Alex Miller passed to her reward early yesterday morning. It particularly shocks me, as Mrs. Miller has been my friend since my childhood. Not only was Mrs. Miller recognized in this state as a leader, but likewise in the nation.

Mrs. Miller built a monument in this state which will long live, and of which the state, her friends, and her family may well be proud. It is indeed a distinct loss and my regret is very deep. Our Master has pulled the curtain of life and called her home.

Senator Dewey moved adoption of Senate Concurrent Resolution 4, which motion prevailed, and the resolution was adopted.

The President appointed Senators Dewey, Mason, and Augustine as a committee of three to represent the Senate, as provided in Senate Concurrent Resolution 4.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shaw for the day, on request of Senator Smith.

INTRODUCTION OF BILLS

Senate File 65, by Senators Geske, Doran and Pelzer, a bill for an act to amend sections one thousand four hundred twenty-three (1423), one thousand six hundred nineteen (1619), three thousand seven hundred eighty-three (3783) and one thousand nine hundred twenty-one dash "F" seven (1921-f7) of the Code of Iowa, 1935, relating to the appointment and confirmation of the industrial commissioner, state fire marshal, members of the board of parole, and members of the Iowa liquor control commission, and providing the method of confirmation.

Read first and second times and referred to committee on departmental affairs.

Senate File 66, by Senator Doran, a bill for an act to amend section eleven thousand ninety-nine dash "E" one (11099-e1) of the Code of Iowa, 1935, relating to designation of newspapers for publication of legal notices and report of proceedings of board of supervisors and/or city or town councils.

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

Senate File 67, by Senator Hill, a bill for an act to amend subsection g-1 of section seven thousand four (7004) of the 1935 Code of Iowa, relating to the remission of unpaid taxes on stock of insolvent banks.

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

Senate File 68, by Senator Hill, a bill for an act to amend section five thousand twenty-nine (5029) of the 1935 Code of

Iowa, relating to the speed of motor vehicles upon the public highway.

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

Senate File 69, by Senator Kimberly, a bill for an act to amend chapter three hundred two C-one (302-C1) of the Code, 1935, in relation to interstate bridges, by adding thereto a new section, providing for the issuance of refunding revenue bonds, and to make the provisions of this act applicable to cities acting under special charter.

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

PROOF OF PUBLICATION

I hereby certify that, as secretary of the Senate, I have received proof of publication of Senate File 52, a proposed bill to legalize the proceedings of the Board of Supervisors of Wapello county.

WALTER H. BEAM, *Secretary.*

Senator Dewey moved to recess until 1:30 p. m.

Senator Dewey asked and received unanimous consent to withdraw his motion.

Senator Stevens asked and received unanimous consent to withdraw Senate File 52 from committee on judiciary No. 2.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 52, by Senator Stevens, a bill for an act to legalize the action of the county board of supervisors of Wapello county, Iowa, making expenditures and approving claims against the secondary road maintenance fund and construction fund of said county; to make the expenditures and the approving of the claims by the board of supervisors legal, valid and binding obligations of said county; to authorize the county auditor of said county to issue the warrants in 1937 from the maintenance fund and the construction fund, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1937 and belonging to the secondary road maintenance fund and the construction fund, was taken up, and considered.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 52 by inserting after the figures “(\$26,000)” in line four (4), Section one (1), the words “and not to exceed twenty-seven thousand dollars (\$27,000)”, and by inserting in line five (5), after the figures “(8,000)” the words “and not to exceed nine thousand (9,000)”.

The amendment was adopted.

Senator Stevens asked and received unanimous consent to defer action on Senate File 52 until he could get further information.

Consideration of Senate File 52 was resumed.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 52 by striking from line seven (7) of the title the second word “the” after the word “issue” and inserting in lieu thereof the word “anticipatory”; and by striking from line eight (8) after the figures “1937” the word “from” and inserting in lieu thereof the word “against”; and in the paragraph of the first “Whereas”, by inserting after the word “issue” in the second line from the bottom the word “anticipatory”.

The amendment was adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 52, Section three (3), by striking from line two (2) the word “said” and inserting in lieu thereof the word “anticipatory”; and amend Section four (4) by inserting the word “anticipatory” after the word “said” in line two (2). Further amend by striking all of Section five (5) and renumbering the remaining sections.

The amendment was adopted.

The bill was read for information.

Senator Stevens moved that the reading just had be considered the third reading, which motion prevailed.

On the question, “Shall the bill pass?” the vote was:

Ayes, 44:

Augustine	Billingsley	Dean	Edwards
Baldwin	Breen	Dewey	Ellis
Bell of	Byers	Donohue	Elthon
Des Moines	Chrystal	Doran	Geske
Berg	Corwin	Driscoll	Gillespie

Goetsch	Irwin	Mighell	Schadt
Grunewald	Kimberly	Miller	Smith
Guernsey	Kirketeg	Moore	Stevens
Hill	Levis	Murray	Stewart
Hoeven	Lundy	Parker	Whitehill
Hopkins	Mason	Pelzer	Zeigler
Husted			

Nays, none.

Absent or not voting, 6:

Beardsley	Evans	Millhone	Shaw
Bell of Crawford	Gillette		

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

Senator Stevens asked and received unanimous consent to have Senate File 52 messaged to the House immediately.

HOUSE AMENDMENTS CONSIDERED

Senator Mason called up for consideration the House amendments to Senate Joint Resolution 1, fixing the daily compensation of all officers and employees of the Forty-seventh General Assembly.

Senator Mason offered the following amendments to the House amendment to Senate Joint Resolution 1:

Amend House amendment to Senate Joint Resolution 1 as follows:

Amend line 1 of the first House amendment by striking the words "lines twenty-eight and" and inserting in lieu thereof the word "line".

Amend line 1 of the second House amendment by striking the words "line thirty-two and" and inserting in lieu thereof the word "line".

The amendments were taken up and considered.

Roll call was requested.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 37:

Augustine	Driscoll	Hill	Miller
Baldwin	Edwards	Hoeven	Millhone
Bell of	Ellis	Hopkins	Moore
Des Moines	Elthon	Irwin	Murray
Breen	Evans	Kimberly	Parker
Chrystal	Geske	Kirketeg	Pelzer
Corwin	Gillespie	Lundy	Schadt
Dean	Goetsch	Mason	Whitehill
Dewey	Grunewald	Mighell	Zeigler
Doran	Guernsey		

Nays, 5:

Beardsley	Husted	Smith	Stewart
Berg			

Absent or not voting, 8:

Bell of Crawford	Byers	Gillette	Shaw
Billingsley	Donohue	Levis	Stevens

The amendments to the House amendments were adopted.

Senator Mason moved that the Senate concur in the House amendments as amended.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 40:

Augustine	Edwards	Hoeven	Moore
Baldwin	Ellis	Hopkins	Murray
Bell of	Elthon	Husted	Parker
Des Moines	Evans	Irwin	Pelzer
Breen	Geske	Kirketeg	Schadt
Chrystal	Gillespie	Lundy	Smith
Corwin	Goetsch	Mason	Stevens
Dean	Grunewald	Mighell	Stewart
Dewey	Guernsey	Miller	Whitehill
Doran	Hill	Millhone	Zeigler
Driscoll			

Nays, none.

Absent or not voting, 10:

Beardsley	Billingsley	Gillette	Levis
Bell of Crawford	Byers	Kimberly	Shaw
Berg	Donohue		

The resolution was read for information.

Senator Mason moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the joint resolution pass?" the vote was:

Ayes, 38:

Augustine	Driscoll	Hill	Millhone
Baldwin	Edwards	Hoeven	Moore
Bell of	Ellis	Hopkins	Murray
Des Moines	Elthon	Irwin	Parker
Breen	Evans	Kimberly	Pelzer
Chrystal	Geske	Kirketeg	Schadt
Corwin	Gillespie	Lundy	Stevens
Dean	Goetsch	Mason	Whitehill
Dewey	Grunewald	Mighell	Zeigler
Doran	Guernsey	Miller	

Nays, 3:

Beardsley	Billingsley	Husted
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Absent or not voting, 9:

Bell of	Byers	Levis	Shaw
Crawford	Donohue	Smith	Stewart
Berg	Gillette		

The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Mason moved that the vote by which the joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Mason asked and received unanimous consent to have Senate Joint Resolution 1 messaged to the House immediately.

The following communication was read for the information of the Senate:

January 16, 1937.

The Secretary of the Senate,
Des Moines, Iowa.

DEAR SIR: Argonne Post No. 60, the American Legion, will hold its biennial legislative meeting Monday night, February 1st, 1937, at 8:00 P. M., at its club rooms, East First and Des Moines streets.

Governor Nelson G. Kraschel will be the guest of honor on this occasion and Robert W. Colflesh, chairman of the National Legislative Committee of the American Legion, will be the principal speaker.

All members of the Senate are invited to this meeting. We trust that it may be possible to arrange committee meetings of your body so that the maximum number of members may be able to attend the legislative meeting of Argonne Post.

Respectfully,

ROY J. EIDE,

Commander Argonne Post No. 60, The American Legion.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 4, relating to the death of Mrs. Alex Miller, Secretary of State, and providing for the appointment of a committee to attend the funeral services, and the Speaker has appointed as members of said committee on the part of the House: Elliott of Woodbury, Stewart of Washington, and Gallagher of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

The Journal of January 22d was corrected and approved.

On motion of Senator Baldwin, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 27, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. A. J. Matthews, pastor of the Methodist Church, Shannon City.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Doran, from the citizens of Boone county, favoring the reduction of the state income tax by increasing exemptions. Ways and means.

By Senator Doran, from the citizens of Story county, favoring state support of public education in Iowa. Schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mason for the day, on request of Senator Driscoll; Senator Shaw for the day, on request of Senator Dewey.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 52, a bill for an act to legalize the action of the County Board of Supervisors of Wapello County, Iowa.

Also: I am directed to inform your honorable body that the House has refused to concur in the Senate amendments to House amendments to Senate Joint Resolution 1, fixing the compensation of officers and employees of the Forty-seventh General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate File 70, by Senator Smith, a bill for an act to amend Chapter 227 of the Code of 1935, relating to school taxes and defining agricultural lands and providing for the taxation thereof in independent school districts.

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

Senate File 71, by Senator Hoeven, a bill for an act to repeal Section twelve thousand six hundred forty-four c-fourteen (12644 c-14), Code, 1935, and to enact a substitute therefor relating to investment of funds by guardians of veterans.

Read first and second times and referred to committee on judiciary 1.

Senate File 72, by Senator Corwin, a bill for an act to amend Section five thousand ninety-three-f twenty-nine (5093-f29), Code, 1935, relating to fuel oil tax refund for drainage and levee districts.

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

Senator Baldwin offered the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 5

Resolved by the Senate, the House concurring: That two thousand copies of the committee books and five hundred copies of the rule books be ordered printed; all to be bound in paper covers.

By unanimous consent the resolution was taken up, considered, and adopted.

REQUEST BY SENATOR LUNDY

Senator Lundy asked and received unanimous consent to have a piece of Iowa's "Black Diamond", otherwise known as a lump of Iowa coal, placed under his desk during the session as a continual reminder, not only of the importance of coal from his district, but to the entire state, emblematic of Iowa's second industry.

In support of such request he reminded the Senate that wool-

sacks were placed in the House of Lords at the time of Edward III to remind the peers of the importance of England's staple trade; that the Lord Keeper sat on the woolsack in 1559 and that ever since that time a sack stuffed with wool and covered with red cloth is placed in the House of Lords upon which the Lord Chancellor sits; and Senator Lundy personally wanted to be ever reminded of Iowa's second industry by having a lump of Iowa coal as a foot rest and to impress upon the members of the Senate at all times the importance of the Iowa coal industry.

The President directed the sergeant-at-arms to procure for Senator Lundy a lump of Iowa coal suitable for his needs and to be placed as he requested.

On motion of Senator Kimberly, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

REPORT OF COMMITTEE ON CLERKS

MR. PRESIDENT: Your committee on clerks begs leave to report the following additional assignments:

Lieutenant Governor Valentine—Jessie Carter.

Senator Levis—Elizabeth West.

Senator Chrystal—James C. O'Donnell.

Senator Schadt—Elizabeth Gatton.

Senator Kimberly—Darlene Warner.

LEO ELTHON, *Chairman.*

O. J. KIRKETEG.

RESOLUTIONS FILED

SENATE RESOLUTION 1

Be It Resolved by the Senate, That the Secretary of the Senate be authorized to requisition from the state printer up to twelve Codes and Annotations for the use of the various Senators at their place of residence in Des Moines.

H. C. BALDWIN.

SENATE CONCURRENT RESOLUTION 6

Concurrent resolution memorializing the President and the Congress of the United States to name one of the battleships now under construction "Iowa".

Whereas, Battleships of the United States Navy are named after the several states of the Union; and

Whereas, At the present time there is no battleship of the United States Navy named after the State of Iowa; and

Whereas, There have been two battleships and a third battleship under construction, named after the State of Iowa, the first being a frigate, 3,850 tons displacement, carrying twenty-five guns, built at the Naval Yards at Boston, Massachusetts, 1862-1866, and ceased to be a part of the United States Navy in 1883. The second, a coast battleship with 11,346 tons displacement, authorized by Act of Congress July 19, 1892, named for the State of Iowa, launched March 28, 1896, commissioned June 16, 1897, as one of the ships composing the squadron commanded by Admiral Sampson during the Spanish-American War and participated in the battle of Santiago Bay against the Spanish fleet, July 3, 1898. On March 29, 1919, the name was changed, the ship was put out of commission and sunk by gun fire for experimental purposes March 22, 1923. The third vessel named "IOWA" was under construction on February 8, 1922. Upon the signing of the treaty limiting naval armament, construction was halted. Upon the ratification of the treaty, the contract for construction was cancelled, the vessel broken up and scrapped according to the terms of the said treaty, therefore,

Be It Resolved by the Senate, the House concurring: That we petition and pray the President and the Congress of the United States to name and designate one of the battleships now under construction, for and after the State of Iowa;

That on the passage of this resolution, the Secretary of State shall certify a copy hereof to the President of the United States, the President of the Senate, Speaker of the House of Representatives of the Congress of the United States, Secretary of Navy, and to each Senator and Representative of the State of Iowa at Washington, D. C. JOHN W. BILLINGSLEY.

REPORTS OF COMMITTEES

Senator Donohue submitted the following reports:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 7, a bill for an act to legalize execution sales made by execution officers, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman*.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 11, a bill for an act to legalize the actions of the city council and the city auditor of Sioux City, Iowa, with reference to expenditures and incurring indebtedness, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman*.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 50, a bill for an act to legalize election proceedings

relating to the sale and issuance of bonds by the consolidated independent school district of Smithland, Woodbury County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

Also :

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 58, a bill for an act to amend Section thirteen thousand seven hundred and seventy-three, (13,773), Code of 1935, to provide for the appointment of counsel for any minor accused of an indictable offense, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

EXTRA COPIES SENATE FILE 28

Senator Irwin received unanimous consent to have eighteen hundred (1800) extra copies of Senate File 28, relating to taxation, printed.

The Journal of January 25th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 28, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. C. L. Duxbury, pastor of the Federated Church, Jewell.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Byers, from Linn County Bar Association, opposing proposed changes in criminal and civil procedure. Judiciary 1.

By Senator Byers, from Cedar Rapids Woman's Club, favoring legislation to prohibit the sale and shooting of fireworks. Judiciary 2.

By Senator Edwards, from Conway Consolidated Schools, favoring a state-wide teacher retirement system. Social security.

By Senator Edwards, from Ringgold County Older Boys and Girls Conference, favoring local option in the sale of beer and in the establishment of liquor stores. Judiciary 2.

By Senator Evans, from Darwin Merrit Post No. 2265, V. F. W., favoring advancing the tax exemption of Spanish War Veterans to Civil War status. Ways and means.

By Senator Evans, from Darwin Merrit Post No. 2265, V. F. W., favoring legislation to extend the age limit of children receiving support under juvenile pension law to eighteen years or so long as they shall remain in school. Ways and means.

By Senator Stevens, from citizens of Ottumwa, favoring legislation to prohibit the sale or serving of beer or intoxicating liquor in public places where food is served. Judiciary 2.

By Senator Stevens, from citizens of Ottumwa, favoring legislation to prohibit employment of waitresses in places where beer or intoxicating liquor is sold or served. Judiciary 2.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stewart for the day, on request of Senator Whitehill; Senator Baldwin for the day, on request of Senator Moore; Senator Mason for the day, on request of Senator Driscoll.

INTRODUCTION OF BILLS

Senate File 73, by Senator Donohue, a bill for an act to amend the law as it appears in Chapter two hundred fifty-one (251) of the Code, relating to motor vehicles and law of the road, so as to prohibit the towing or pulling of motor vehicles designed or equipped to operate under their own power, except in case of temporary movement for repair or other emergency.

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

Senate File 74, by Senator Stevens, a bill for an act to amend Section sixty-six hundred sixty-nine (6669), Code, 1935, relating to the management of municipally owned water plants.

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

Senate File 75, by Senator Guernsey, a bill for an act to amend Section ten thousand six hundred thirty-nine (10639) of the Code of Iowa, 1935, relative to accounting for fees by justices of the peace.

Read first and second times and referred to committee on judiciary 2.

Senate File 76, by Senator Guernsey, a bill for an act to amend Section thirteen thousand three hundred fifty-two (13352) of the Code of Iowa, 1935, relative to escapes.

Read first and second times and referred to committee on judiciary 2.

Senate File 77, by Senator Doran, a bill for an act to amend, revise and codify Chapter eighty-nine (89) of the Code of Iowa,

1935, relating to the practice of professional engineering and land surveying; creating a board of engineering examiners and defining the duties and qualifications of the members of such board; defining the terms "professional engineering" and "land surveying"; and providing for the examination and registration of persons engaged in the practice of professional engineering and land surveying; and providing penalty for violations of this act.

Read first and second times and referred to committee on departmental affairs.

Senate File 78, by Senator Chrystal, a bill for an act making appropriations to defray the expense of the Inaugural ceremonies.

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

Senate File 79, by Senator Augustine, a bill for an act to amend Section fifty-three hundred fifty-three (5353) of Chapter two hundred sixty-nine (269) on county public hospital with reference to the levy allowed for improvement and maintenance thereof.

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

Senate File 80, by Senator Stevens, a bill for an act to amend Section sixty-one hundred thirty-four-f one (6134-f1), Code of Iowa, 1935, and providing for the issuance by cities and towns of refunding bonds, payable only out of the net earnings of municipally owned heating plants, waterworks, gas works, or electric light or power plants, providing that such refunding bonds shall conform to the provisions of Chapter three hundred twelve (312) of the Code of Iowa, 1935, and providing for the exchange of such refunding bonds for outstanding bonds or the sale of such refunding bonds, and providing for the disposition of the proceeds of such refunding bonds.

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

Senate File 81, by Senator Shaw (Johnson of Buena Vista), a bill for an act legalizing ordinance number one hundred and

eighty-seven (187) of the city of Storm Lake, Iowa, passed and adopted by the city of Storm Lake, Iowa, January 22, 1937, and published January 26, 1937, which ordinance fixes the maximum rates to be charged by the City of Storm Lake, Iowa, to consumers of water until payment of certain revenue bonds.

Read first and second times and referred to committee on judiciary 1.

SENATE CONCURRENT RESOLUTION 6 CONSIDERED

Senator Billingsley called up for consideration the following resolution and moved its adoption:

Concurrent resolution memorializing the President and the Congress of the United States to name one of the battleships now under construction "Iowa".

Whereas, Battleships of the United States Navy are named after the several states of the Union; and

Whereas, At the present time there is no battleship of the United States Navy named after the State of Iowa; and

Whereas, There have been two battleships and a third battleship under construction, named after the State of Iowa, the first being a frigate, 3,850 tons displacement, carrying twenty-five guns, built at the Naval Yards at Boston, Massachusetts, 1862-1866, and ceased to be a part of the United States Navy in 1883. The second, a coast battleship with 11,346 tons displacement, authorized by Act of Congress July 19, 1892, named for the State of Iowa, launched March 28, 1896, commissioned June 16, 1897, as one of the ships composing the squadron commanded by Admiral Sampson during the Spanish-American War and participated in the battle of Santiago Bay against the Spanish fleet, July 3, 1898. On March 29, 1919, the name was changed, the ship was put out of commission and sunk by gun fire for experimental purposes March 22, 1923. The third vessel named "IOWA" was under construction on February 8, 1922. Upon the signing of the treaty limiting naval armament, construction was halted. Upon the ratification of the treaty, the contract for construction was cancelled, the vessel broken up and scrapped according to the terms of the said treaty, therefore,

Be It Resolved by the Senate, the House concurring: That we petition and pray the President and the Congress of the United States to name and designate one of the battleships now under construction, for and after the State of Iowa.

That on the passage of this resolution, the Secretary of State shall certify a copy hereof to the President of the United States, the President of the Senate, Speaker of the House of Representatives of the Congress of the United States, Secretary of Navy, and to each Senator and Representative of the State of Iowa at Washington, D. C.

The resolution was adopted.

Senator Billingsley asked and received unanimous consent to have Senate Concurrent Resolution 6 messaged immediately to the House.

SENATE CONCURRENT RESOLUTION 7

Senators Breen and Gillespie offered the following resolution:

Whereas, The city of Des Moines and the State of Iowa are honored at this time to have as their guest the Right Reverend John A. Ryan, Director of Social Action Department, National Catholic Welfare Conference, Washington, D. C., and,

Whereas, Dr. Ryan is internationally known and recognized as an authority on social problems and is here at the present time to address the Regional Meeting of the Catholic Conference on Industrial Problems, and,

Whereas, It has long been the custom to invite speakers of prominence to address the General Assembly, State of Iowa, when opportunity is offered, now, therefore,

Be It Resolved by the Senate, the House Concurring: That we, the members, of the General Assembly, State of Iowa, do hereby extend an invitation to Right Reverend John A. Ryan to be our guest during his stay in Des Moines and to address the General Assembly in a joint meeting in the House on the morning of February 1st at eleven o'clock, a. m.

Be It Further Resolved, That the President of the Senate and the Speaker of the House appoint a committee of six to wait on Dr. Ryan and to extend this invitation to him.

President pro tem Byers took the chair at 10:35 a. m.

Senator Gillespie asked and received unanimous consent to take up Senate Concurrent Resolution 7 at this time.

The resolution was taken up, considered and adopted.

Senator Gillespie asked and received unanimous consent to have Senate Concurrent Resolution 7 messaged to the House immediately.

REPORT OF COMMITTEE ON CLERKS

On motion of Senator Elthon, the report of the committee on clerks found on page 127 of the Senate Journal was taken up, considered, and adopted, and the committee discharged.

REPORT OF COMMITTEE

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 34, a bill for an act to amend Section fifty-seven hun-

dred eighty-seven (5787) of the Code, 1935, relating to the election or appointment of Park Commissioners, to amend Section sixty-five hundred sixty-four (6564) of the Code, 1935, relating to general powers and duties of the council in cities having the commission form of government, and to add Section sixty-five hundred seventy-eight-b two (6578-b2), begs leave to report it has had the same under consideration and recommends that the same be amended as follows; and when so amended the bill do pass:

Strike Section 1, and renumber the other sections in conformity therewith.

J. BERG, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Breen, Senate File 34, a bill for an act to amend Section fifty-seven hundred eighty-seven (5787) of the Code, 1935, relating to the election or appointment of Park Commissioners, to amend Section sixty-five hundred sixty-four (6564) of the Code, 1935, relating to general powers and duties of the council in cities having the commission form of government, and to add Section sixty-five hundred seventy-eight-b two (6578-b2), with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Strike Section 1, and renumber the other sections in conformity therewith.

Senator Breen offered the following amendment and moved its adoption:

Strike the title of Senate File 34 and insert in lieu thereof the following:

A bill for an act to amend Section sixty-five hundred sixty-four (6564) of the Code, 1935, relating to general powers and duties of the council in cities having the commission form of government, and to add Section sixty-five hundred seventy-eight-b two (6578-b2).

The amendment to the title was adopted.

The bill was read for information.

Senator Breen moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine
Beardsley

Bell of
Des Moines

Berg
Billingsley

Breen
Byers

Corwin	Geske	Husted	Murray
Dean	Gillespie	Kimberly	Parker
Dewey	Gillette	Kirketeg	Pelzer
Donohue	Goetsch	Levis	Schadt
Doran	Grunewald	Lundy	Shaw
Driscoll	Guernsey	Mighell	Smith
Edwards	Hill	Miller	Stevens
Ellis	Hoeven	Millhone	Whitehill
Elthon	Hopkins	Moore	Zeigler
Evans			

Nays, none.

Absent or not voting, 6:

Baldwin	Chrystal	Mason	Stewart
Bell of Crawford	Irwin		

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

Senator Breen moved that the vote by which Senate File 34 passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Unanimous consent was granted to Senator Breen to have Senate File 34 messaged to the House immediately.

President Valentine returned to the chair at 10:55 a. m.

Senator Donohue asked and received unanimous consent to take up Senate File 7 at this time.

On motion of Senator Donohue, Senate File 7, a bill for an act to legalize execution sales made by execution officers who have failed to make required entries and endorsements on the execution and have failed to give notice to select homesteads and have failed to plat or have defectively platted homesteads and who have not properly offered property for such sale as provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Beardsley	Berg	Byers	Dewey
Bell of	Billingsley	Corwin	Donohue
Des Moines	Breen	Dean	Edwards

Elthon	Hill	Levis	Pelzer
Evans	Hoeven	Lundy	Schadt
Geske	Hopkins	Mighell	Smith
Gillespie	Husted	Millhone	Shaw
Goetsch	Irwin	Moore	Stevens
Grunewald	Kimberly	Murray	Whitehill
Guernsey	Kirketeg	Parker	Zeigler

Nays, none.

Absent or not voting, 11:

Augustine	Chrystal	Ellis	Miller
Baldwin	Doran	Gillette	Stewart
Bell of Crawford	Driscoll	Mason	

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

Senator Donohue moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Donohue asked and received unanimous consent to have Senate File 7 messaged to the House immediately.

Senator Driscoll called up Senate Joint Resolution 1 as amended and moved that the Senate insist on the Senate amendments to the House amendments.

On the question, "Shall the Senate insist?" the vote was:

Ayes, 36:

Augustine	Ellis	Hoeven	Moore
Breen	Elthon	Irwin	Murray
Byers	Evans	Kimberly	Parker
Corwin	Geske	Kirketeg	Pelzer
Dean	Gillespie	Levis	Schadt
Dewey	Goetsch	Lundy	Shaw
Donohue	Grunewald	Mighell	Stevens
Driscoll	Guernsey	Miller	Whitehill
Edwards	Hill	Millhone	Zeigler

Nays, 9:

Beardsley	Berg	Doran	Husted
Bell of	Billingsley	Hopkins	Smith
Des Moines	Chrystal		

Absent or not voting, 5:

Bell of Crawford	Baldwin	Gillette	Mason
			Stewart

The motion to insist prevailed.

Senator Hopkins moved that the rules be suspended and the Chair appoint a conference committee on Senate Joint Resolu-

tion 1, which motion prevailed, and President Valentine appointed Senators Driscoll, Gillespie, Byers, and Corwin.

On request of Senator Murray, Senate File 11 and Senate File 50 were passed at this time, but retained their places on the Senate calendar.

On motion of Senator Shaw, Senate File 58, a bill for an act to amend Section thirteen thousand seven hundred seventy-three (13773), Code, 1935, to provide for the appointment of counsel for any minor accused of any indictable offense, unrepresented by counsel whether or not he shall request counsel, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shaw moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Doran	Hill	Moore
Beardsley	Edwards	Hoeven	Murray
Berg	Ellis	Hopkins	Parker
Billingsley	Elthon	Husted	Pelzer
Breen	Geske	Kimberly	Schadt
Byers	Gillespie	Kirketeg	Smith
Chrystal	Gillette	Levis	Shaw
Corwin	Goetsch	Mighell	Stevens
Dean	Grunewald	Miller	Whitehill
Dewey	Guernsey	Millhone	Zeigler
Donohue			

Nays, none.

Absent or not voting, 9:

Baldwin	Bell of	Evans	Lundy
Bell of Crawford	Des Moines	Irwin	Mason
	Driscoll		Stewart

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

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Consent was granted to Senator Shaw to have Senate File 58 messaged to the House immediately.

On motion of Senator Beardsley, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate resumed session, President Valentine presiding.

HOUSE CONCURRENT RESOLUTION 3 CONSIDERED

Senator Levis called up for consideration the following House concurrent resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 3

Whereas, The welfare of the great commonwealth of Iowa depends upon the stabilization of agriculture, and

Whereas, The emergency farm loan interest rate of 3½ per cent made possible by special act of the National Congress to the farmer borrowers having Federal Land Bank loans, expires July 1, 1937, and

Whereas, Thousands of farmers throughout the State of Iowa have Land Bank Commissioner loans which call for 5 per cent interest and which require principal payments commencing September 1, 1936, of 5 per cent or 10 per cent in addition to the interest payments, and

Whereas, It appears to be possible to extend lower interest rates to the farmers without an excessive burden to the taxpayer and with almost no administrative costs, and

Whereas, Agricultural recovery has been delayed by droughts and pests, thereby causing hundreds of farmers throughout the State of Iowa to become delinquent in the payment of interest and taxes, and

Whereas, It is our opinion that low interest rates accorded to the farmers of Iowa through the Federal Land Bank system contribute much to the stabilization of agriculture,

Therefore, Be It Resolved by the House, the Senate Concurring: That the Legislature of Iowa respectfully petitions the members of the National Congress to use every possible effort to secure the passage of a law making the 3½ per cent interest rate permanent to the farmer borrowers of the Federal Land Bank or at least extend the same for a period of not less than two years and that this Legislature respectfully urges the members of the National Congress to use every possible effort to secure the passage of a law making 4 per cent interest rate permanent to the farmer borrowers of the Land Bank Commissioner and to extend the principal payments on Land Bank Commissioner loans over a period of thirty-four years as provided for Federal Land Bank loans and that a copy of this resolution be sent to each United States Senator and Representative from the State of Iowa, to the Speaker of the National House of Representatives, to the President of the United States Senate and to the President of the United States.

The resolution was adopted.

REPORT OF COMMITTEE ON EXTRA HELP

To the Honorable President of the Senate and Speaker of the House of Representatives:

Your joint committee, appointed to consider applications and to nominate the extra help of the 47th General Assembly, begs leave to submit the following report and recommendations:

That the positions following be filled by the persons whose names appear herein, with the salaries as shown:

Assistant Law Research, L. J. Kehoe.....	\$5.85
Assistant Research, Wm. B. Lockart.....	5.85
Stenographers and Typists, Law Library.....	3.60 each
Anne Murphy	
Goldie Peterson	
Law Library Clerk, Alice Figg.....	3.60
Pages to Librarian and His Office.....	3.60 each
Ed Ontjes, Wm. M. Rawlings, Carl Clemans, Joe Clair.	
Legislative Assistant in Economics and Sociology Division of	
Library, Ted Larson	4.50
Stenographer for Economics Division, Hortense Andrews.....	3.60
Assistant Matron, Mayme Thomas.....	3.60
Elevator Tenders: Frank Shaeffer, Brice Shaffner, Albert	
Hamilton, Geo. Hamilton.....	3.60 each
Assistant Messenger to Mail Carrier, John Clarkson.....	3.60
Post Office Assistant, Helen McDurmot.....	3.60
Janitors	3.60 each

Ed Butler, Floyd Donnegan, Geo. Stewart, J. E. Snedden, Ed Noyes, Wm. Tinsley, Harry Upham, James P. Brannon, Carl Johnson, Delvin Hunter, Arthur Sassman, Joe Tolson, Montrose Beckley, Ed Wilson, Harry Marsh, Abe Wisner, Dave Patterson.

Respectfully submitted,

JOHN BERG.

R. G. MOORE.

A. J. SHAW.

IVER CHRISTOFFERSEN.

On the part of the Senate.

LEROY MERCER.

On the part of the House.

Senator Berg moved the adoption of the report of the committee on extra help, which motion prevailed, and the committee was discharged.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report on Senate Joint

Resolution 1, relative to compensation of officers and employees of the Forty-seventh General Assembly.

WM. F. REINECKE, *Assistant Chief Clerk.*

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the conference committee appointed to consider the differences between the Senate and House on Senate Joint Resolution 1, being a Joint Resolution fixing the compensation of the officers and employees of the Forty-seventh General Assembly, beg leave to report that we have had the same under consideration and recommend the following:

That the Senate recede from its amendments to the House amendments.
That the House recede from its amendments.

That lines 28 and 52 of Senate Joint Resolution 1 be amended by striking from each the figures "4.00" and inserting in lieu thereof the figures "3.80".

GUSTAVE ALESCH,
R. G. MOORE,
C. E. LOOKINGBILL,
B. B. HICKENLOOPER,

On the part of the House.

T. F. DRISCOLL,
J. J. GILLESPIE,
E. P. CORWIN,
FRANK C. BYERS,

On the part of the Senate.

Senator Driscoll moved that the report of the conference committee on Senate Joint Resolution 1 be adopted and the amendments proposed therein be concurred in.

On the question, "Shall the report of the conference committee be adopted and the amendments proposed therein be concurred in?" the vote was:

Ayes, 37:

Augustine	Driscoll	Hill	Moore
Bell of Crawford	Edwards	Hoeven	Murray
Bell of	Ellis	Hopkins	Parker
Des Moines	Elthon	Irwin	Schadt
Berg	Evans	Kimberly	Smith
Breen	Geske	Kirketeg	Shaw
Byers	Gillespie	Levis	Stevens
Dean	Goetsch	Mighell	Whitehill
Dewey	Grunewald	Millhone	Zeigler
Doran	Guernsey		

Nays, 3:

Billingsley	Gillette	Miller
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Absent or not voting, 10:

Baldwin	Corwin	Lundy	Pelzer
Beardsley	Donohue	Mason	Stewart
Chrystal	Husted		

The report of the conference committee and the amendments proposed therein, having received a constitutional majority, were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Driscoll, Senate Joint Resolution 1, fixing the salaries of the officers and employees of the 47th General Assembly, amended in accordance with the report of the conference committee, was read for information.

Senator Driscoll moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 38:

Augustine	Driscoll	Hill	Murray
Bell of Crawford	Edwards	Hoeven	Parker
Bell of Des Moines	Ellis	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Breen	Evans	Kimberly	Smith
Byers	Geske	Kirketeg	Shaw
Dean	Gillespie	Levis	Stevens
Dewey	Goetsch	Miller	Whitehill
Doran	Grunewald	Millhone	Zeigler
	Guernsey	Moore	

Nays, 1:

Billingsley

Absent or not voting, 11:

Baldwin	Corwin	Irwin	Mighell
Beardsley	Donohue	Lundy	Stewart
Chrystal	Gillette	Mason	

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on January 27, 1937, he had approved the following bill:

Senate File 10, relating to authorization of cities to incur indebtedness in excess of budget.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File 52.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 52.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 28th day of January, 1937, sent to the Governor for his approval, Senate File 52.

FRANK PELZER, *Chairman.*

Passed on file.

REPORTS OF COMMITTEE

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 13, a bill for an act to enact a substitute prohibiting the disturbance of religious assemblies, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 13 by striking all of Section 1 following the word "fined", and inserting in lieu thereof the following: "fifty dollars (\$50) or be committed to the county jail for a period of not to exceed fifteen (15) days."

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 15, a bill for an act for emergency delay of mortgage foreclosures, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 2, line 12, by adding a comma following the word "contrary" and adding thereto "however a showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause within the meaning of this act."

2. Strike the word "and" from line 12 of Section 2, and capitalize the letter "U" of the word "upon".
3. Amend Section 4 by striking from lines 2 and 3 the words and figures "January 1, 1936" and substituting in lieu thereof the words and figures "January 1, 1934".
4. Amend Section 5 by striking from line 2 of said section the words and figures "January 1, 1936" and substituting in lieu thereof "January 1, 1934".

A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 16, a bill for an act for the extension of the period of redemption under mortgage foreclosures, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend by striking from line 3, Section 2, the figures "1937" and substituting in lieu thereof the figures "1936".
2. Amend Section 2 by adding after the period in line 11 the following: "However a showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause within the meaning of this act."
3. Amend Section 6 by adding after the comma in line 8 the following: "as provided in Section 2 of this act,".
4. Amend Section 7 by striking from lines 2 and 3 the words and figures "March 1, 1936" and substituting in lieu thereof the words and figures "January 1, 1934".
5. Amend Section 8 by striking from line 2 the words and figures "March 1, 1936" and substituting in lieu thereof the words and figures "January 1, 1934".

A. J. SHAW, *Chairman*.

Ordered passed on file.

Senator Irwin filed the following resolution:

SENATE CONCURRENT RESOLUTION 8

Whereas, The Federal "Banking Act of 1935" effective as law August 23, 1935, provides that on and after two years from that date, namely August 23, 1937, no bank a member of the Federal Reserve System or a bank member of the Federal Deposit Insurance Corporation "shall directly or indirectly by any device whatsoever pay any interest on any deposit which is payable on demand" which prohibition shall likewise apply "to any deposit of public funds made by or on behalf of any state, county, school district, or other subdivision or municipality" if they are public funds that are payable on demand, and

Whereas, All such public funds in Iowa are payable on demand or in other words are withdrawable by any such political subdivision from its

bank depositories at any time without notice, and that Iowa's Public Funds law provides that such public funds "shall" be deposited in banks and "shall draw interest at the rate of not less than 2% per annum on 90% of the collected daily balances payable by the bank at the end of each month" with the provision that the rate may be lowered by the State Treasurer with the approval of the Executive Council but not below 1% on 90% of the collected daily balances payable by the bank at the end of each month, and that the interest payable by bank depositories goes directly into the Iowa State Sinking Fund to be used in paying those claims that are filed against that fund by municipalities for their public funds that were in banks which went into receivership, and

Whereas, The Iowa State Sinking Fund today is approximately \$9,000,000 in arrears and that it is estimated it will take from 4 to 5 years or more to pay off that deficit if Iowa's public funds can continue to earn the usual interest from its bank depositories during that period, which approximates even at the low 1% interest rate prevailing today about \$850,000.00 per year or twice that amount if and when the rate is doubled which will occur when it is economically sound to do so; that the sum of money yet recoverable from assets of those former depository banks still in receivership will in the future it is estimated be of no substantial amount owing to the fact that such receiverships are approaching their end, and that it is unfair to continue to divert the beer tax to the State Sinking Fund when it is badly needed for other tax purposes; that the beer tax amounting to approximately \$1,500,000.00 annually will be the only substantial sum left to pay off the deficit in Iowa's State Sinking Fund if depository banks in Iowa are prohibited from paying interest on public funds as before herein mentioned; and that it is only fair to Iowa's taxpayers that their funds should have the opportunity to earn a reasonable rate of interest pending the time when such funds shall be disbursed, now, therefore,

Be It Resolved by the Senate of the State of Iowa, the House Representatives Concurring Therein: That we call upon the Congress of the United States to amend the Federal "Banking Act of 1935" so that all banks members of the Federal Reserve System and banks members of the Federal Deposit Insurance Corporation may continue to accept public deposits and pay interest on them regardless of the fact that such deposits may be withdrawable on demand; that we respectfully request the Iowa Congressional delegation whose assistance is herewith respectfully requested, to ask Congress at this session to enact the needed amendment as foregoingly explained, and that everything be done that can be done within the power and influence of the Iowa Congressional delegation to prevail upon Congress to strike from the Federal "Banking Act of 1935" that prohibition against the payment of interest on public funds payable on demand or to at least postpone its effective date for not less than five years further from August 23, 1937, to enable State sinking funds such as we have in Iowa to be fully paid off.

Be It Further Resolved by the Senate of the State of Iowa, the House of Representatives Concurring Therein: That a copy of this Resolution

be forwarded to the President of the United States Senate and to the Speaker of the United States House of Representatives.

AMENDMENTS FILED

Amend Senate File 1 by striking from lines 16 and 17 of the title the words "less exemption if any afforded by Section 6946".

Amend Senate File 1 by striking from lines 9 and 10 of Sec. 3 the words "less the exemption, if any, provided for by Section 6946 of the Code,".

G. R. HILL,
L. H. DORAN,
E. P. DONOHUE,
JOHN P. BERG.

MR. PRESIDENT: I move to amend Senate File 1 by inserting after Section thirteen (13) thereof, the following:

Amend Section six thousand nine hundred forty-three-f forty (6943-f40), Code, 1935, by adding thereto the following additional sub-sections "e" and "f":

e. The gross receipts from the sale of food products for human consumption. "Food products" as used herein includes cereals and cereal products, milk and milk products including ice cream, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith.

f. The gross receipts from the sale of wearing apparel and clothing where the price of each item does not exceed one and one-half dollars (\$1.50), and shoes where the price is two dollars (\$2.00) per pair or less.

L. H. DORAN.

The Journal of January 27th was corrected and approved.

On motion of Senator Millhorne, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 29, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Fred A. Smith, pastor of the Methodist Church, Gladbrook.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stewart, until Monday, on request of Senator Whitehill; Senator Baldwin, for the day, on request of Senator Corwin.

INTRODUCTION OF BILLS

Senate File 82, by Senator Gillette, a bill for an act to legalize the proceedings relating to an election held in the town of Milford, Dickinson 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 1935 Code of Iowa; and to legalize the contract entered into between said town of Milford, Iowa, and the Monroe Electric Company for the construction of said municipal electric light plant, and the issuance of revenue bonds in payment thereof; and declaring said contract and the revenue bonds issued thereunder, as valid and enforceable obligations of said town.

Read first and second times and referred to committee on judiciary 1.

Senate File 83, by Senator Doran, a bill for an act to amend Chapter two hundred eighty-seven (287) and Section five thousand six hundred thirty-three (5633) of the Code of Iowa, 1935, relating to appointment of officers by city and/or town councils and providing for the appointment of a mayor pro tempore and prescribing powers and duties of said officers and fixing the compensation thereof.

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

Senate File 84, by Senators Augustine, Driscoll, Bell of Des Moines, Hopkins, Elthon, and Whitehill, a bill for an act to prohibit any railroad company from abandoning or changing the location of any shop or terminal in this state without the consent of the board of railroad commissioners, and prescribing the procedure for securing consent therefor, and providing a penalty for the violation thereof.

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

Senate Joint Resolution 2, by Senator Berg, a joint resolution to amend Senate Joint Resolution 1 of the Forty-seventh General Assembly relating to the compensation of officers and employees of the Forty-seventh General Assembly.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Berg, Senate Joint Resolution 2, a joint resolution to amend Senate Joint Resolution 1 of the Forty-seventh General Assembly relating to the compensation of officers and employees of the Forty-seventh General Assembly, was taken up and considered.

Senator Berg moved that the rule, which requires reference of a bill to a committee be suspended, which motion prevailed.

Senator Berg moved that the rules by which no bill may be read the second and third times the same day be suspended, which motion prevailed.

The resolution was read for information.

Senator Berg moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 29:

Beardsley	Breen	Donohue	Elthon
Berg	Corwin	Edwards	Evans
Billingsley	Dewey	Ellis	Geske

Gillespie	Hopkins	Millhone	Schadt
Goetsch	Husted	Murray	Smith
Grunewald	Kimberly	Parker	Whitehill
Hill	Levis	Pelzer	Zeigler
Hoeven			

Nays, 3:

Mason	Mighell	Miller
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Absent or not voting, 18:

Augustine	Byers	Gillette	Moore
Baldwin	Chrystal	Guernsey	Shaw
Bell of Crawford	Dean	Irwin	Stevens
Bell of	Doran	Kirketeg	Stewart
Des Moines	Driscoll	Lundy	

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Berg moved that the vote by which the joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Berg asked and received unanimous consent that Senate Joint Resolution 2 be messaged to the House immediately.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 81, a proposed bill to legalize the proceedings of the City Council of the city of Storm Lake.

WALTER H. BEAM, *Secretary*.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on January 28, 1937, he had approved the following bill:

Senate File 52, a legalizing act for Wapello county.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 6, memorializing the President and the Congress of the United States to name one of the battleships now under construction "Iowa".

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 7, relative to inviting the Right Reverend John A. Ryan to address the General Assembly in joint meeting at eleven o'clock a. m., February 1st. A. C. GUSTAFSON, *Chief Clerk*.

Senator Hill asked unanimous consent to take up Senate File 15 at this time.

Objections were raised and Senator Hill withdrew his request.

SENATE FILES MADE SPECIAL ORDER

Senator Hill moved that consideration of Senate File 15 be made a special order of business for Monday at 10:00 a. m., which motion prevailed.

Senator Hill moved that Senate File 16 be made a special order of business for Monday, immediately following consideration of Senate File 15, which motion prevailed.

Senator Irwin called up Senate Concurrent Resolution 8, found on page 144 of the Senate Journal, and moved its adoption.

The resolution was read for information.

The resolution was adopted.

Senator Irwin asked and received unanimous consent to have Senate Concurrent Resolution 8 messaged immediately to the House.

On motion of Senator Levis, the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Hon. D. L. Murrow, of Corydon, Wayne county, as a member of the board of assessment and review, to fill the unexpired term of Hon. John K. Valentine, said term ending July 1, 1937.

The Senate arose from executive session and resumed regular session.

STATEMENT BY SENATOR MASON

MR. PRESIDENT: Owing to my illness, I was absent from the Senate during the vote on the conference committee report on Senate Joint Resolution 1, and I desire hereby to go on record to the effect that, had I been present, I would have voted "no" on the conference report on Senate Joint Resolution 1.

E. I. MASON.

REPORT OF COMMITTEE

Senator Millhone submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred Senate File 54, a bill for an act to authorize the designation of primary road extensions in any city or town of the State of Iowa which may be separated from the remainder of the state by a river more than five hundred feet in width, begs leave to report it has had the same under consideration and recommends the same do pass.

PAUL L. MILLHONE, *Chairman.*

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Joint Resolution 1.

FRANK PELZER, *Chairman, Senate Committee.*

JOHN R. IRWIN, *Chairman, House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Joint Resolution 1.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 29th day of January, 1937, sent to the Governor, for his approval, Senate Joint Resolution 1.

FRANK PELZER, *Chairman.*

Passed on file.

On request of Senator Doran, Senate File 13 was passed at this time, but retained its place on the Senate calendar.

On request of Senator Murray, Senate File 11 and Senate File 50 were passed at this time, but retained their places on the Senate calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House :

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

Senate Concurrent Resolution 8, memorializing Congress relative to amending the "Banking Act of 1935".

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF COMMITTEE

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 4, a bill for an act to repeal Sections seven hundred forty-nine (749) to seven hundred sixty (760), inclusive, Code, 1935, and to enact substitutes therefor; and to amend Section seven hundred seventy-five (775), Code, 1935, all relating to official ballots, begs leave to report it has had the same under consideration and recommends the same do pass.

SANFORD ZEIGLER, JR., *Chairman.*

Also :

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 49, a bill for an act to amend Section ten hundred forty-three (1043), Code, 1935, relative to costs of contesting election of county officers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 1 by striking from line 2 the word "be" and inserting in lieu thereof the words "is hereby".

SANFORD ZEIGLER, JR., *Chairman.*

Also :

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 51, a bill for an act to amend Section 10653 of the Code of Iowa, 1935, providing for the rotation of the names of candidates for the various offices on the municipal court judiciary ballot, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 1 by striking from line 2 the following: "word 'order'", and inserting in lieu thereof the word "comma".

2. Amend Section 1 by striking from line 3 of said bill the word "the" which appears in quotation marks and inserting in lieu thereof the word "and".

3. Amend Section 1 by striking from line 3 the words and figures "eleven (11)" and inserting in lieu thereof the words and figures "twelve (12)".

SANFORD ZEIGLER, JR., *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 15 by striking from Section 2 the following words: "or person liable on said mortgages or deeds of trust or notes secured thereby,"

E. P. DONOHUE.

MR. PRESIDENT: I move to amend Senate File 16 by striking the figures "1939" from line 9 of Section 2 and substituting in lieu thereof the figures "1938".

E. P. DONOHUE.

The Journal of January 28th was corrected and approved.

On motion of Senator Driscoll, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 1, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. J. J. Murtagh, pastor of St. Mary's Church, Eldora.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hoeven, from voters of Sioux county, opposing legislation limiting or prohibiting bank night or similar advertising practices. Judiciary 1.

By Senator Hoeven, from the teachers at Hawarden, favoring enactment of legislation for teachers' retirement fund. Public schools.

By Senator Hoeven, from voters of Sioux county, favoring legislation providing for State support for education. Public schools.

By Senator Billingsley, from Lincoln P. T. A. of Newton, favoring legislation for educational equalization. Board of control and public welfare.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bell of Des Moines for the day, on request of Senator Elthon; Senator Schadt for the forenoon, on request of Senator Dewey.

THIRD READING OF BILLS

The time having arrived for special order No. 1, Senate File 15, a bill for an emergency act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continu-

ance of such actions; providing for determination by the court of the rights of the holder of such mortgages, and of the owner or owners of the real estate, and of persons liable on such mortgages, deeds of trust, or the notes secured thereby, to the possession of the real estate, and to the rents, income and profits therefrom; providing for suspension of conflicting acts; providing that applications heretofore filed under Chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly, and/or Chapter one hundred fifteen (115), acts of the Forty-sixth General Assembly, whether ruled upon or not, shall be considered as refiled under this act; and providing for the termination of this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Doran, the following committee amendment was taken up and considered:

1. Amend Section 2, line 12, by adding a comma following the word "contrary" and adding thereto "however a showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause within the meaning of this act."

Roll call was requested.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate formed under the direction of the Sargeant-at-Arms and proceeded to the House Chamber.

JOINT CONVENTION

In accordance with Senate Concurrent Resolution 7, duly adopted, the joint convention was called to order, President Valentine of the Senate presiding.

Gallagher of Iowa moved that a committee of two be named to notify the Right Reverend John A. Ryan, director of the Social Action Department, National Catholic Welfare Conference, Washington, D. C., and escort him to the President's station.

Motion prevailed and the President appointed as such committee: Gallagher of Iowa and Senator Gillespie of Polk.

The committee returned with the Right Reverend John A. Ryan and escorted him to the President's station.

President Valentine introduced the Right Reverend John A. Ryan, who addressed the joint convention.

Brown of Polk moved that the joint convention be dissolved.

Motion prevailed and the joint convention was dissolved.

The Senate returned to the Senate Chamber and resumed regular session.

The Senate resumed consideration of Senate File 15.

Senator Millhone moved the previous question on the pending amendment, which motion prevailed.

Senator Driscoll moved that the Senate recess until 1:30.

The motion was lost.

On the question, "Shall the first amendment recommended by the committee be adopted?" the vote was:

Ayes, 25:

Augustine	Doran	Hill	Mighell
Beardsley	Edwards	Hoeven	Miller
Bell of Crawford	Gillespie	Irwin	Moore
Billingsley	Gillette	Kimberly	Murray
Breen	Goetsch	Lundy	Shaw
Dean	Grunewald	Mason	Whitehill
Dewey			

Nays, 22:

Baldwin	Ellis	Husted	Pelzer
Berg	Elthon	Kirketeg	Smith
Byers	Evans	Levis	Stevens
Corwin	Geske	Millhone	Stewart
Donohue	Guernsey	Parker	Zeigler
Driscoll	Hopkins		

Absent or not voting, 3:

Bell of	Chrystal	Schadt
Des Moines		

The amendment was adopted.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on January 29, 1937, he had approved the following Senate joint resolution:

Senate Joint Resolution 1, fixing the compensation of officers and employees of the Forty-seventh General Assembly.

On motion of Senator Driscoll, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

Senators Dewey and Schadt asked and received unanimous consent to consider the following resolution:

DR. BOHUMIL SHIMEK MEMORIAL

SENATE CONCURRENT RESOLUTION 9

Be It Resolved by the Senate, the House Concurring: That the word of the death of Dr. Bohumil Shimek, who was a member of the Ecological Society of America, the Botanical Society of America, the Washington Academy of Science, Doctor of Philosophy of University of Prague, Bohemia, Member of Sigma XI Fraternity, National and State President of the Isaac Walton League of America, Honorary President of Will H. Dilg League of America, was on the Botanical Staff of the University of Iowa, Member of Geological Society of America, a member of Iowa Academy of Science and had a Fellowship in the Society of Bohemia National History Society of Prague, Bohemia, is received with deep sorrow on the part of the members of the Forty-seventh General Assembly;

That we extend to Mrs. Margie Shimek, his widow, to his daughter, Mrs. Ann Hanzlik, his daughter, Mrs. Bertha Hanzlik, to his son, Mr. Frank Shimek; to his daughter, Miss Ella Shimek, and to his daughter, Mrs. Valusta Krepelka, and to his many friends, our sincere regret and expression of condolence at this hour of great bereavement.

Senator Dewey moved the adoption of the resolution, which motion prevailed and the resolution was adopted.

By unanimous consent, the remarks of Senator Dewey and Senator Schadt were ordered printed in the Senate Journal.

Senator Dewey spoke as follows:

A highly respected citizen of this nation has passed to his reward,— Professor Bohumil Shimek of Iowa City, who has been a member of the University of Iowa botany staff for the past forty-six years.

Internationally known, Dr. Shimek had more signal honors conferred upon him than any man in the west with the exception of another native son, who became President of the United States. The last years of his life he served as a research professor and curator of the herbarium. He held degrees in geology, zoology and engineering, and was considered America's foremost plant ecologist.

He was the highest authority in America on problems of prairies and treeless areas and his theories as to the causes of these conditions have been generally accepted throughout the world.

As one of the original conservationists of the United States, he devoted much of his time and money to the preservation of flora and fauna, against indiscriminate drainage, deforestation and cessation of the pollution of our lakes and streams.

During his work on the botany staff, he had collected and catalogued 160,000 specimens of plant life and shells for the University and was the author of over 140 books and treatises. He was one of the founders of Lakeside Laboratory at West Okoboji lake, and a new native stone building there is named Shimek Hall. The University of Prague, Bohemia, in 1919 conferred upon him the honorary degree of doctor of philosophy and the Bohemian ambassador came to Iowa City and conferred upon him a special medal for his war work in connection with that nation during the World War, a medal of that kind never before given to any man by that nation.

The State of Iowa has lost a most valuable citizen in the passing of Professor Shimek.

Senator Schadt spoke as follows :

MR. PRESIDENT AND MEMBERS OF THE SENATE: Senator Dewey has given such a good account of Professor Shimek's history and activity that I can hardly add more to it. I can say, however, that I had the privilege of being a long-time acquaintance of Professor Shimek and was a student in one of his classes when I attended the University.

I do not believe that any man who has finally come to the position that Dr. Shimek occupied has gone through as many privations in his earlier life. He told me things confidentially which I do not think have been revealed at large. While he was an individual of powerful physique he still felt that adversities in early life invalidated him physically to some extent.

His community has lost a friend, and the State has lost a strong advocate of education, representative government, and a scholar. His memory will continue to live in the minds of the people also as an exponent of ethics, morals, and good citizenship. He was an inspiration to all who knew him and his deeds and qualities will live in the minds of those privileged to have known him.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Chrystal for the afternoon, on request of Senator Hoeven.

CONSIDERATION OF SENATE FILE 15 RESUMED

Senator Doran moved the adoption of the following committee amendment:

2. Strike the word "and" from line 12 of Section 2, and capitalize the letter "U" of the word "upon".

Senator Mighell offered the following amendment to the pending amendment:

Amend the second proposed amendment by adding thereto the following: The comma preceding the word "and" shall be changed to a period.

Senator Mighell asked and received unanimous consent to withdraw his amendment.

Senator Doran's motion prevailed and the second committee amendment was adopted.

Senator Doran moved the adoption of the following committee amendments:

3. Amend Section 4 by striking from lines 2 and 3 the words and figures "January 1, 1936" and substituting in lieu thereof the words and figures "January 1, 1934".

4. Amend Section 5 by striking from line 2 of said section the words and figures "January 1, 1936" and substituting in lieu thereof "January 1, 1934".

Senator Mighell offered the following amendments to the pending committee amendments and moved their adoption:

Amend the third proposed amendment by substituting the figures "1937" for the figures "1934".

Amend the fourth proposed amendment by substituting the figures "1937" for the figures "1934".

On the question "Shall the amendments to the amendments be adopted?" the vote was:

Ayes, 12:

Augustine	Gillette	Husted	Mighell
Bell of Crawford	Goetsch	Kirketeg	Millhone
Billingsley	Hopkins	Levis	Moore

Nays, 34:

Baldwin	Doran	Hill	Pelzer
Beardsley	Driscoll	Hoeven	Schadt
Berg	Edwards	Irwin	Shaw
Breen	Ellis	Kimberly	Smith
Byers	Elthon	Lundy	Stevens
Corwin	Evans	Mason	Stewart
Dean	Geske	Murray	Whitehill
Dewey	Grunewald	Parker	Zeigler
Donohue	Guernsey		

Absent or not voting, 4:

Bell of Des Moines	Chrystal	Gillespie	Miller
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The amendments were lost.

Rule 8 was invoked.

On the question "Shall the third and fourth committee amendments be adopted?" the vote was:

Ayes, 18:

Baldwin	Doran	Grunewald	Kimberly
Beardsley	Driscoll	Guernsey	Mason
Breen	Edwards	Hill	Shaw
Byers	Ellis	Irwin	Whitehill
Dewey	Evans		

Nays, 29:

Augustine	Geske	Levis	Parker
Bell of Crawford	Gillette	Lundy	Pelzer
Berg	Goetsch	Mighell	Schadt
Billingsley	Hoeven	Miller	Smith
Corwin	Hopkins	Millhone	Stevens
Dean	Husted	Moore	Stewart
Donohue	Kirketeg	Murray	Zeigler
Elthon			

Absent or not voting, 3:

Bell of Des Moines	Chrystal	Gillespie
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The amendments were lost.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 15 by adding thereto following Section 6, a new section as follows:

"Sec. 7. Every original notice covering the foreclosure of a real estate mortgage, or deed of trust, or the note or notes secured thereby, served after the taking effect of this act, shall, during the time this act is in effect, contain a notice to the defendant or defendants that he or they may appear at the time and place stipulated in said notice and file application of said cause of action until March 1, 1939."

Further amend by renumbering the remaining sections.

The motion prevailed and the amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 15 by striking the figures "1939" from line 11 of Section 2 and substituting in lieu thereof the figures "1938".

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 22:

Baldwin	Doran	Husted	Parker
Berg	Ellis	Kimberly	Pelzer
Billingsley	Elthon	Kirketeg	Schadt
Byers	Evans	Levis	Whitehill
Corwin	Geske	Millhone	Zeigler
Donohue	Hopkins		

Nays, 25:

Augustine	Edwards	Hoeven	Moore
Beardsley	Gillette	Irwin	Murray
Bell of Crawford	Goetsch	Lundy	Smith
Breen	Grunewald	Mason	Shaw
Dean	Guernsey	Mighell	Stevens
Dewey	Hill	Miller	Stewart
Driscoll			

Absent or not voting, 3:

Bell of	Chrystal	Gillespie
Des Moines		

The amendment was lost.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 15 by striking from Section 2, lines 8 and 9, the following words: "or person liable on said mortgages or deeds of trusts or notes secured thereby".

The amendment was not adopted.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which committee amendments 3 and 4 to Senate File 15 failed to pass the Senate.

LEO ELTHON.

The Chair ruled that, under Senate Rule 14, Senator Elthon's motion was in order and that, under Robert's Rules of Order, since the amendment was to an immediately pending question, the motion to reconsider should be taken up at once.

Senator Elthon's motion to reconsider the vote by which committee amendments three and four to Senate File 15 failed to pass the Senate was taken up.

Senator Irwin asked and received unanimous consent to have Senate File 15 and all pending questions continued as a special order of business until 10 a. m., February 2d.

Senator Hopkins asked and received unanimous consent to return to the order of introduction of bills.

INTRODUCTION OF BILLS

Senate File 85, by Senator Irwin, a bill for an act to declare the conditions under which primary roads, and extensions of primary roads in cities and towns, may be relocated.

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

Senate File 86, by Senators Hoeven, and Whitehill, a bill for an act to repeal Section thirteen thousand seventy-three (13073), of the Code of Iowa, 1935, and to enact a substitute therefor relating to the unlawful wearing, displaying, or use of military badges, buttons, emblems, or insignia and providing a penalty for violation thereof.

Read first and second times and referred to committee on military affairs.

Senate File 87, by Senator Doran, a bill for an act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives, trains, and other self-propelled engines or machines with competent employes; to provide the least number of men that may be employed in locomotives, trains, and other self-propelled engines or machines; to provide qualifications of certain employes and to provide a penalty for the violation thereof.

Read first and second times and referred to committee on railroads and aeronautics.

Senate File 88, by Senator Berg (Christoffersen), a bill for an act to amend the law as it appears in Chapter two hundred ninety-four (294) of the Code of Iowa, 1935, relating to the creation of river front improvement commissions in certain cities, and the organization and powers thereof, by amending Sections five thousand eight hundred fifteen (5815), five thousand eight hundred and twenty (5820), five thousand eight hundred and twenty-one (5821), five thousand eight hundred and twenty-two (5822), and five thousand eight hundred and twenty-three (5823), and by adding to said Chapter two hundred ninety-four (294), Section five thousand eight hundred and nineteen-a (5819-a) authorizing the river front

improvement commissions, to acquire through purchase, gift or condemnation, that portion of the river bed, or channel, of any stream that is not meandered, lying within the corporate limits.

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

Senate File 89, by Senators Hopkins, Dean, Grunewald, Levis, Zeigler, Husted, Gillette and Stevens, a bill for an act to amend the law as it appears in Chapter twenty-four (24) of the Code, 1935, known as the Local Budget Law; to create a State Board to review upon appeal certain budgets, proposed expenditures and tax levies; to provide for the organization of such State Appeal Board, and to prescribe its powers and specify its duties; to provide for the employment of qualified deputies and necessary help; to provide for appeal to such Board; to make appropriation therefor, and to repeal all acts, or parts of acts, in conflict herewith.

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

Senate File 90, by Senators Moore and Baldwin, a bill for an act to amend Sections two hundred ninety-six-e one (296-e1) and three hundred three (303), Code, 1935, relating to postage for members of the General Assembly.

Read first and second times and referred to committee on departmental affairs.

Senate File 91, by Senator Gillette (Kephart), a bill for an act to provide for the clearing of checks drawn on state banks at par.

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

REPORTS OF COMMITTEES

Senator Leo Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 78, a bill for an act to make appropriations to defray the expenses of the inaugural ceremonies, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred Senate File 40, a bill for an act to amend Sections 4488, 4506, and 4507, Code, 1935, relating to interest on the permanent school fund, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred Senate File 71, a bill for an act relating to investment of funds by guardians of veterans, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 16 by striking the first eleven (11) lines from Section 2 and substituting in lieu thereof the following:

"In all foreclosure actions in which order has been entered extending the period of redemption to March 1, 1937, as provided by Chapter 110 of the Forty-fifth General Assembly, upon the application of the owner or owners of said real estate and a showing by the said owner or owners of good cause for further extension of said period of redemption, the court shall order that no sheriff's deed shall issue until March 1, 1938, and in the meantime said owner or owners may redeem such property and are entitled to possession thereof."

E. P. DONOHUE.

AMENDMENT TO SENATE FILE 16

MR. PRESIDENT: Amend Senate File 16 by striking therefrom all of Section 10 and renumbering the remaining sections.

G. R. HILL.

The Journal of January 29th was corrected and approved.

On motion of Senator Irwin, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 2, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. V. A. Bloomquist, pastor of the Methodist Church, Columbus Junction.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bell of Des Moines for the day, on request of Senator Elthon; Senator Dewey for the day, on request of Senator Baldwin.

CONSIDERATION OF SENATE FILE 15 RESUMED

Senator Elthon called up his motion to reconsider the vote by which committee amendments 3 and 4 failed to pass the Senate.

Senator Beardsley moved the previous question on the pending motion, which motion prevailed.

On the question, "Shall the Senate reconsider the vote by which committee amendments 3 and 4 failed to pass the Senate?" the vote was:

Ayes, 33:

Baldwin	Doran	Guernsey	Miller
Beardsley	Driscoll	Hill	Parker
Berg	Ellis	Hoeven	Schadt
Breen	Elthon	Hopkins	Smith
Byers	Evans	Irwin	Shaw
Chrystal	Geske	Kimberly	Stevens
Corwin	Gillespie	Kirketeg	Stewart
Dean	Grunewald	Mason	Whitehill
Donohue			

Nays, 15:

Augustine	Gillette	Lundy	Murray
Bell of Crawford	Goetsch	Mighell	Pelzer
Billingsley	Husted	Millhone	Zeigler
Edwards	Levis	Moore	

Absent or not voting, 2:

Bell of Des Moines	Dewey
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The motion to reconsider prevailed.

On the question, "Shall the committee amendments 3 and 4 be adopted?" the vote was:

Ayes, 29:

Baldwin	Doran	Grunewald	Miller
Beardsley	Driscoll	Guernsey	Parker
Berg	Ellis	Hill	Pelzer
Breen	Elthon	Hopkins	Shaw
Byers	Evans	Irwin	Stevens
Chrystal	Geske	Kimberly	Stewart
Corwin	Gillespie	Mason	Whitehill
Dean			

Nays, 18:

Augustine	Goetsch	Lundy	Murray
Bell of Crawford	Hoeven	Mighell	Schadt
Billingsley	Husted	Millhone	Smith
Edwards	Kirketeg	Moore	Zeigler
Gillette	Levis		

Absent or not voting, 3:

Bell of Des Moines	Dewey	Donohue
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The amendments were adopted.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 47:

Augustine	Doran	Hoeven	Moore
Baldwin	Driscoll	Hopkins	Murray
Beardsley	Edwards	Husted	Parker
Bell of Crawford	Ellis	Irwin	Pelzer
Berg	Elthon	Kimberly	Schadt
Billingsley	Evans	Kirketeg	Smith
Breen	Geske	Levis	Shaw
Byers	Gillespie	Lundy	Stevens
Chrystal	Gillette	Mason	Stewart
Corwin	Grunewald	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Donohue	Hill	Millhone	

Nays, 1:

Goetsch

Absent or not voting, 2:

Bell of Des Moines	Dewey
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hill asked and received unanimous consent that Senate File 15 be messaged to the House immediately.

The time having arrived for special order No. 2, Senate File 16, a bill for an emergency act relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed; declaring that the emergency still exists; providing for the making of applications for extensions of the period of redemption and for the kind and manner of notices to be given; making the provisions of this act applicable to all cases where the courts have granted such extension; and providing for applications now on file, for payment and distribution of rents and for suspension of all acts or parts of acts in conflict with this act, with report of committee recommending amendment and passage, was taken up, considered, and, on motion of Senator Shaw, the report of the committee was adopted.

Senator Doran moved the adoption of the following committee amendment:

1. Amend by striking from line 3, Section 2, the figures "1937" and substituting in lieu thereof the figures "1936".

The amendment was lost.

Senator Doran moved the adoption of the following committee amendment:

2. Amend Section 2 by adding after the period in line 11 the following: "However a showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause within the meaning of this act."

The amendment was adopted.

Senator Doran moved the adoption of the following committee amendments:

3. Amend Section 6 by adding after the comma in line 8 the following: "as provided in Section 2 of this act,".

4. Amend Section 7 by striking from lines 2 and 3 the words and figures "March 1, 1936" and substituting in lieu thereof the words and figures "January 1, 1934".

5. Amend Section 8 by striking from line 2 the words and figures

"March 1, 1936" and substituting in lieu thereof the words and figures "January 1, 1934".

The amendments were adopted.

Senator Donohue called up the following amendment:

Amend Senate File 16 by striking the first eleven (11) lines from Section 2 and substituting in lieu thereof the following:

"In all foreclosure actions in which order has been entered extending the period of redemption to March 1, 1937, as provided by Chapter 110 of the Forty-fifth General Assembly, upon the application of the owner or owners of said real estate and a showing by the said owner or owners of good cause for further extension of said period of redemption, the court shall order that no sheriff's deed shall issue until March 1, 1938, and in the meantime said owner or owners may redeem such property and are entitled to possession thereof."

By unanimous consent, Senator Donohue withdrew his amendment.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 16 by striking the first five lines from Section 2 and the following words from line 6: "of the owner or owners of such real estate" and substituting in lieu thereof the following: "In all foreclosure actions in which order has been entered extending the period of redemption to March 1, 1937, as provided by Chapter 110 of the acts of the Forty-sixth General Assembly,".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 25:

Baldwin	Ellis	Kimberly	Smith
Berg	Geske	Kirketeg	Shaw
Billingsley	Gillespie	Lundy	Stevens
Byers	Guernsey	Millhone	Stewart
Corwin	Hoeven	Moore	Whitehill
Donohue	Hopkins	Parker	Zeigler
Edwards			

Nays, 19:

Bell of Crawford	Driscoll	Husted	Miller
Breen	Gillette	Irwin	Murray
Chrystal	Goetsch	Levis	Pelzer
Dean	Grunewald	Mason	Schadt
Doran	Hill	Mighell	

Absent or not voting, 6:

Augustine	Bell of Des	Dewey	Evans
Beardsley	Moines	Elthon	

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 16 by striking therefrom all of Section 10 and re-numbering the remaining sections.

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 16 by striking the figures "1939" from line 9 of Section 2 and substituting in lieu thereof the figures "1938".

By unanimous consent Senator Donohue withdrew his amendment.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 46:

Augustine	Driscoll	Hoeven	Millhone
Baldwin	Edwards	Hopkins	Moore
Beardsley	Ellis	Husted	Murray
Bell of Crawford	Elthon	Irwin	Parker
Berg	Evans	Kimberly	Pelzer
Billingsley	Geske	Kirketeg	Schadt
Breen	Gillespie	Levis	Smith
Byers	Gillette	Lundy	Shaw
Corwin	Grunewald	Mason	Stevens
Dean	Guernsey	Mighell	Stewart
Donohue	Hill	Miller	Whitehill
Doran			Zeigler

Nays, none.

Absent or not voting, 4:

Bell of Des Moines	Chrystal	Dewey	Goetsch
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 50, a proposed bill to legalize the proceedings of the Consolidated Independent School District of Smithland.

WALTER H. BEAM, *Secretary.*

SENATE FILE REREFERRED

Senator Beardsley asked and received unanimous consent that the rules be suspended and that Senate File 56 be withdrawn from the committee on motor vehicles and referred to the committee on insurance.

On motion of Senator Irwin, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

On request of Senator Beardsley, Captain Richard Reiss of the London, England, Housing Authority, who is in this country at the invitation of the National Housing Conference, addressed the Senate.

INTRODUCTION OF BILLS

Senate File 92, by committee on agriculture, a bill for an act to make an appropriation available for the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs and other similar crop pests and for the eradication of new or reintroduced insects not now known to occur in the state and which may become serious pests, and for the purchase, distribution and application of materials and for incidental and other miscellaneous expenses connected therewith.

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

Senate File 93, by Senator Hopkins, a bill for an act to amend Section seven hundred sixty (760), to repeal Section eight hundred nine (809), and to enact a substitute therefor, and to repeal Sections eight hundred eleven (811) to eight hundred fifteen (815), inclusive, all of the Code, 1935, and all relating to the form of the ballot and to the marking and counting of the same, at general elections.

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

Senate File 94, by Senator Hopkins, a bill for an act to require sales pavilions to keep certain records of personal property sold and to keep the same open for public inspection.

Read first and second times and referred to committee on judiciary 1.

Senate File 95, by Senator Driscoll (Roan), a bill for an act to amend Section fifty-three hundred ninety-eight (5398), Code of 1935, relating to the selection of official newspapers within a county.

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

Senator Baldwin called up the following resolution and moved its adoption:

SENATE RESOLUTION 2

Be It Resolved by the Senate, That the Secretary of the Senate be authorized to requisition from the state printer up to twelve Codes and Annotations for the use of the various Senators at their places of residence in Des Moines.

Senator Hill moved to amend the pending resolution by striking from line 2 thereof the word "twelve" and inserting in lieu thereof, the word "twenty-five".

The amendment was adopted.

Senator Goetsch moved to amend the pending resolution by adding thereto: "Each Senator receiving a Code shall deposit ten dollars, the amount to be refunded when the Code is returned."

Senator Beardsley moved to lay the resolution on the table, which motion prevailed, and the resolution was laid on the table.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 5, relative to the printing of committee books and rule books.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 9, extending sympathy to the bereaved family of Dr. Bohumil Shimek of Iowa City, Iowa.

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

House File 45, a bill for an act legalizing the ordinance of the City of Storm Lake which fixes the maximum rates to be charged by the city for water.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 34, a bill for an act relating to election or appointment of park commissioners and relating to general powers and duties of the council in cities having the commission form of government.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 45, by Johnson of Buena Vista (Shaw), a bill for an act legalizing Ordinance number one hundred and eighty-seven (187) of the city of Storm Lake, Iowa, passed and adopted by the city of Storm Lake, Iowa, January 22, 1937, and published January 26, 1937, which ordinance fixes the maximum rates to be charged by the city of Storm Lake, Iowa, to consumers of water until payment of certain revenue bonds.

Read first and second times and referred to committee on judiciary 1.

HOUSE AMENDMENTS CONSIDERED

Senator Breen called up for consideration Senate File 34, amended by the House, and moved that the Senate concur in the following amendment:

Amend Section two (2) by striking the letter "b" where it first appears in line four and inserting in lieu thereof the letter "h".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 37:

Beardsley	Elthon	Husted	Murray
Berg	Evans	Irwin	Parker
Billingsley	Geske	Kimberly	Schadt
Breen	Gillespie	Kirketeg	Smith
Chrystal	Gillette	Levis	Shaw
Corwin	Grunewald	Lundy	Stevens
Dean	Hill	Mason	Stewart
Doran	Hoeven	Miller	Whitehill
Driscoll	Hopkins	Millhone	Zeigler
Edwards			

Nays, none.

Absent or not voting, 13:

Augustine	Bell of Des	Donohue	Mighell
Baldwin	Moines	Ellis	Moore
Bell of Crawford	Byers	Goetsch	Pelzer
	Dewey	Guernsey	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Breen, Senate File 34, an act to amend Section sixty-five hundred sixty-four (6564) of the Code, 1935, relating to general powers and duties of the council in cities having the commission form of government, and to add Section sixty-five hundred seventy-eight-b two (6578-b2), as amended by the House, was taken up and considered.

The bill was read for information.

Senator Breen moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Beardsley	Elthon	Hopkins	Millhone
Berg	Evans	Husted	Murray
Billingsley	Geske	Irwin	Parker
Breen	Gillespie	Kimberly	Pelzer
Chrystal	Gillette	Kirketeg	Schadt
Corwin	Goetsch	Levis	Smith
Dean	Grunewald	Lundy	Shaw
Driscoll	Guernsey	Mason	Stewart
Edwards	Hill	Mighell	Whitehill
Ellis	Hoeven	Miller	Zeigler

Nays, none.

Absent or not voting, 10:

Augustine	Bell of	Dewey	Moore
Baldwin	Des Moines	Donohue	Stevens
Bell of Crawford	Byers	Doran	

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

AMENDMENTS FILED

MR. PRESIDENT: We move to amend Senate File 65 by striking from the names of the authors the name Geske and inserting in lieu thereof the name Goetsch.

SAM D. GOETSCH.
L. H. DORAN.
FRANK PELZER.

Senator Doran asked and received unanimous consent that Senate File 13 be withdrawn from the calendar and rereferred to the committee on judiciary 1.

The Journal of February 1st was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 3, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Dean Chapman, pastor of the Methodist church, Ogden.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Dean, from voters of Dougherty, favoring moratorium legislation. Judiciary 1.

By Senator Beardsley, from Clarke County Farm Debt Advisory Committee, favoring the extension of the redemption date of the moratorium law. Judiciary 1.

By Senator Hoeven, from voters of Sioux County, opposing legislation against bank night or other similar advertising practices. Judiciary 1.

INTRODUCTION OF BILLS

Senate File 96, by Senators Shaw and Gillette (Johnson and Moore), a bill for an act to amend Section nine thousand eight hundred eighty-five (9885) and Section nine thousand eight hundred eighty-six (9886), Code of 1935, relating to unfair discrimination.

Read first and second times and referred to committee on manufacturing, commerce and trade.

Senate File 97, by Senator Baldwin, a bill for an act to amend Sections twenty-two hundred seventeen (2217) and twenty-five hundred twenty-two (2522), Code of 1935, providing penalties for the violation of the laws of Iowa and the rules of the department of health relating to the profession of barbering.

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

Senate File 98, by Senator Doran, a bill for an act to amend Section four thousand three hundred forty-one (4341) of the Code, 1935, relating to minimum wage for teachers, and providing the amount thereof.

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

On request of Senator Murray, consent was granted to defer action on Senate File 11, the same to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Murray, Senate File 50, a bill for an act to legalize the election and proceedings relating to the sale and issuance of bonds by the Consolidated Independent School District of Smithland, Woodbury County, 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, was taken up, considered and, on motion of Senator Geske, the report of the committee was adopted.

The bill was read for information.

Senator Murray moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Driscoll	Hopkins	Moore
Beardsley	Edwards	Husted	Murray
Berg	Ellis	Kimberly	Parker
Billingsley	Evans	Kirketeg	Pelzer
Breen	Geske	Levis	Schadt
Byers	Gillette	Lundy	Smith
Corwin	Goetsch	Mason	Shaw
Dean	Grunewald	Mighell	Stewart
Dewey	Guernsey	Miller	Whitehill
Donohue	Hill	Millhone	Zeigler
Doran	Hoeven		

Nays, none.

Absent or not voting, 8:

Baldwin	Bell of Des	Chrystal	Irwin
Bell of Crawford	Moines	Elthon	Stevens
		Gillespie	

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

Senator Murray moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Moore, Senate File 54, a bill for an act to authorize the designation of primary road extensions in any city or town of the State of Iowa which may be separated from the remainder of the state by a river more than five hundred feet in width, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Moore offered the following amendment and moved its adoption:

Amend Senate File 54 by adding thereto as Section 2, the following: "Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its publication as provided by law."

The amendment was adopted.

Senator Moore moved that Senate File 54 be amended by striking from line 4 of Section 1 thereof, the words "city or town".

The amendment was adopted.

The bill was read for information.

Senator Driscoll moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Edwards	Hopkins	Murray
Baldwin	Ellis	Husted	Parker
Berg	Elthon	Kimberly	Pelzer
Billingsley	Evans	Kirketeg	Schadt
Breen	Geske	Lundy	Smith
Byers	Gillespie	Mason	Shaw
Corwin	Goetsch	Mighell	Stevens
Dean	Grunewald	Miller	Stewart
Dewey	Hill	Millhone	Whitehill
Donohue	Hoeven	Moore	Zeigler
Driscoll			

Nays, none.

Absent or not voting, 9:

Beardsley	Bell of Des	Doran	Irwin
Bell of Crawford	Moines	Gillette	Levis
	Chrystal	Guernsey	

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

Senator Moore moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hopkins, Senate File 4, a bill for an act to repeal Sections seven hundred forty-nine (749) to seven hundred sixty (760), inclusive, Code, 1935, and to enact substitutes therefor; and to amend Section seven hundred seventy-five (775), Code, 1935, all relating to official ballots, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Breen moved that further consideration of Senate File 4 be postponed until tomorrow, which motion prevailed.

On motion of Senator Billingsley, Senate File 49, a bill for an act to amend Section ten hundred forty-three (1043), Code, 1935, relative to costs of contesting election of county officers, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

1. Amend Section 1 by striking from line 2 the word "be" and inserting in lieu thereof the words "is hereby".

On request of Senator Billingsley, further consideration of Senate File 49 was deferred at this time, the bill retaining its place on the calendar.

Senator Guernsey asked and received unanimous consent that Senate File 51 be deferred at this time but retain its place on the calendar.

On motion of Senator Husted, Senate File 40, a bill for an act to amend Sections forty-four hundred eighty-eight (4488), forty-five hundred six (4506), and forty-five hundred seven (4507), Code, 1935, relating to interest on the permanent school

fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Husted offered the following amendment and moved its adoption:

Strike all of Section 5 and insert in lieu thereof the following:

"Sec. 5. This act being deemed of immediate importance shall be in force and effect from and after its publication in The Fontanelle Observer, a newspaper published at Fontanelle, Iowa, and the Earlham Echo, a newspaper published at Earlham, Iowa."

The amendment was adopted.

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine	Driscoll	Hill	Moore
Baldwin	Edwards	Hoeven	Murray
Beardsley	Ellis	Hopkins	Parker
Berg	Elthon	Husted	Pelzer
Billingsley	Evans	Kimberly	Schadt
Breen	Geske	Kirketeg	Smith
Byers	Gillespie	Levis	Shaw
Corwin	Gillette	Lundy	Stevens
Dean	Goetsch	Mighell	Stewart
Dewey	Grunewald	Miller	Whitehill
Donohue	Guernsey	Millhone	Zeigler
Doran			

Nays, none.

Absent or not voting, 5:

Bell of Crawford	Bell of Des Moines	Chrystal Irwin	Mason
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kimberly, the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Mr. Dick R. Lane of Davenport, Scott County, as a member of the Iowa Liquor Control Commission, for the term ending July 1, 1943.

The Senate confirmed the appointment of Mr. Leslie O. Ross of Sidney, Fremont County, as a member of the Board of Parole, for the term ending July 1, 1941.

The Senate confirmed the appointment of Walter L. Bierring, M. D., of Des Moines, Polk County, as Commissioner of Public Health, for the term ending July 1, 1941.

The Senate arose from executive session and resumed regular session.

On motion of Senator Irwin, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

PERSONAL PRIVILEGE

By unanimous consent, the following remarks of Senator Dewey were ordered printed in the Journal:

I arise at this time to ask the consideration of the Senate to a point of personal privilege. The honorable gentleman from Polk, Mr. Ed Brown, on page 198 of the House Journal, has seen fit to pay his respects to me.

I stand on my first statement that I think no one in Iowa has more militantly opposed the homestead and old age relief measure than he. In his statement, he does not deny that he opposed this measure, but attempts to distract the attention from my statement by injecting reference to old age security.

I hold no hate for any man but I feel it is my right to criticize anyone as to acts or statements which he might make when, in my opinion, they are wrongfully used. We have apparently been misjudging Mr. Brown; we thought he understood the measure and we are sure by his own statement he would not have opposed the homestead and old age relief measure last session and this session as he did and is now doing if he had read the same. We now know that the veto of this measure not only denied relief to the homeowners of Iowa but also denied relief to the aged people of Iowa in an amount large enough, in my opinion, to have adequately provided for them and in that way to have redeemed the pledges of and supported the laws which allow them \$25.00 per month, less credits.

In no way nor in any manner does Mr. Brown explain or withdraw his statement that we were asking that \$24,000,000 be used for homestead relief in Iowa, when he should know that all we are asking is that the balance in the three-point fund after allocating five and a half million for the relief of the aged shall accrue to the fund for homestead relief. This latter amount, under the anticipated funds accruing, would not exceed fifteen million dollars.

A. CLAIRE DEWEY.

INTRODUCTION OF BILLS

Senate File 99, by Senator Evans (Hultman), a bill for an act to amend Chapter two hundred ninety-three (293), Code, 1935, by adding a section authorizing the leasing of park property under certain conditions.

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

Senate File 100, by Senators Baldwin, Moore, Geske, Driscoll, Parker, and Kimberly, a bill for an act to suppress the increasing abuse of unlicensed and unregulated sales of alcoholic liquor by an exercise of the police power of the State for the protection of the welfare, health, morals and safety of the people of the State by licensing and regulating the sale thereof by reputable persons in cities and towns under certain local conditions and punishing offenses against the act; and to amend Chapter ninety-three F 1 (93 F 1) Code, 1935, relating to the sale and control of liquor and for the promotion of temperance, and to provide for the issuance by city and town councils of licenses to sell alcoholic liquor by the drink for consumption on the premises where sold, in said cities and towns; for repealing or prohibiting such licenses or authorization by a majority vote of the electors in any city or town, and providing the times and manner of initiating and conducting elections and the effect thereof and for calling them by petition; for obtaining duration and revocation of the licenses; for the sale of alcoholic liquor by the Iowa Liquor Control Commission to licensed licensees when licensed by a resolution of the city or town council; for prohibiting licensees from buying alcoholic liquors except from the State Liquor Commission except railroads by the payment of a specific tax; for licenses to buffets, hotel buffets and clubs, and defining buffets, hotel buffets and clubs, and the three classes of licenses, and the fees therefor, and the collection thereof; for the hours of opening and closing and making sales; to provide the location of the places where such sales may be made by zoning or otherwise; for regulating the manner of sale and conduct of the place; providing for the issuance of special permits by the State Liquor Commission to dining car, sleeping car, railroad or railway companies authorizing the sale of alcoholic liquor; fixing the fee and tax for such permit and providing the conditions under which such

special permits shall be issued and the conditions under which alcoholic liquor shall be sold by such companies; for licensees giving bond and the amount and condition thereof; specifying those who shall not be eligible for licenses; providing that no manufacturer, distributor or wholesaler of alcoholic liquor shall be interested directly or indirectly in the license, equipment, location, property or operation of the business or place of business of any licensee; providing that alcoholic liquor shall not be sold to minors or that minors shall not knowingly be permitted to enter or remain in the premises; providing for the posting of the license and rules and regulations governing the conduct of the place of business; providing that any licensee may sell beer and malt liquors as provided by Chapter 93 F 2 Code of 1935; providing for the giving of information to proper officers and their duties and the right of the attorney general of the State of Iowa to revoke a license; providing for privileged communications; defining offenses against the act and fixing the penalties therefor.

Read first and second times and referred to committee on judiciary 2.

Senate File 101, by Senators Hopkins, Lundy, Mighell and Gillespie, a bill for an act to provide for the distribution of special funds to the public school districts of the state, in part as a direct grant based upon average daily attendance and in part as an equalization fund, and for the purpose of carrying out the provisions of this act during the biennium beginning July 1, 1937, to appropriate the sum of twelve million dollars (\$12,000,000.00) for each year of said biennium.

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

Senate File 102, by Senator Kimberly, a bill for an act to amend Chapter 10 of the Code of 1935, relating to auditor of state, to provide for audits by independent certified public accountants or public accounts at the election of the executive council or of the auditor of state or of the governing body of any department, a corporation, association, or licensee to be audited, and to provide for their engagement and compensation.

Read first and second times and referred to committee on judiciary 2.

REPORTS OF COMMITTEE

Senator Shaw submitted the following reports:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 45, a bill for an act legalizing Ordinance No. 187 of the city of Storm Lake, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass. A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 8, a bill for an act to repeal Section thirteen thousand three hundred and fifteen (13,315) of the Code of 1935, and to enact in lieu thereof an act relating to contributions for political purposes, begs leave to report it has had the same under consideration and recommends the same do pass. A. J. SHAW, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 49 as amended by striking all after the enacting clause and substituting the following:

"Section 1. Section ten hundred forty-three (1043), Code, 1935, is hereby amended by striking all of said section following the word 'aside' in line eight (8) thereof and substituting the following: 'such costs shall be paid by the county wherein such county office is contested, and where a state office is contested such costs shall be paid by the state, and where some other office is contested, such costs shall be paid by the political subdivision, public corporation, or district, as the case may be, which said office serves.'"

JOHN W. BILLINGSLEY.

MR. PRESIDENT: Amend Senate File 1, Section 3, by striking all that part beginning with line 4 and ending with the word "homestead" in line 14, and inserting in lieu thereof the following:

"The county treasurer shall determine the number of homesteads in the county. Upon receipt of such certification, he shall enter a credit against the tax levied on each homestead in the county, which credit shall be in the amount determined by dividing the amount so certified by the number of homesteads in the county, for which verified statements have been filed as provided by Section four (4) hereof; providing, however, that in the event the total amount to be so credited against the tax levied on any such homestead exceeds the total amount of such tax, the amount in excess of such tax shall be credited by the county treasurer to school funds belonging in common to the schools of the county, and shall be apportioned among the several school corporations within such county

as provided by Section four thousand three hundred ninety-six (4396), Code, 1935.”

L. S. GILLETTE.

MR. PRESIDENT: Amend Senate File 28 by striking lines 5 to 20 inclusive, Section 1, and substituting in lieu thereof the following:

“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, ten dollars.
- b. For husband and wife or head of a family, twenty 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 five dollars.
- d. For each actual dependent other than as specified in division (c) of this section, an additional five dollars.

L. S. GILLETTE.

MR. PRESIDENT: I move to amend Senate File 51 by striking all of said bill following the enacting clause and inserting in lieu thereof the following:

Section 1. Section 10653 of the Code of Iowa, 1935, is hereby amended by striking from lines 10 and 11 of said section the words “in alphabetical order”; by placing a period following the word “designation” in line 12 of said section; by striking the word “and” from line 12 of said section; and by capitalizing the letter “t” in the word “the” in line 12 of said section.

Sec. 2. Section 10653 of the Code of Iowa, 1935, is further amended by adding to said section the following paragraph: The names of all candidates for an office shall be arranged and printed on primary and general election ballots as follows: All precincts shall be arranged in numerical order. The surnames of all candidates for an office shall, for the first precinct in the list, be alphabetically arranged; thereafter for each succeeding precinct the name appearing first in the last preceding precinct shall be placed last so that the name that was second before the change shall be first after the change.

HUGH G. GUERNSEY.

MR. PRESIDENT: I move to amend Senate File 4 as follows:

1. In Section 11, strike all after “Governor.” in line 16, and insert in lieu thereof the following:

“Following the division of the ballot containing the party names and party circles, shall be, in the following order:

“A designation ‘NATIONAL TICKET’ under which shall appear a division containing the names of candidates for President and Vice President, in years in which they are to be elected;

“A designation ‘CONGRESSIONAL TICKET’ under which shall appear in years in which they are to be elected, divisions (1) containing the names of candidates for United States Senator, and (2) containing the names and district number of candidates for member of House of Representatives;

“A designation ‘STATE TICKET’ under which shall appear divisions

containing the names of candidates for each state office grouped under the name of the office;

"A designation 'LEGISLATIVE TICKET' under which shall appear divisions (1) containing the names and district number of candidates for State Senator in the year in which they are to be elected, and (2) containing the names and district number of candidates for State Representative;

"A designation 'COUNTY TICKET' under which shall appear divisions containing the names of candidates for each county office grouped under the name of the office;

"A designation 'PRECINCT TICKET' under which shall appear divisions containing the names and ward and/or precinct number of candidates for each precinct office, grouped under the name of the office."

2. In Section 12, after line 9, insert the following:

"NATIONAL TICKET".

3. In Section 12, after line 20, insert the following:

"CONGRESSIONAL TICKET".

4. In Section 12, after line 25, insert the following:

"FOR CONGRESSMAN, THIRD DISTRICT
Vote for ONE

..... DEMOCRATIC
..... REPUBLICAN
.....

"STATE TICKET".

5. From Section 12, strike lines 41, 42, 43, 44, 45 and 46.

6. In Section 12, after line 9, renumber the lines.

7. Strike all of Section 13.

8. Renumber "Sec. 14." to read "Sec. 13."

GEO. M. HOPKINS.

The Journal of February 2d was corrected and approved.

On motion of Senator Irwin, the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 4, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Percy H. Nickless, pastor of the Central Presbyterian church, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gillespie, for the day, on request of Senator Breen; Senator Bell of Des Moines, for the day, on request of Senator Elthon.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Dewey, from voters of Henry County, opposing legislation against bank night or other similar advertising practices. Judiciary 1.

By Senator Hoeven, from American Legion Auxiliary to Guy Wood Post, Number 326, Ocheyedan, favoring legislation providing for educational equalization. Board of control and public welfare.

By Senator Hoeven, from Osceola County Council for Better Education, favoring legislation providing for educational equalization. Board of control and public welfare.

INTRODUCTION OF BILLS

Senate File 103, by Senator Donohue, a bill for an act to repeal Chapter thirty-eight (38), Code, 1935, relating to the nomination of judges of the supreme, district, and superior courts by conventions of political parties, and to the election of such judges; and to enact a substitute therefor providing for the non-partisan

nomination of judges of the supreme and district courts at non-partisan conventions, and providing for a non-partisan election of such judges, and providing for the nomination and election of judges of the superior courts in the manner provided by law for the nomination and election of other elective officers in the cities where such courts are located.

Read first and second times and referred to committee on judiciary 1.

Senate File 104, by Senator Lundy, a bill for an act to make permanent, certain temporary transfers of certain funds of Monroe County, Iowa, made by authority of the State Comptroller of Iowa.

Read first and second times and referred to committee on judiciary 1.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 11, a proposed bill to legalize the actions of the city council and city auditor of Sioux City.

THIRD READING OF BILLS

On motion of Senator Murray, Senate File 11, a bill for an act to legalize the actions of the City Council and the City Auditor of the city of Sioux City, Iowa, in making expenditures, incurring indebtedness and issuing warrants between the dates of February 18, 1936, to April 10, 1936, inclusive, in the sum of Sixty-two thousand six hundred eighty-four dollars thirty cents (\$62,684.30), said warrants being drawn on the "General Fund—Emergency", and to make said warrants a legal, binding and valid obligation of the city of Sioux City, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Murray moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Dean	Ellis	Grunewald
Beardsley	Dewey	Elthon	Hoeven
Billingsley	Donohue	Evans	Hopkins
Breen	Doran	Geske	Husted
Byers	Driscoll	Gillette	Irwin
Corwin	Edwards	Goetsch	Kimberly

Kirketeg	Miller	Pelzer	Stevens
Levis	Millhone	Schadt	Stewart
Lundy	Moore	Smith	Whitehill
Mason	Murray	Shaw	Zeigler
Mighell	Parker		

Nays, none.

Absent or not voting, 8:

Baldwin	Bell of	Chrystal	Guernsey
Bell of Crawford	Des Moines	Gillespie	Hill
	Berg		

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

Senator Murray moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hopkins, Senate File 4, a bill for an act to repeal Sections seven hundred forty-nine (749) to seven hundred sixty (760), inclusive, Code, 1935, and to enact substitutes therefor; and to amend Section seven hundred seventy-five (775), Code, 1935, all relating to official ballots, on which action was postponed yesterday, was taken up and considered.

Senator Hopkins offered the following amendments and moved their adoption:

Amend Senate File 4 as follows:

1. In Section 11, strike all after "Governor." in line 16, and insert in lieu thereof the following:

"Following the division of the ballot containing the party names and party circles, shall be, in the following order:

"A designation 'NATIONAL TICKET' under which shall appear a division containing the names of candidates for President and Vice President, in years in which they are to be elected;

"A designation 'CONGRESSIONAL TICKET' under which shall appear in years in which they are to be elected, divisions (1) containing the names of candidates for United States Senator, and (2) containing the names and district number of candidates for member of House of Representatives;

"A designation 'STATE TICKET' under which shall appear divisions containing the names of candidates for each state office grouped under the name of the office;

"A designation 'LEGISLATIVE TICKET' under which shall appear divisions (1) containing the names and district number of candidates for State Senator in the year in which they are to be elected, and (2) con-

taining the names and district number of candidates for State Representative;

"A designation 'COUNTY TICKET' under which shall appear divisions containing the names of candidates for each county office grouped under the name of the office;

"A designation 'PRECINCT TICKET' under which shall appear divisions containing the names and ward and/or precinct number of candidates for each precinct office, grouped under the name of the office."

2. In Section 12, after line 9, insert the following:

"NATIONAL TICKET".

3. In Section 12, after line 20, insert the following:

"CONGRESSIONAL TICKET".

4. In Section 12, after line 25, insert the following:

"FOR CONGRESSMAN, THIRD DISTRICT

Vote for ONE

..... DEMOCRATIC
..... REPUBLICAN

STATE TICKET".

5. From Section 12, strike lines 41, 42, 43, 44, 45 and 46.

6. In Section 12, after line 9, renumber the lines.

7. Strike all of Section 13.

8. Renumber "Sec. 14." to read "Sec. 13."

The amendments were adopted.

On request of Senator Hill, further consideration of Senate File 4 was temporarily deferred.

On motion of Senator Billingsley, Senate File 49, a bill for an act to amend Section ten hundred forty-three (1043), Code, 1935, relative to costs of contesting election of County Officers, on which action was deferred yesterday, was taken up for consideration.

Senator Billingsley filed the following amendment:

Amend Senate File 49 as amended by striking all after the enacting clause and substituting the following:

"Section 1. Section ten hundred forty-three (1043), Code, 1935, is hereby amended by striking all of said section following the word 'aside'

in line eight (8) thereof and substituting the following: 'such costs shall be paid by the county wherein such county office is contested, and where a state office is contested such costs shall be paid by the state, and where some other office is contested, such costs shall be paid by the political subdivision, public corporation, or district, as the case may be, which said office serves.'

Senator Billingsley asked and received unanimous consent to withdraw his amendment.

Senator Billingsley asked and received unanimous consent to temporarily defer action on Senate File 49.

Senator Millhone asked and received unanimous consent to defer consideration of Senate File 51.

On motion of Senator Hoeven, Senate File 71, a bill for an act to repeal Section twelve thousand six hundred forty-four c-fourteen (12644 c-14) Code, 1935, and to enact a substitute therefor relating to investment of funds by guardians of veterans, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hoeven moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Augustine	Doran	Hoeven	Moore
Beardsley	Driscoll	Hopkins	Murray
Bell of Crawford	Edwards	Husted	Parker
Berg	Ellis	Irwin	Pelzer
Billingsley	Elthon	Kimberly	Schadt
Breen	Evans	Kirketeg	Smith
Byers	Geske	Levis	Shaw
Chrystal	Gillette	Lundy	Stevens
Corwin	Goetsch	Mason	Stewart
Dean	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 4:

Baldwin	Bell of Des Moines	Gillespie	Millhone
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hoeven moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Elthon, Senate File 78, a bill for an act making appropriation to defray the expense of the inaugural ceremonies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Elthon moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Ellis	Husted	Murray
Beardsley	Elthon	Irwin	Parker
Berg	Geske	Kimberly	Pelzer
Billingsley	Gillette	Kirketeg	Schadt
Byers	Goetsch	Levis	Smith
Corwin	Grunewald	Lundy	Shaw
Dean	Guernsey	Mason	Stevens
Dewey	Hill	Miller	Stewart
Donohue	Hoeven	Millhone	Whitehill
Doran	Hopkins	Moore	Zeigler
Edwards			

Nays, none.

Absent or not voting, 9:

Baldwin	Bell of	Chrystal	Gillespie
Bell of Crawford	Des Moines	Driscoll	Mighell
	Breen	Evans	

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

Senator Elthon moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shaw moved that the rules be suspended and that House File 45 be taken up at this time, which motion prevailed.

On motion of Senator Shaw, House File 45, a bill for an act legalizing Ordinance number one hundred eighty-seven (187) of the City of Storm Lake, Iowa, passed and adopted by the City

of Storm Lake, Iowa, January 22, 1937, and published January 26, 1937, which Ordinance fixes the maximum rates to be charged by the City of Storm Lake, Iowa, to consumers of water until payment of certain revenue bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Edwards	Hopkins	Moore
Beardsley	Ellis	Irwin	Murray
Berg	Elthon	Kimberly	Parker
Billingsley	Geske	Kirketeg	Pelzer
Breen	Gillette	Levis	Schadt
Corwin	Goetsch	Lundy	Shaw
Dean	Grunewald	Mason	Stevens
Dewey	Guernsey	Mighell	Stewart
Donohue	Hill	Miller	Whitehill
Doran	Hoeven	Millhone	Zeigler
Driscoll			

Nays, none.

Absent or not voting, 9:

Baldwin	Bell of	Chrystal	Husted
Bell of Crawford	Des Moines	Evans	Smith
	Byers	Gillespie	

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

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 81 WITHDRAWN

On request of Senator Shaw, Senate File 81, being a companion bill to House File 45, was withdrawn from further consideration by the Senate.

Senator Donohue moved that the rules be suspended and that Senate File 8 be considered at this time, which motion prevailed.

On motion of Senator Donohue, Senate File 8, a bill for an act to repeal Section thirteen thousand three hundred and fifteen

(13,315) of the Code of 1935 and to enact in lieu thereof an act relating to contributions for political purposes and prohibiting the use of motor vehicles owned by the state of Iowa or any political subdivision thereof for the transportation of campaign literature or persons engaging either directly or indirectly in a political campaign and prohibiting officers and employees of the state of Iowa from leaving their places of employment and duties for the purpose of soliciting votes or engaging in campaign work and providing penalty for violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On request of Senator Driscoll, further consideration of Senate File 8 was deferred, same to retain its place on the calendar.

CONSIDERATION OF SENATE FILE 49 RESUMED

Senator Billingsley offered the following amendments and moved their adoption:

1. Amend Senate File 49 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section ten hundred forty-three (1043), Code, 1935, is hereby repealed and the following is enacted in lieu thereof:

'1043. Costs. In case of a contest if the election be confirmed, or the statement be dismissed, or the prosecution fail, judgment shall be rendered against the contestant for costs; and if the judgment be against the incumbent, or the election be set aside, it shall be against the county for costs.'

2. Strike the title of Senate File 49 and insert in lieu thereof the following:

"An Act to repeal Section ten hundred forty-three (1043), Code, 1935, relative to costs of contesting election of county officers, and to enact a substitute in lieu thereof."

The amendments were adopted.

The bill was read for information.

Senator Billingsley moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine
Beardsley
Berg

Billingsley
Breen
Byers

Chrystal
Corwin
Dean

Dewey
Donohue
Doran

Driscoll	Guernsey	Levis	Pelzer
Edwards	Hill	Lundy	Schadt
Ellis	Hoeven	Mason	Smith
Elthon	Hopkins	Mighell	Shaw
Evans	Husted	Miller	Stevens
Geske	Irwin	Millhone	Stewart
Gillette	Kimberly	Moore	Whitehill
Goetsch	Kirketeg	Murray	Zeigler
Grunewald			

Nays, none.

Absent or not voting, 5:

Baldwin	Bell of	Gillespie	Parker
Bell of Crawford	Des Moines		

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

Senator Billingsley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 15, a bill for an act relating to the foreclosure of real estate mortgages and deeds of trust. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 15

Amend by striking from line 3 of Section 4 the figures "1934" and inserting "1936".

Amend by striking from Section 2 commencing in line 12 following the word "contrary" the following:

" , however a showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause within the meaning of this act."

Also amend by changing the capital letter "U" in the word "Upon" to a small "u", and by adding the word "and" following the comma after the word "contrary" in line 12.

Further amend by adding the following section following Section 2:

"Sec. 3. A showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause for refusal to grant a continuance within the meaning of Section 2 of this act."

Further amend by renumbering the remaining sections.

Amend by adding after the words "real estate" in line 7 of Section 2 the following:

"or owner or owners of an undivided interest therein".

Amend by adding the following sections following Section 2:

"Sec. 3. The court upon the granting of such order of continuance may appoint a receiver to take charge of and look after said property during the period of said continuance, but the court shall not appoint as a receiver of said real estate a field agent of any insurance company or loan company or any other person in the employment of the mortgagor or mortgagee, and such receiver shall give bond in an amount to be fixed by the court.

"Sec. 4. No receiver shall sell any grain or other product raised upon said real estate without the written consent of the mortgagor and mortgagee, and if either the said mortgagor or mortgagee fails to give his written consent said receiver may file a written application to the court for authority to sell such grain or other product from the farm and the court shall fix a time of hearing not more than ten (10) days from the time said application is filed and the said receiver shall give the said mortgagor and mortgagee five (5) days notice of the time and place of hearing upon said application."

Further amend by renumbering the remaining sections.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 33, a proposed bill to legalize proceedings and revenue bonds of the municipal electric light plant of Milford.

WALTER H. BEAM, *Secretary*.

On motion of Senator Hill, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Hill called up for consideration Senate File 15, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend by striking from line 3 of Section 4 the figures "1934" and inserting "1936".

Amend by striking from Section 2 commencing in line 12 following the word "contrary" the following:

" , however a showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause within the meaning of this act."

Also amend by changing the capital letter "U" in the word "Upon" to a small "u", and by adding the word "and" following the comma after the word "contrary" in line 12.

Further amend by adding the following section following Section 2:

"Sec. 3. A showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause for refusal to grant a continuance within the meaning of Section 2 of this act."

Further amend by renumbering the remaining sections.

Amend by adding after the words "real estate" in line 7 of Section 2 the following:

"or owner or owners of an undivided interest therein".

Amend by adding the following sections following Section 2:

"Sec. 3. The court upon the granting of such order of continuance may appoint a receiver to take charge of and look after said property during the period of said real continuance, but the court shall not appoint as a receiver of said real estate a field agent of any insurance company or loan company or any other person in the employment of the mortgagor or mortgagee, and such receiver shall give bond in an amount to be fixed by the court.

"Sec. 4. No receiver shall sell any grain or other product raised upon said real estate without the written consent of the mortgagor and mortgagee, and if either the said mortgagor or mortgagee fails to give his written consent said receiver may file a written application to the court for authority to sell such grain or other product from the farm and the court shall fix a time of hearing not more than ten (10) days from the time said application is filed and the said receiver shall give the said mortgagor and mortgagee five (5) days notice of the time and place of hearing upon said application."

Further amend by renumbering the remaining sections.

On the question "Shall the Senate refuse to concur?" the vote was:

Ayes, 42:

Baldwin	Driscoll	Hoeven	Parker
Beardsley	Edwards	Husted	Pelzer
Bell of Crawford	Ellis	Irwin	Schadt
Berg	Elthon	Kimberly	Smith
Billingsley	Evans	Kirketeg	Shaw
Breen	Geske	Levis	Stevens
Byers	Gillespie	Lundy	Stewart
Dean	Gillette	Mighell	Whitehill
Dewey	Grunewald	Miller	Zeigler
Donohue	Guernsey	Millhone	
Doran	Hill	Murray	

Nays, 2:

Augustine	Goetsch
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Absent or not voting, 6:

Bell of	Chrystal	Hopkins	Moore
Des Moines	Corwin	Mason	

The Senate refused to concur in the House amendments.

INTRODUCTION OF BILLS

Senate File 105, by Senator Moore, a bill for an act to amend subsection five (5) of Section six thousand nine hundred forty-four (6,944), Code, 1935, and to repeal subsection eight (8) of Section six thousand nine hundred fifty-three (6,953), Code, 1935, and enact in lieu thereof a new subsection, all relating to the taxation and exemption from taxation of public securities, and to amend Section four thousand seven hundred fifty-three-a thirteen (4,753-a13), in order to make taxable road bonds issued after July 4, 1937.

Read first and second times and referred to committee on judiciary 2.

Senate File 106, by Senator Byers, a bill for an act to amend Chapter four hundred twenty-eight (428) of the Code of 1935, and to permit limited partnerships to acquire, own, convey and encumber real estate or any interest therein and to prescribe a method of conveyance, and providing that a spouse of a partner shall have no contingent interest in partnership real estate.

Read first and second times and referred to committee on judiciary 2.

Senate File 107, by Senator Byers, a bill for an act to provide for the acknowledgment of instruments for and on behalf of general partnerships and limited partnerships.

Read first and second times and referred to committee on judiciary 2.

Senate File 108, by Senator Byers, a bill for an act to amend Section fifty-nine hundred four-c 1 (5904-c 1) to permit cities and towns to grant franchises to operate and maintain on and over their streets bus and motor transportation lines to carry passengers for hire on a plan similar to street railways, and to provide the manner of granting or a renewal or extension of any such franchise by a majority of the legal electors voting thereon

in favor of the same at a general, city or town, or special election provided that the applicant be the owner of the existing street railway company or its nominee.

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

Senate File 109, by Senators Byers, Driscoll, Donohue, Geske, Parker and Irwin, a bill for an act to authorize cities and towns, including those acting under special charter, to pay the expenses of firemen attending the Iowa Fire School and Regional Fire Schools conducted or sponsored by the Iowa State College and certain other gatherings of firemen.

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

Senate File 110, by Senators Byers, Geske, Parker, Driscoll, Donohue and Irwin, a bill for an act to make an appropriation to the Engineering Extension Service of the Iowa State College of Agriculture and Mechanical Arts for the construction and equipment of a firemen's drill tower and for regional fire schools for training of municipal firemen in various parts of the State of Iowa, and for other activities to train and improve fire battalions.

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

Senate File 111, by Senator Corwin (Latchaw), a bill for an act to amend Section thirteen thousand six hundred ninety-seven (13697), and thirteen thousand six hundred ninety-eight (13698), Code, 1935, relating to the salary as clerk of grand jury.

Read first and second times and referred to committee on judiciary 1.

On motion of Senator Breen, the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Hon. C. B. Murtagh as State Comptroller, to serve at the pleasure of the Governor.

The Senate arose from executive session and resumed regular session.

REPORT OF COMMITTEE

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 74, a bill for an act to amend Section 6669, paragraph 12, Chapter 328 of the Code of Iowa, 1935, relating to the management of municipally owned water plants, begs leave to report it has had the same under consideration and recommends the same do pass.

J. BERG, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 80 by striking from line 5 of the printed bill the words "heating plants", and by striking from line 6 the words "gas works or electric light or power plants".

ROY E. STEVENS.

MR. PRESIDENT: I move to amend Senate File 4 as follows:

1. Amend Section 11 by striking from lines 5 and 6 the words "or group of petitioners", and strike from line 12 the words "or group of petitioners", and strike from line 15 the words "or group of petitioners".

2. Amend Senate File 4 by adding following Section 11 a new section as follows:

"Sec. 12. Any candidate for any office as provided in this act who is the candidate of any group of petitioners and who has not been regularly nominated by political party or political organization, shall not be entitled to have his or her name placed in the column of candidates as set forth in this act; however any candidate of a group of petitioners shall be listed in a separate column to the right of the column of candidates of political parties or political organizations in the same manner as provided in Section 11 of this act. All candidates of groups of petitioners for all offices shall be included in the same column."

3. Amend Senate File 4 by adding a new section as follows:

"Sec. 13. No person shall be entitled to be a candidate of any political party, political organization, or group of petitioners, nor as an independent candidate in a general election, when such person was a candidate in the primary election next preceding such general election when such person was defeated at such primary election."

4. Amend Senate File 4 by renumbering the remaining sections.

G. R. HILL.

MR. PRESIDENT: Amend Senate File 8 by adding a new section following Section 1, as follows:

"Sec. 2. It shall be unlawful for any person or political organization to use any funds donated by a non-resident, person, firm, or corporation for the purpose of conducting a campaign for political office."

And further amend by renumbering subsequent sections.

T. F. DRISCOLL.

REPORTS OF COMMITTEE

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 1, a bill for an act relating to Homestead Exemption, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 1 by striking from lines 16 and 17 of the title the words "less exemption if any afforded by Section 6946".

Amend Senate File 1 by striking from lines 9 and 10 of Sec. 3 the words "less the exemption, if any, provided for by Section 6946 of the Code,".

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 69, a bill for an act to amend Chapter 302-C1 of the Code, 1935, in relation to interstate bridges, by adding thereto a new section, providing for the issuance of refunding revenue bonds, and to make the provisions of this act applicable to cities acting under special charter, begs leave to report it has had the same under consideration and recommends that the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

The Journal of February 3d was corrected and approved.

On motion of Senator Kimberly, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 5, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. W. G. Weber, pastor of St. Pauls Lutheran Church, Kellogg.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Billingsley for the day, on request of Senator Beardsley.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Guernsey, from citizens of Centerville, opposing legislation against bank night or other similar advertising practices. Judiciary 1.

By Senator Evans, from Red Oak Chamber of Commerce, opposing legislation against bank night or other similar advertising practices. Judiciary 1.

By Senator Kirketeg, from teachers at Conway, favoring legislation for teachers' retirement fund. Public schools.

By Senator Stevens, from citizens of Ottumwa, favoring legislation to prohibit the sale or serving of beer or intoxicating liquor in public places where food is served. Judiciary 2.

By Senator Stevens, from citizens of Ottumwa, favoring legislation to prohibit employment of waitresses in places where beer or intoxicating liquor is sold or served. Judiciary 2.

By Senator Shaw, from sportsmen of northern Iowa, favoring repeal of present fish and game laws delegating broad powers to Iowa Conservation Commission. Conservation.

By Senator Kirketeg, from Rosewood Camp of Royal Neighbors of Lenox, opposing legislation to tax fraternal organizations and societies. Ways and means.

By Senator Bell of Des Moines, from school children, parents and teachers of Burlington, favoring legislation prohibiting the sale and shooting of fireworks. Cities and towns.

By Senator Baldwin, from citizens of various sections of the state, asking for a liquor reform measure on the principles expressed by sponsors of the recently introduced liquor bill. Judiciary 2.

INTRODUCTION OF BILLS

Senate File 112, by Senator Gillespie, a bill for an act to repeal Section sixty-five hundred seventy-eight-b one (6578-b1), Code, 1935, relative to anticipating the collection of taxes for improvements in parks and cemeteries, and to enact a substitute therefor.

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

Senate File 113, by Senator Beardsley (Love), a bill for an act extending the time in which to pay, without penalty, the first installment of all taxes payable in 1937, and to provide for interest on said installment in case payment is not made within the time specified.

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

Senate File 114, by Senators Hill and Shaw, a bill for an act to repeal Section five thousand eight hundred sixty-nine (5,869), Code, 1935, and to enact a substitute therefor, requiring the city treasurer to act as treasurer for the board of hospital trustees in cities, and prescribing his duties in such capacity, and the bonds to be given therefor.

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

Senate File 115, by Senators Hill and Shaw, a bill for an act to amend Chapter three hundred (300), Code, 1935, and Section

five thousand eight hundred seventy-three-e one (5,873-e1) and subsections twenty-six (26) and twenty-seven (27) of Section six thousand two hundred eleven (6,211), Code, 1935, all relating to, and providing for, the establishment, maintenance, financing, and management of municipal hospitals and nurses' homes, and to the certification of the rate of levies provided for in subsections twenty-six (26) and twenty-seven (27) of Section six thousand two hundred eleven (6,211) by the board of hospital trustees in certain cases, and to repeal Section five thousand eight hundred seventy-three (5,873) and enact in lieu thereof new sections vesting in the board of hospital trustees in certain cases authority over the expenditures of the funds raised by subsections twenty-six (26) and twenty-seven (27) of Section six thousand two hundred eleven (6,211), Code, 1935.

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

Senate File 116, by Senators Elthon and Gillette, (Keeney, Elliott and Whitney), a bill for an act to amend Section forty-one hundred seventy-nine (4179), Code, 1935, relating to the use of busses owned by school districts to transport pupils.

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

Senate File 117, by Committee on Agriculture, a bill for an act to recodify paragraphs four (4), five (5), six (6), and seven (7) of Section twenty-five hundred ninety (2590), Code, 1935, relating to the powers and duties of the secretary of agriculture; to provide for the maintenance of a weather division in cooperation with the United States weather bureau and to define its duties and the manner of the director's appointment; to establish volunteer weather stations and to provide for the supervision of such weather stations and the tabulation of reports of such stations; to provide for the issuance of weekly weather bulletins and their publication; to provide for the maintenance of a division of agricultural statistics in cooperation with the United States bureau of agricultural economics and to define its duties and the manner of appointment of the director in the division of agricultural statistics.

Read first and second times and placed on the calendar.

Senate File 118, by Senator Doran, a bill for an act to legalize action of the board of supervisors of Boone county, Iowa, in transferring funds in the amount of thirteen thousand and two (13,002) dollars from the county insane fund of Boone county to the poor fund of said county in 1934; and the transferring of funds in the amount of three thousand two hundred forty-eight and ninety-six one-hundredths (3,248.96) dollars from the county insane fund of Boone county to the poor fund in said county in 1935.

Read first and second times and referred to committee on judiciary 1.

CONSIDERATION OF SENATE FILE 4 RESUMED

On motion of Senator Hopkins, Senate File 4, a bill for an act to repeal Sections seven hundred forty-nine (749) to seven hundred sixty (760), inclusive, Code, 1935, and to enact substitutes therefor; and to amend Section seven hundred seventy-five (775), Code, 1935, all relating to official ballots, on which action was deferred yesterday, was taken up.

Senator Hill offered the following amendments and moved their adoption:

Amend Senate File 4 as follows:

1. Amend Section 11 by striking from lines 5 and 6 the words "or group of petitioners", and strike from line 12 the words "or group of petitioners", and strike from line 15 the words "or group of petitioners".

2. Amend Senate File 4 by adding following Section 11 a new section as follows:

"Sec. 12. Any candidate for any office as provided in this act who is the candidate of any group of petitioners and who has not been regularly nominated by political party or political organization, shall not be entitled to have his or her name placed in the column of candidates as set forth in this act; however any candidate of a group of petitioners shall be listed in a separate column to the right of the column of candidates of political parties or political organizations in the same manner as provided in Section 11 of this act. All candidates of groups of petitioners for all offices shall be included in the same column."

3. Amend Senate File 4 by adding a new section as follows:

"Sec. 13. No person shall be entitled to be a candidate of any political party, political organization, or group of petitioners, nor as an independent candidate in a general election, which such person was a can-

didate in the primary election next preceding such general election when such person was defeated at such primary election."

4. Amend Senate File 4 by renumbering the remaining sections.

Senator Hill asked unanimous consent to withdraw his third amendment to Senate File 4.

Senator Beardsley moved that Senate File 4 and all amendments be rereferred to the committee on elections and contests, which motion prevailed and the bill was rereferred.

THIRD READING OF BILLS

On motion of Senator Donohue, Senate File 8, a bill for an act to repeal Section thirteen thousand three hundred and fifteen (13,315) of the Code of 1935, and to enact in lieu thereof an act relating to contributions for political purposes and prohibiting the use of motor vehicles owned by the state of Iowa or any political subdivision thereof for the transportation of campaign literature or persons engaging either directly or indirectly in a political campaign and prohibiting officers and employees of the state of Iowa from leaving their places of employment and duties for the purpose of soliciting votes or engaging in campaign work and providing penalty for violation thereof, on which action was deferred yesterday, was taken up.

Senator Driscoll offered the following amendment and moved its adoption:

Amend Senate File 8 by adding a new section following Section 1, as follows:

"Sec. 2. It shall be unlawful for any person or political organization to use any funds donated by a non-resident, person, firm, or corporation for the purpose of conducting a campaign for political office."

And further amend by renumbering subsequent sections.

Senator Donohue offered the following amendment to the amendment:

Amend the amendment to Senate File 8 by striking the comma inserted after the word "non-resident".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Rule 8 was invoked.

On the question "Shall the bill pass?" the vote was:

Ayes, 37:

Baldwin	Driscoll	Grunewald	Lundy
Beardsley	Edwards	Guernsey	Millhone
Berg	Ellis	Hill	Parker
Breen	Elthon	Hoeven	Pelzer
Byers	Evans	Hopkins	Schadt
Corwin	Geske	Husted	Smith
Dean	Gillespie	Irwin	Stewart
Dewey	Gillette	Kimberly	Whitehill
Donohue	Goetsch	Kirketeg	Zeigler
Doran			

Nays, 9:

Augustine	Levis	Miller	Murray
Bell of	Mason	Moore	Stevens
Des Moines	Mighell		

Absent or not voting, 4:

Bell of Crawford	Billingsley	Chrystal	Shaw
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Donohue moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gillespie, Senate File 51, a bill for an act to amend Section 10653 of the Code of Iowa, 1935, providing for the rotation of the names of candidates for the various offices on the municipal court judiciary ballot, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Guernsey offered the following amendment and moved its adoption:

Amend Senate File 51 by striking all of said bill following the enacting clause and inserting in lieu thereof the following:

Section 1. Section 10653 of the Code of Iowa, 1935, is hereby amended by striking from lines 10 and 11 of said section the words "in alphabetical order"; by placing a period following the word "designation" in line 12 of said section; by striking the word "and" from line 12 of said section; and by capitalizing the letter "t" in the word "the" in line 12 of said section.

Sec. 2. Section 10653 of the Code of Iowa, 1935, is further amended by adding to said section the following paragraph: The names of all

candidates for an office shall be arranged and printed on primary and general election ballots as follows: All precincts shall be arranged in numerical order. The surnames of all candidates for an office shall, for the first precinct in the list, be alphabetically arranged; thereafter for each succeeding precinct the name appearing first in the last preceding precinct shall be placed last so that the name that was second before the change shall be first after the change.

The amendment was adopted.

On request of Senator Zeigler, the committee amendments to Senate File 51 were withdrawn.

Senator Guernsey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine	Doran	Hopkins	Moore
Baldwin	Driscoll	Husted	Murray
Beardsley	Edwards	Irwin	Parker
Bell of	Ellis	Kimberly	Pelzer
Des Moines	Elthon	Kirketeg	Schadt
Berg	Geske	Levis	Smith
Breen	Gillespie	Lundy	Shaw
Chrystal	Gillette	Mason	Stevens
Corwin	Grunewald	Mighell	Stewart
Dean	Guernsey	Miller	Whitehill
Dewey	Hill	Millhone	Zeigler
Donohue	Hoeven		

Nays, none.

Absent or not voting, 5:

Bell of Crawford	Byers	Evans	Goetsch
Billingsley			

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

Senator Gillespie moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Breen the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Mr. Andrew Stewart of Rockwell City, Calhoun County, as a member of the Iowa Liquor Control Commission, for the term ending July 1, 1939.

The Senate arose from executive session and resumed regular session.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 62, 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.

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

House File 6, a bill for an act relating to interstate bridges and issuance of refunding revenue bonds therefor.

Also: That the House has amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 2 relating to the compensation of officers and employees of the Forty-seventh General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE JOINT RESOLUTION 2

Amend by adding at the end of Section 1 the following: "Also by striking from line 31 the figures "3.00" and inserting in lieu thereof the figures "3.60".

HOUSE AMENDMENT CONSIDERED

Senator Berg called up for consideration Senate Joint Resolution 2, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding at the end of Section 1 the following: "Also by striking from line 31 the figures '3.00' and inserting in lieu thereof the figures '3.60'."

On the question "Shall the Senate concur?" the vote was:

Ayes, 42:

Augustine	Donohue	Hill	Murray
Baldwin	Driscoll	Hoeven	Parker
Beardsley	Edwards	Hopkins	Pelzer
Bell of	Ellis	Husted	Schadt
Des Moines	Elthon	Irwin	Smith
Berg	Evans	Kimberly	Shaw
Breen	Geske	Kirketeg	Stevens
Chrystal	Gillespie	Lundy	Stewart
Corwin	Gillette	Mighell	Whitehill
Dean	Goetsch	Millhone	Zeigler
Dewey	Guernsey	Moore	

Nays, 1:

Mason

Absent or not voting, 7:

Bell of Crawford Byers
Billingsley Doran

Grunewald
Levis

Miller

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Berg, Senate Joint Resolution 2, a joint resolution to amend Senate Joint Resolution 1 of the Forty-seventh General Assembly relating to the compensation of officers and employees of the Forty-seventh General Assembly, amended by the House, was taken up and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine
Baldwin
Beardsley
Bell of
Des Moines
Berg
Breen
Chrystal
Corwin
Dean
Dewey
Donohue

Doran
Driscoll
Edwards
Ellis
Elthon
Evans
Geske
Gillespie
Gillette
Goetsch
Guernsey

Hill
Hoeven
Hopkins
Husted
Irwin
Kimberly
Kirketeg
Levis
Lundy
Mighell
Miller

Millhone
Moore
Murray
Parker
Pelzer
Schadt
Smith
Shaw
Stevens
Whitehill
Zeigler

Nays, 1:

Mason

Absent or not voting, 5:

Bell of Crawford Byers
Billingsley

Grunewald

Stewart

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Berg moved that the vote by which the joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE MESSAGES CONSIDERED

House File 6, by Engel and Dietz, a bill for an act to amend Chapter three hundred two-C one (302-C1) of the Code, 1935, in relation to interstate bridges, by adding thereto a new section, providing for the issuance of refunding revenue bonds, and to make the provisions of this act applicable to cities acting under special charter.

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

House File 62, by Lookingbill, 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.

Read first and second times and referred to committee on judiciary 1.

Senator Stevens moved that, when the Senate adjourned, it be until 10:00 a. m. Monday. The motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendments to Senate File 15, a bill for an act relating to the foreclosure of real estate mortgages, and requests a conference, and the Speaker of the House has appointed as such committee on the part of the House: Representatives Curtis, Hickenlooper, Hoegh and Rice.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Hopkins moved that the rules be suspended and the Chair appoint a conference committee on Senate File 15, which motion prevailed, and President Valentine appointed as such committee on the part of the Senate, Senators Hill, Doran, Elthon and Mighell.

REPORTS OF COMMITTEES

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 80, a bill for an act to amend Section 6134-f1, Code of

Iowa, 1935, and to provide for the issuance by cities and towns of refunding bonds; the exchange of such bonds for outstanding bonds; and to provide for the disposition of the proceeds of such refunding bonds, begs leave to report it has had the same under consideration and recommends that the same be amended as follows; and when so amended the bill do pass:

Add after the word "towns" and before the word "shall" in line four of Section 1 thereof the words "including cities under special charter".

J. BERG, *Chairman.*

Ordered passed on file.

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 12, a bill for an act to amend Section nine hundred fifty (950) of the Code of Iowa, 1935, and to provide the manner in which absent voters' ballots shall be counted and the results tabulated in precincts using voting machines, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 1 by striking from line 13 the words "voter's ballot" and insert in lieu thereof the words "voters' ballots".

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

Senator Irwin submitted the following reports:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File 60, a bill for an act to amend Section 9330 of the Code of 1935, all relating to the issue of stock or shares by the state building and loan associations, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File 67, a bill for an act to amend subsection g-1 of Section 7004 of the 1935 Code of Iowa, relating to the remission of unpaid taxes on stock of insolvent banks, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

SENATE FILE 1 MADE SPECIAL ORDER

On request of Senator Shaw, unanimous consent was given to make Senate File 1 a special order of business for Thursday, February 11th, at 10:30 a. m.

EXTRA COPIES SENATE FILE 100

By unanimous consent on request of Senator Baldwin, twelve hundred extra copies of Senate File 100, relating to sale of liquor by the drink, were ordered printed.

COMMUNICATION FROM SECRETARY OF STATE

STATE OF IOWA,
Office of the Secretary of State.

I, MRS. ALEX MILLER, Secretary of State of the State of Iowa, custodian of the acts and resolutions of the General Assembly,

Do hereby certify, That the attached instrument is a true and correct copy of a proposed amendment to the Constitution of the State of Iowa, known as Senate Joint Resolution 8, adopted and approved by the Forty-sixth General Assembly, (regular session) and relating to Verdict in Civil Cases; that said resolution was published in accordance with the law, prior to the general election of November 3, 1936, and that said resolution is now properly referred, by its own terms, to the Forty-seventh General Assembly.

In testimony whereof, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this eighteenth day of January A. D. nineteen hundred and thirty-seven.

(Seal)

MRS. ALEX MILLER, *Secretary of State.*

JAMES C. GREEN, *Deputy.*

JOINT RESOLUTION

Proposing an amendment to the Constitution of the State of Iowa granting the right to the General Assembly to authorize the return of a verdict in a civil case upon the concurrence of nine (9) of the members of the jury.

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

Section 1. That section nine (9) of article 1 of the constitution of the state of Iowa is hereby amended by adding thereto the following: "The general assembly may authorize the return of verdicts in civil cases upon the concurrence of not less than nine (9) members of the jury."

Sec. 2. That the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next general assembly, and that the secretary of state cause the same to be published for three (3) months prior to said election, as provided by law.

N. G. KRASCHEL, *President of the Senate.*

JOHN H. MITCHELL, *Speaker of the House.*

I hereby certify that this Joint Resolution originated in the Senate and is known as Senate Joint Resolution No. 8, Forty-sixth General Assembly.

HEDO M. ZACHERLE, *Secretary of the Senate.*

Approved May 3rd, 1935.

CLYDE L. HERRING, *Governor.*

The Journal of February 4th was corrected and approved.

On motion of Senator Dewey, the Senate adjourned until 10:00
a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Eric A. Biederman, pastor of St. Paul's Lutheran Church, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kirketeg for the day, on request of Senator Augustine.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Edwards, from dentists of Union county, opposing legislation to change existing laws governing the practice of dentistry. Public health.

By Senator Dewey, from citizens of Mount Pleasant, opposing legislation against bank night or other similar advertising practices. Judiciary 1.

By Senator Schadt, from citizens of Victor, opposing legislation to restrict and tax motion picture theaters. Judiciary 1.

By Senator Dewey, from merchants of Morning Sun, opposing legislation against bank night or other similar advertising practices. Judiciary 1.

By Senator Schadt, from citizens of Victor, opposing legislation against bank night or other similar advertising practices. Judiciary 1.

By Senator Dean, from Clausen Worden Post 101 of the American Legion, Mason City, favoring adoption of a system of retirement annuities for public school teachers. Public schools.

INTRODUCTION OF BILLS

Senate File 119, by Senator Dewey, a bill for an act to amend Senate File One (1) of the Forty-sixth General Assembly, Extraordinary Session, relating to social security.

Read first and second times and referred to committee on social security.

Senate File 120, by Senator Hopkins, a bill for an act to amend Sections forty-two hundred thirty-five (4235), forty-three hundred twelve (4312), and forty-three hundred thirteen (4313), Code, 1935, relating to school census.

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

Senate File 121, by Senator Murray, a bill for an act to prohibit the harboring or concealing of persons charged with a crime, and to provide a penalty for the violation thereof.

Read first and second times and referred to committee on judiciary 2.

Senate File 122, by Senator Dewey (by request), a bill for an act to amend Sections twelve thousand one hundred ninety-five (12195), and twelve thousand one hundred ninety-six (12196), Code, 1935, relating to option on a replevin bond.

Read first and second times and referred to committee on judiciary 2.

Senate File 123, by Senator Lundy, a bill for an act to amend Section seven thousand one hundred seventy-one (7171), Code, 1935, relative to annual levies.

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

Senate File 124, by Greater Iowa Committee, a bill for an act authorizing county supervisors to purchase agricultural lime and resell same to farmers and to locate, purchase or acquire by condemnation for county use limestone quarries for the production of agricultural lime, and for the sale of such agricultural lime to the farmers, and the transportation of same; and levying of a special assessment tax against the farmer so benefited, the is-

suance of anticipatory warrants secured by such special assessment, payable in installments over a five year period.

Read first and second times and placed on calendar.

Senate File 125, by Senator Dewey (Foster of Henry), a bill for an act to confirm, ratify, legalize and declare valid for all purposes the action of the city of Mount Pleasant in Henry county, Iowa, through its city council, in erecting, in and for said city, and in paying for, a building for the purpose of housing various governmental agencies of said city.

Read first and second times and referred to committee on judiciary 2.

Senate File 126, by Senator Shaw (Johnson of Buena Vista), a bill for an act to amend Section ninety-four hundred seven (9407), Code, 1935, relating to judgments which may be rendered in actions on usurious contracts.

Read first and second times and referred to committee on judiciary 1.

Senate File 127, by Senator Gillespie, a bill for an act to protect restrictions affecting real estate arising out of a deed or deeds in a chain of title to real estate and running with the land, limiting the use of property, the type, character and location of buildings, or restrictions against nuisances, and other similar restrictions, and providing that such restrictions shall be unaffected by the issuance of tax deeds, and that persons holding under such tax deeds shall take the property subject to said restrictions in force at date of such tax deed.

Read first and second times and referred to committee on judiciary 1.

Senate File 128, by Senator Gillespie, a bill for an act to amend Chapter three hundred twenty-six (326) of the Code of Iowa, 1935, relating to commission governed cities, and providing that such cities having a population of one hundred twenty-five thousand (125,000) or more according to the last or subsequent State or Federal census, may by action of the city council, with the concurrence of the park board of said city, if any such exists, have the right to consent to and provide a site in any park or public

grounds of said city for the location of buildings to be used for a public library, public art gallery or art museum, or for a library, art gallery or art museum to be erected, owned and kept by individuals, associations or corporation for public use and not for private profit.

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 7, a bill for an act to legalize certain execution sales.

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

House File 5, a bill for an act relating to the filing of budget statistics.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 5, by Bowers, a bill for an act to repeal Section three hundred seventy-five (375) Code, 1935, and to enact a substitute therefor, relating to the filing of budget estimates, to the fixing of time of hearing on such estimates and to the publication of such estimates and time of hearing thereon.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File 34 and House File 45.

FRANK PELZER, *Chairman Senate Committee.*
JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of

the Senate, he had signed in the presence of the Senate, Senate File 34 and House File 45.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of February, 1937, sent to the Governor for his approval, Senate File 34. FRANK R. PELZER, *Chairman*.

Passed on file.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 74, a bill for an act to amend Section sixty-six hundred sixty-nine (6669), Code, 1935, relating to the management of municipally owned water plants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 74 by striking from Section 1, line 5, the word "except".

The amendment was adopted.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Dewey	Hill	Moore
Baldwin	Donohue	Hoeven	Murray
Beardsley	Doran	Hopkins	Parker
Bell of	Edwards	Husted	Pelzer
Des Moines	Ellis	Irwin	Schadt
Berg	Evans	Kimberly	Smith
Billingsley	Geske	Levis	Shaw
Breen	Gillespie	Lundy	Stevens
Byers	Goetsch	Mason	Stewart
Chrystal	Grunewald	Mighell	Whitehill
Corwin	Guernsey	Miller	Zeigler

Nays, none.

Absent or not voting, 7:

Bell of Crawford	Driscoll	Gillette	Millhone
Dean	Elthon	Kirketeg	

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

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Kimberly, Senate File 69, a bill for an act to amend Chapter three hundred two-C one (302-C1) of the Code, 1935, in relation to interstate bridges, by adding thereto a new section, providing for the issuance of refunding revenue bonds, and to make the provisions of this act applicable to cities acting under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimberly moved that the rules be suspended and that House File 6 be withdrawn from the committee on ways and means and substituted for Senate File 69, which motion prevailed and the substitution was made.

On motion of Senator Kimberly, House File 6, a bill for an act to amend Chapter three hundred two-C one (302-C1) of the Code, 1935, in relation to interstate bridges, by adding thereto a new section, providing for the issuance of refunding revenue bonds, and to make the provisions of this act applicable to cities acting under special charter, was taken up and considered.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 46:

Augustine	Dewey	Hill	Moore
Baldwin	Donohue	Hoeven	Murray
Beardsley	Doran	Hopkins	Parker
Bell of	Edwards	Husted	Pelzer
Des Moines	Ellis	Irwin	Schadt
Berg	Evans	Kimberly	Smith
Billingsley	Geske	Levis	Shaw
Breen	Gillespie	Lundy	Stevens
Byers	Gillette	Mason	Stewart
Chrystal	Goetsch	Mighell	Whitehill
Corwin	Grunewald	Miller	Zeigler
Dean	Guernsey	Millhone	

Nays, none.

Absent or not voting, 4:

Bell of Crawford	Driscoll	Elthon	Kirketeg
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Kimberly, Senate File 69, companion bill to House File 6, was withdrawn from further consideration by the Senate.

Senator Stevens moved that the rules be suspended and that Senate File 80 be considered at this time, which motion prevailed.

On motion of Senator Stevens, Senate File 80, a bill for an act to amend Section sixty-one hundred thirty-four-f one (6134-f1), Code of Iowa, 1935, and providing for the issuance by cities and towns of refunding bonds, payable only out of the net earnings of municipally owned heating plants, waterworks, gas works, or electric light or power plants, providing that such refunding bonds shall conform to the provisions of Chapter three hundred twelve (312) of the Code of Iowa, 1935, and providing for the exchange of such refunding bonds for outstanding bonds or the sale of such refunding bonds, and providing for the disposition of the proceeds of such refunding bonds, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Add after the word "towns" and before the word "shall" in line four of Section 1 thereof the words "including cities under special charter".

On request of Senator Stevens, the following amendment was withdrawn:

Amend Senate File 80 by striking from line 5 of the printed bill the words "heating plants", and by striking from line 6 the words "gas works or electric light or power plants".

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 80 by striking the period (.) following the word "therein" at the end of line 14 of the printed bill and substituting in lieu thereof a semicolon (;) and the following: "provided that nothing in this act shall be construed to authorize cities and towns to extend the maturity date of bonds or obligations originally issued to pay for any such plant, if such bonds are in default in payment of principal or interest, nor to authorize issuance of refunding bonds in excess of the unpaid balance of the expenditure originally authorized by the electors for the establishment of such plant."

Senator Berg moved that Senate File 80 be rereferred to the committee on cities and towns.

Senator Donohue moved as a substitute motion that Senate File 80 be deferred until Thursday.

Senator Donohue moved as an amendment to his substitute motion that Senate File 80 be made a special order for 10:15 Thursday.

Senator Donohue withdrew his substitute motion and amendment thereto.

Senator Berg withdrew his motion to rerefer Senate File 80 to the committee on cities and towns.

Senator Donohue moved that Senate File 80 be deferred until 11:00 a. m. Wednesday, which motion prevailed.

Senator Doran moved that the rules be suspended and that Senate File 12 be considered at this time, which motion prevailed.

On motion of Senator Doran, Senate File 12, a bill for an act to amend Section nine hundred fifty (950) of the Code of Iowa, 1935, and to provide the manner in which absent voters' ballots shall be counted and the results tabulated in precincts using voting machines, with report of committee recommending amendment and passage, was taken up and considered, and the report of the committee adopted.

Senator Breen submitted the following amendment:

1. Amend Senate File 12 by adding after the word "election" in line 7, the following words, "all being present shall count and".
2. Amend Senate File 12 by striking the period in line 15 and adding the following, "and such record shall be signed by all of the judges".

Senator Donohue moved that action on Senate File 12 be deferred until Tuesday morning, the bill to retain its place on the calendar, which motion prevailed.

REPORTS OF COMMITTEES

Senator Goetsch submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File 77, a bill for an act relating to the practice of professional engineering and land surveying, begs leave to report it has had the same under consideration and recommends the same do pass.

SAM D. GOETSCH, *Chairman.*

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 6, a bill for an act relating to divorce, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 62, 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, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 124 by adding a new section following Section 2, as follows:

"Sec. 3. When a petition signed by fifty farmers residing within the county requesting the board of supervisors to sell lime to them under this act is filed with the board of supervisors, or when a petition signed by any number of farmers residing within the county requesting the board of supervisors to sell to them under this act an amount of lime aggregating not less than five hundred (500) tons, is filed with the board of supervisors, it shall be the duty of said board to provide for and sell, under the provisions of this act, such lime as is requested to the farmers signing the petition and to any others requesting such sale of lime."

And further amend by renumbering the remaining sections.

HENRY J. GRUNEWALD.

The Journal of February 5th was corrected and approved.

On motion of Senator Baldwin, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 9, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. A. E. Slothower, pastor of the Oak Grove Methodist Church, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Chrystal for the day, on request of Senator Murray.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Lundy, from citizens of Albia, favoring legislation opposing bank night and similar trade practices. Judiciary 1.

By Senator Mason, from citizens of Brooklyn, opposing legislation against bank night and other restrictions of the theater industry. Judiciary 1.

By Senator Moore, from citizens of Council Bluffs, favoring legislation for teachers' retirement fund. Public schools.

By Senator Hoeven, from Sioux County School Masters Club, favoring teachers' annuity and educational equalization. Public schools.

COMMUNICATION FROM THE GOVERNOR

February 8, 1937.

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE FORTY-SEVENTH GENERAL ASSEMBLY:

I desire to call your attention to a legislative matter which, in my opinion, requires immediate attention.

The Forty-sixth General Assembly in Extraordinary Session passed the Unemployment Compensation Act, under the terms of which I am required, on or before March 1st, 1937, to appoint a board of five members

for permanent administration. By common consent, since this legislation was hurriedly passed, we agreed that it be reviewed during the present legislative session.

The Executive Council has set up a temporary organization to administer this act, and, at the present time, tax receipts thereunder are being paid at the rate of one hundred thousand dollars (\$100,000.00) per day.

I, therefore, consider it highly important that your review of this legislation be completed well before March 1st, 1937, to the end that a permanent board can be appointed, and, if any additional legislation on this subject is necessary, it should be enacted immediately.

Respectfully submitted,
(Signed) N. G. KRASCHEL, *Governor.*

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on February 8, 1937, he had approved the following bill: Senate File 34: an act relating to general powers and duties of the council in cities having the commission form of government.

SENATE CONCURRENT RESOLUTION 10

On request of Senator Hopkins, the rules were suspended, and Senator Hopkins moved the adoption of the following resolution:

Whereas, The Senate is advised of a meeting of the Pioneer Lawmakers Association to be held in the Historical Building on February 24, and of their custom of calling formally on the General Assembly; therefore,

Be It Resolved by the Senate, the House Concurring: That the General Assembly meet in joint session in the House Chamber on Wednesday, February 24, 1937, at 2:00 p. m., and that the Pioneer Lawmakers be invited to attend and present a program on that date.

The resolution was adopted.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 62, a proposed bill to legalize action of the board of supervisors of Story County. WALTER H. BEAM, *Secretary.*

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 104, a proposed bill to make permanent certain temporary transfers of certain funds of Monroe County.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 129, by Senator Kimberly, a bill for an act to amend

Chapter three hundred twenty-nine (329), Code, 1935, making Chapter three hundred eight-A one (308-A1) and three hundred eight-D one (308-D1) applicable to certain special charter cities.

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

Senate File 130, by committee on military affairs, a bill for an act to provide for a naval militia to be known as the Iowa Naval Reserve and to provide for the government and discipline thereof.

Read first and second times and placed on the calendar.

Senate File 131, by Senator Mighell, a bill for an act to protect public schools from commercial and political abuses.

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

Senate File 132, by Senator Edwards, a bill for an act authorizing the state department of health to receive a sum additional to the fee provided for in Chapter one hundred fifteen (115), Code, 1935, for the annual renewal of licenses to practice the professions of embalming and optometry; also providing for its payment to the Iowa Funeral Directors' and Embalmers' Association and the Iowa Optometric Association, respectively, for the advancement of the arts and sciences of these professions.

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

Senate File 133, by Levis, a bill for an act to amend Section eleven thousand four hundred twenty-nine (11,429), Code of 1935, allowing the court in its discretion to submit issues of fact in civil cases to be tried by a jury where the amount claimed is less than three hundred dollars (\$300.00).

Read first and second times and referred to committee on judiciary 2.

Senate File 134, by Senator Breen, a bill for an act to amend Section seventy-six hundred thirty-six (7636), Code, 1935, relating to the relinquishment by boards of supervisors of their authority and control of drainage districts within the corporate

limits of cities and towns to cities and towns, and providing for the transfer of funds therein to such cities and towns.

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

Senate File 135, by Senator Breen, a bill for an act to amend Section eighty-one hundred twenty-eight, (8128), Code, 1935, by eliminating, in part, some who are now ineligible for free passes by carriers.

Read first and second times and referred to committee on departmental affairs.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 58, a bill for an act relating to the payment of claims of the state against counties.

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

House File 4, a bill for an act relating to the possession of gambling devices.

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

Senate File 54, a bill for an act to authorize the designation of primary road extensions.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 16, a bill for an act relating to the extension of the redemption period from the sale under foreclosure of real estate.

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

House Concurrent Resolution 4, creating a committee for the purpose of considering legislation effecting changes in the old age assistance law.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 16

Amend by striking all after the enacting clause and substituting therefor the following:

"Section 1. The Forty-seventh General Assembly hereby declares and determines that an emergency existed when chapter one hundred seventy-nine (179), acts of the Forty-fifth General Assembly was enacted and that an emergency did exist when Chapter one hundred ten (110), acts

of the Forty-sixth General Assembly was enacted and that an emergency does exist at this time and is general throughout the state of Iowa, and that the safety and future welfare of the state as a whole is endangered thereby. The General Assembly acting under the power reserved by the people of Iowa does hereby enact the following:

Sec. 2. In any action, for the foreclosure of a real estate mortgage or a deed of trust, which has been commenced prior to March 1, 1937, in any of the courts, and in which a decree has been or may hereafter be entered, but the redemption period, as now provided, has not expired, upon application of the owner or owners of such real estate, the court shall, unless upon hearing upon said application good cause is shown to the contrary, order that no sheriff's deed shall be issued until March 1, 1939, and in the meantime said owner or owners may redeem such property, and are entitled to possession thereof.

'Provided, the court having jurisdiction of such foreclosure action shall order and direct, that there shall be applied from the income of said real estate so much thereof as is just and equitable, toward the payment of taxes accruing thereon during the period of redemption extension as provided by this act, and any balance distributed as the court may direct, and shall make such provision for the preservation of said property as will be just and equitable during the redemption period, and to this end the court may, in his discretion, in order to carry out the foregoing powers, appoint a receiver of said real estate, and invest said receiver with such powers as the court may find will be just and equitable to all parties to the proceeding.'

'Providing, that in the event the said owner or owners do not comply with the orders of the court, the order for extension of redemption period as authorized by this act shall, on proper hearing, be set aside by order of the court.'

Sec. 3. The court shall not appoint as a receiver of said real estate a field agent of any insurance company or loan company or any other person in the employment of the mortgagor or mortgagee, unless otherwise agreed.

Sec. 4. During the period of extension of redemption, as herein provided, the owner or owners of said real estate shall have the exclusive right to redeem, and the rights of redemption of subsequent mortgagees, junior lienholders, and creditors shall terminate within the period as by law now provided, the provisions of this act notwithstanding.

Sec. 5. During the period of extension of redemption, as herein provided, the clerk of the district court of the county in which such foreclosure action is brought, shall receive and disburse the income from said real estate, as the court shall order as just and equitable.

Sec. 6. Immediately upon this act going into effect the clerk of the district court shall notify by registered mail in properly addressed and stamped envelopes at their last known addresses all defendant mortgagors or grantors of deeds of trust who have been granted extensions of the period of redemption, and which have not been revoked, and also their

attorney or attorneys of record, that unless an application for a further extension under this chapter is made before March 1, 1937, that the extension theretofore granted shall automatically expire.

Sec. 7. Immediately upon filing of the application for the further extension of a period of redemption, the court shall set the time and place of hearing and prescribe the kind of notice to be given to all parties plaintiff, and no sheriff's deed shall issue until the hearing is had upon such application and the extension of the period of redemption denied, and unless good cause is shown why said extension should not be granted until March 1, 1939, the court shall grant the extension.

Sec. 8. The provisions of this act shall not apply to any mortgages or deeds of trust executed subsequent to March 1, 1936, nor shall it apply to mortgagors or mortgagors under deeds of trust who acquired the real estate subsequent to March 1, 1936, except only in cases where the period of redemption has already been extended by court order.

Sec. 9. The provisions of this act shall apply to any mortgages or deeds of trust executed prior to March 1, 1936, and subsequently renewed.

Sec. 10. All applications which have been filed for extension of redemption and upon which no hearings have been held shall be in full force and effect.

Sec. 11. Every original notice covering the foreclosure of a real estate mortgage, or deed of trust, or the note or notes secured thereby, served after the taking effect of this act, shall, during the time this act is in effect, contain a notice to the defendant or defendants that he or they may appear at the time and place stipulated in said notice and file application for continuance of said cause of action until March 1, 1939.

Sec. 12. The words 'owner or owners' as used in this act, shall include any person holding rights in real estate as joint tenant, tenant in common, life tenant, devisee or heir at law or any person holding the legal title to real estate. The application for extension by one or more owners, when made as provided in this act, shall inure to the benefit of all of the owners, if there be more than one.

Sec. 13. All acts or parts of acts in conflict with this act are hereby suspended.

Sec. 14. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional or 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. 15. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Delta Press, a newspaper published at Delta, Iowa, and in the Oskaloosa Tribune, a newspaper published at Oskaloosa, Iowa."

HOUSE CONCURRENT RESOLUTION 4

A resolution creating a committee for the purpose of considering legis-

lation effecting changes in the old age assistance law of the state of Iowa and to investigate defects in the present old age assistance act and to report its findings to the Forty-seventh General Assembly of the state of Iowa.

Whereas, There is a statewide demand for a revision of the present law and the method of administering the old age assistance laws of the state of Iowa, and

Whereas, There are thousands of applicants for the old age pension who are worthy of receiving the same whose pensions have not been granted because of insufficient funds with which to pay the same or other causes, and

Whereas, There is widespread criticism because of the failure of the old age assistance act as it is now written and administered to adequately provide for the aged persons in the state of Iowa who are entitled to old age pensions and also widespread criticism of some of the provisions of the present act for the administration of pensions, and

Whereas, The question of the revision of the Iowa old age assistance act and the providing of an adequate old age pension for the aged in the state of Iowa is one of the most important problems confronting the Forty-seventh General Assembly of the state of Iowa. Now, therefore,

Be It Resolved by the House of Representatives, the Senate Concurring: That a committee of members of the House of Representatives shall be appointed by the Speaker of the House, which committee shall consist of six members, and a committee composed of members of the Senate who shall be appointed by the Senate consisting of six members, whose duty it shall be to consider all proposed legislation now introduced or which may hereafter be introduced relative to old age assistance laws and to investigate the administration of the Iowa old age assistance act to the end and for the purpose that any defects in the present old age assistance act be corrected or defects in its administration be remedied and that the present Iowa old age assistance act be so amended so as to adequately provide for the aged persons in the state of Iowa who are in need of such assistance.

HOUSE MESSAGES CONSIDERED

House File 4, by Bowers, a bill for an act to amend Sections thirteen thousand one hundred ninety-eight (13198) and thirteen thousand two hundred ten (13210), Code, 1935, relating to the possession of gambling devices.

House File 58, by Davis, a bill for an act to provide a uniform procedure for certifying and paying claims of the state against counties, to co-ordinate and render harmonious various statutes with such uniform procedure, and to this end to repeal Sections

thirty-four hundred seven (3407), thirty-four hundred eight (3408), thirty-six hundred (3600), thirty-six hundred one (3601), thirty-six hundred two (3602), four thousand seventy-two (4072), and four thousand seventy-four (4074); to repeal Sections thirty-four hundred six (3406), thirty-four hundred seventy-four (3474), and four thousand seventy-three (4073), and to enact substitutes therefor, and to amend Sections thirty-three hundred ninety-nine (3399), thirty-six hundred three (3603), thirty-seven hundred three (3703), thirty-seven hundred twenty (3720), and four thousand seventy-one (4071), all of the Code, 1935.

Read first and second times and referred to committee on departmental affairs.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File 7 and Senate Joint Resolution 2.

FRANK PELZER, *Chairman Senate Committee.*
JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 7, and Senate Joint Resolution 2.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 9th day of February, 1937, sent to the Governor for his approval, Senate Joint Resolution 2. FRANK PELZER, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Doran, Senate File 12, a bill for an act to amend Section nine hundred fifty (950) of the Code of Iowa,

1935, and to provide the manner in which absent voters' ballots shall be counted and the results tabulated in precincts using voting machines, on which action was deferred yesterday, was taken up and considered.

The following committee amendment was adopted:

Amend Section 1 by striking from line 13 the words "voter's ballot" and insert in lieu thereof the words "voters' ballots".

Senator Breen submitted the following amendment and moved its adoption:

1. Amend Senate File 12 by adding after the word "election" in line 7, the following words, "all being present shall count and".

The amendment was adopted.

Senator Breen submitted the following amendment and moved its adoption:

2. Amend Senate File 12 by striking the period in line 15 and adding the following, "and such record shall be signed by all of the judges".

The amendment was adopted.

President pro tem Byers took the chair at 10:35 a. m.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Baldwin	Donohue	Hill	Parker
Beardsley	Doran	Hoeven	Pelzer
Bell of Crawford	Edwards	Hopkins	Schadt
Berg	Evans	Husted	Smith
Billingsley	Geske	Kimberly	Shaw
Breen	Gillespie	Kirketeg	Stevens
Byers	Gillette	Levis	Stewart
Corwin	Goetsch	Miller	Whitehill
Dean	Grunewald	Millhone	Zeigler
Dewey	Guernsey	Murray	

Nays, 4:

Ellis	Mason	Mighell	Moore
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Absent or not voting, 7:

Augustine	Chrystal	Elthon	Lundy
Bell of Des Moines	Driscoll	Irwin	

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

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Donohue, Senate File 60, a bill for an act to amend Section nine thousand three hundred thirty (9330) of the Code of 1935, all relating to the issue of stock or shares by the state building and loan associations, with report of committee recommending passage, was taken up, considered, and, on motion of Senator Evans, the report of the committee was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 60 by striking lines 8, 9, 10 and 11 thereof, and substituting in lieu thereof the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its publication in the Ottumwa Courier, a newspaper published at Ottumwa, Iowa, and the Fredericksburg News, a newspaper published at Fredericksburg, Iowa.

The amendment was adopted.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Baldwin	Doran	Hill	Moore
Bell of Crawford	Edwards	Hoeven	Murray
Bell of	Ellis	Hopkins	Parker
Des Moines	Elthon	Husted	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Geske	Kirketeg	Smith
Breen	Gillespie	Levis	Shaw
Byers	Gillette	Lundy	Stevens
Corwin	Goetsch	Mighell	Stewart
Dean	Grunewald	Miller	Whitehill
Dewey	Guernsey	Millhone	Zeigler
Donohue			

Nays, none.

Absent or not voting, 6:

Augustine	Chrystal	Irwin	Mason
Beardsley	Driscoll		

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

Senator Donohue moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Husted, Senate File 117, a bill for an act to recodify paragraphs four (4), five (5), six (6), and seven (7) of Section twenty-five hundred ninety (2590), Code, 1935, relating to the powers and duties of the secretary of agriculture; to provide for the maintenance of a weather division in cooperation with the United States weather bureau and to define its duties and manner of the director's appointment; to establish volunteer weather stations and to provide for the supervision of such weather stations and the tabulation of reports of such stations; to provide for the issuance of weekly weather bulletins and their publication; to provide for the maintenance of a division of agricultural statistics in cooperation with the United States bureau of agricultural economics and to define its duties and the manner of appointment of the director in the division of agricultural statistics, was taken up.

President Valentine returned to the chair at 11:00 a. m.

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Baldwin	Dewey	Grunewald	Moore
Beardsley	Doran	Guernsey	Murray
Bell of Crawford	Driscoll	Hill	Pelzer
Bell of Des Moines	Edwards	Hopkins	Schadt
Berg	Ellis	Husted	Smith
Billingsley	Elthon	Kimberly	Shaw
Breen	Evans	Kirketeg	Stevens
Byers	Geske	Levis	Stewart
Corwin	Gillespie	Miller	Whitehill
Dean	Gillette	Mighell	Zeigler
	Goetsch	Millhone	

Nays, none.

Absent or not voting, 8:

Augustine	Donohue	Irwin	Mason
Chrystal	Hoeven	Lundy	Parker

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

Senator Husted moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hill, Senate File 67, a bill for an act to amend sub-section g-1 of Section seven thousand four (7004) of the 1935 Code of Iowa, relating to the remission of unpaid taxes on stock of insolvent banks, with report of committee recommending passage, was taken up, considered, and, on motion of Senator Husted, the report of the committee was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 67 by striking the word and figure "six (6)" in line three and inserting in lieu thereof the word and figure "five (5)".

The amendment was adopted.

Senator Hill moved that action on Senate File 67 be deferred and that the bill retain its place on the calendar, which motion prevailed.

Senator Doran moved that the rules be suspended and that House File 62 be taken up at this time, which motion prevailed.

On motion of Senator Doran, House File 62, by Lookingbill, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Doran moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 46:

Augustine	Chrystal	Ellis	Guernsey
Baldwin	Corwin	Elthon	Hill
Beardsley	Dean	Evans	Hoeven
Bell of Crawford	Dewey	Geske	Hopkins
Berg	Donohue	Gillespie	Kimberly
Billingsley	Doran	Gillette	Kirketeg
Breen	Driscoll	Goetsch	Levis
Byers	Edwards	Grunewald	Lundy

Mighell
Miller
Millhone
Moore

Murray
Parker
Pelzer
Schadt

Smith
Shaw
Stevens

Stewart
Whitehill
Zeigler

Nays, none.

Absent or not voting, 4:

Bell of
Des Moines

Husted

Irwin

Mason

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

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 118, a bill for an act to legalize action of the board of supervisors of Boone county, Iowa, in transferring funds in the amount of thirteen thousand and two (13,002) dollars from the county insane fund of Boone county to the poor fund of said county in 1934; and the transferring of funds in the amount of three thousand two hundred forty-eight and ninety-six one-hundredths (3,248.96) dollars from the county insane fund of Boone county to the poor fund in said county in 1935, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman*.

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 76, a bill for an act to amend Section thirteen thousand three hundred fifty-two (13352) of the Code of Iowa, 1935, relative to escapes, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 75, a bill for an act to amend Section ten thousand six hundred thirty-nine (10639) of the Code of Iowa, 1935, relative to accounting for fees by justices of the peace, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and House on Senate File 15, being a bill relating to the foreclosure of real estate mortgages and deeds of trust and providing for the continuance of such actions, beg leave to report that we have had the same under consideration and that we have failed to agree, and ask that the said committee be discharged.

GLENN CURTIS,
B. B. HICKENLOOPER,
LEO A. HOEGH,
C. L. RICE,

On the part of the House.

G. R. HILL,
L. H. DORAN,
LEO ELTHON,
WINFRED MIGHELL,

On the part of the Senate.

AMENDMENTS FILED

MR. PRESIDENT: 1. I move to amend Senate File 67 by striking from lines 1 and 2 of the title, the following: "subsection g-1 of Section seven thousand four (7004)", and to substitute in lieu thereof the following: "Section seven thousand four g-1 (7004 g-1)".

2. Amend Senate File 67 by striking all of said bill following the enacting clause, and substituting in lieu thereof the following:

"Section 1. That Section seven thousand four g-1 (7004 g-1) of the 1935 Code of Iowa, be amended by adding a comma following the word 'stock' in line five (5) of said section and inserting the words 'surplus and undivided profits'."

G. R. HILL.

MR. PRESIDENT: I move to amend Senate File 1 by striking the word "September" in line 2 of Section 4, and inserting in lieu thereof the word "August".

2. Amend by adding after the word "auditor" in line 6 of Section 5 the following: "and a duplicate thereof shall be furnished by the county auditor to the Board of Equalization of the city, town or township in which the claimed homestead is located. Said Board of Equalization shall, at its regular meeting, approve or disapprove the homestead claim, and forthwith return said claim to the county auditor with its approval or disapproval endorsed thereon."

3. Amend by striking the word "September" in line 7 of Section 5, and inserting in lieu thereof the word "May".

4. Amend by inserting before the word "the" in line 11 of Section 5 the following: "Upon the approval of the Board of Supervisors on or before August 1st of each year", and also amend by changing the capital letter "T" in the word "The" in said line to a small "t".

5. Amend by striking the word "August" in line 1 of Section 8, and inserting in lieu thereof the word "July".

6. Amend by adding at the end of line 10 in Section 9 the following sentence: "If it be adjudged by the court that the homestead credit should be allowed, it shall be at the same rate as determined for other homesteads in the county in which the homestead is located."

7. Amend Section 10 by inserting after the word "year" and before

the comma in line 5 the following: "or if any balance of the money distributed under the provisions of Section 6943-f64, Code of 1935, as herein amended, be not allocated as herein provided." H. V. LEVIS.

MR. PRESIDENT: Amend Senate File 1, Section 1, line 7, by striking the word "five" (5) following the word "next" and inserting in lieu thereof the word "six" (6).

Amend Senate File 1, Section 3, line 12, by inserting after the word "of" the words "twenty (20) mills of".

Amend Senate File 1, Section 10, by striking all of said section after the word "shall" in line 5, and inserting in lieu thereof the following: "revert to the state school fund for the replacement and equalization of school taxes throughout the state in such manner as may be now or hereafter provided by law". W. MICHELL.

Senator Beardsley moved the Senate recess until 1:30.

By unanimous consent, Senator Beardsley withdrew his motion to recess.

The Journal of February 8th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 10, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Leslie B. Logan, pastor of the First Methodist Episcopal Church, Newton.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Driscoll for the duration of his illness, on request of Senator Mason.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Baldwin, from retailers of fireworks at Dubuque, opposing prohibition of the sale of fireworks. Judiciary 2.

By Senator Dean, from the Garner Chamber of Commerce, opposing the so-called "Treimer-Kephart Lottery Bill." Judiciary 1.

INTRODUCTION OF BILLS

Senate File 136, by committee on military affairs, a bill for an act to make an appropriation to reimburse the National Guard of Iowa for funds expended in the organization of two new units of the National Guard at Sibley, Iowa, and Newton, Iowa, and two new regimental headquarters, organized at the direction of the Federal Government, during the present fiscal year; and to reimburse the National Guard of Iowa for the rental and installation of an emergency pump to provide water during the field training period, 1936.

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

Senate File 137, by committee on judiciary 2, a bill for an act to prohibit certain life, health, and accident insurance companies

or associations which issue contracts, the performance of which is contingent upon the payment of assessments of calls made upon their members, from doing business within this state.

Read first and second times and placed on the calendar.

Senate File 138, by committee on judiciary 2, a bill for an act to transfer from Chapter five hundred ninety-two (592) to Section thirteen thousand four hundred forty-one-g three (13441-g3), Code, 1935, the authority to issue search warrants for the certain books, pictures, papers, circulars, articles and things prohibited by said chapter, and to this end to repeal Section thirteen thousand one hundred ninety-four (13194), and to amend Section thirteen thousand four hundred forty-one-g three (13441-g3), both of the Code, 1935.

Read first and second times and placed on the calendar.

Senate File 139, by committee on judiciary 2, a bill for an act to repeal Section twelve thousand five hundred forty-three (12543), Code, 1935, and to enact a substitute therefor, relating to the punishment for contempts.

Read first and second times and placed on the calendar.

Senate File 140, by committee on judiciary 2, a bill for an act to amend Section ten thousand sixteen (10016), Code, 1935, relating to sales contracts and leases wherein the transfer of title or ownership of personal property is made to depend upon a condition, and to the recording or filing of such contracts.

Read first and second times and placed on the calendar.

Senate File 141, by committee on judiciary 2, a bill for an act to repeal Chapter two hundred ninety-two-G one (292-G1), Code, 1935, relating to personal service trades.

Read first and second times and placed on the calendar.

Senate File 142, by committee on judiciary 2, a bill for an act to amend Section thirteen thousand six hundred fifty-nine (13659), Code, 1935, relating to the grounds on which a trial information filed by the county attorney under Chapter six hundred thirty-four (634), Code, 1935, may be set aside.

Read first and second times and placed on the calendar.

Senate File 143, by committee on highways, a bill for an act to

designate a farm-to-market road system, to provide a comprehensive plan for the improvement of farm-to-market roads, to authorize the board of supervisors of any county to cooperate with the Federal Government and the State Highway Commission in the improvement of farm-to-market roads, to secure for the State of Iowa and the several counties thereof the benefit of all funds allotted or to be allotted to this state by the Federal Government in the aid of secondary roads, to create a farm-to-market road fund, and to provide for the disbursement of said fund in the improvement of farm-to-market roads.

Read first and second times and placed on the calendar.

Senate File 144, by Senator Levis, a bill for an act to amend Section seventy-eight hundred thirty-nine (7839) of the 1935 Code of Iowa, relating to appeals from the assessment of damages made by condemnation commissioners.

Read first and second times and referred to committee on judiciary 2.

Senate File 145, by Senator Berg, a bill for an act to amend Section one thousand nine hundred twenty-one-f twenty-eight (1921-f28), Code, 1935, relating to fees charged for permits issued by the Iowa Liquor Control Commission.

Read first and second times and referred to committee on judiciary 2.

Senate File 146, by Senator Elthon, a bill for an act to authorize the creation of nonprofit corporations for the purpose of furnishing hospital service to people of limited means and at nonprofit rates; to fix and declare the rights, powers, duties; to provide exemption from taxation of such corporations, and to prescribe the powers and duties of the commissioner of insurance with reference thereto.

Read first and second times and referred to committee on judiciary 2.

Senate File 147, by Senator Dean, a bill for an act to repeal Section seventy-one hundred seventy-nine (7179) of Code, 1935, relative to licensing public shows, and enacting a substitute therefor giving Boards of Supervisors power to regulate or prohibit shows, rodeos, and circuses, and prohibiting exhibitions without a license and fixing the maximum fee therefor.

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

Senate File 148, by committee on agriculture, a bill for an act to repeal Sections four thousand eight hundred seventeen (4817) to four thousand eight hundred twenty-nine (4829), inclusive, Code, 1935, relating to the eradication and control of weeds and to enact a substitute therefor defining the classes of noxious weeds, providing for the appointment of a state botanist and county, township, city, and town weed commissioners, and prescribing their compensation, powers, and duties; defining the duties of the secretary of agriculture, board of supervisors, weed commissioners, land owners and tenants, with respect to the control and destruction of noxious weeds or weeds declared temporarily noxious by the secretary of agriculture; providing for orders by the board of supervisors to describe the time and manner in which land owners must destroy weeds on their land and on adjoining roads, prescribing the notice to be given of such orders and providing for the destruction of such weeds at the expense of the land owners who do not comply with such order; providing for the procedure for assessing such expense as a tax against the land and the collection thereof; imposing certain duties upon the highway commission for the destruction of weeds, and upon officers responsible for the care of the public highways to make complaint regarding such weeds and upon the county attorney to enforce the provisions of this act; and providing penalties for the violation of its provisions.

Read first and second times and placed on the calendar.

Senate File 149, by Senator Elthon (Fishbaugh), a bill for an act to regulate lobbying and to provide penalties for the violation thereof.

Read first and second times and referred to committee on judiciary 1.

Senate File 150, by Senator Husted, 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 referred to committee on agriculture.

On request of Senator Hill, action was temporarily deferred on the House amendments to Senate File 16.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File 54.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 54.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 21, a bill for an act relating to textbooks in the public schools.

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

House File 23, a bill for an act relating to the composing and refunding of indebtedness of drainage districts.

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

House File 43, a bill for an act relating to the taxation of public securities.

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

House Joint Resolution 1, fixing the compensation of the chaplains of the Forty-seventh General Assembly and making an appropriation therefor.

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

Senate File 78, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

Also: That the Speaker of the House has appointed as a second conference committee on Senate File 15, a bill for an act relating to the

foreclosure of real estate mortgages and deeds of trust and providing for the continuance of such actions, the following:

Representatives Dreessen, Baumhover, Davis, and Fishbaugh.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Hill, Senate File 67, a bill for an act to amend sub-section g-1 of Section seven thousand four (7004) of the 1935 Code of Iowa, relating to the remission of unpaid taxes on stock of insolvent banks, on which action was deferred yesterday, was taken up and considered.

Senator Hil offered the following amendment and moved its adoption:

Amend Senate File 67 by striking from lines 1 and 2 of the title, the following: "subsection g-1 of Section seven thousand four (7004)", and to substitute in lieu thereof the following: "Section seven thousand four g-1 (7004 g-1)".

2. Amend Senate File 67 by striking all of said bill following the enacting clause, and substituting in lieu thereof the following:

"Section 1. That Section seven thousand four g-1 (7004 g-1) of the 1935 Code of Iowa, be amended by adding a comma following the word 'stock' in line five (5) of said section and inserting the words 'surplus and undivided profits'."

The amendment was adopted.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Baldwin	Donohue	Hill	Millhone
Beardsley	Doran	Hoeven	Moore
Bell of Crawford	Edwards	Hopkins	Murray
Bell of	Ellis	Husted	Parker
Des Moines	Elthon	Irwin	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Geske	Kirketeg	Smith
Breen	Gillespie	Levis	Stevens
Byers	Gillette	Lundy	Stewart
Chrystal	Goetsch	Mason	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dean	Guernsey	Miller	

Nays, none.

Absent or not voting, 4:

Augustine	Dewey	Driscoll	Shaw
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Doran moved that consideration of Senate File 77 be deferred at this time, and that the bill retain its place on the calendar, which motion prevailed.

On motion of Senator Doran, Senate File 6, a bill for an act to amend Section ten thousand four hundred eighty-two (10482) of Chapter 471 of the 1935 Code of Iowa, relating to divorce and providing for a penalty for willful disobedience of decree of court, with report of the committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 39:

Baldwin	Ellis	Hoeven	Millhone
Beardsley	Elthon	Hopkins	Murray
Bell of Crawford	Evans	Husted	Parker
Berg	Geske	Kimberly	Pelzer
Breen	Gillespie	Kirketeg	Schadt
Byers	Gillette	Levis	Smith
Dean	Goetsch	Lundy	Stevens
Donohue	Grunewald	Mason	Whitehill
Doran	Guernsey	Mighell	Zeigler
Edwards	Hill	Miller	

Nays, 2:

Augustine	Bell of Des Moines
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Absent or not voting, 9:

Billingsley	Dewey	Irwin	Shaw
Chrystal	Driscoll	Moore	Stewart
Corwin			

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

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens, Senate File 80, a bill for an act to amend Section sixty-one hundred thirty-four-f one (6134-f1), Code of Iowa, 1935, and providing for the issuance by cities and towns of refunding bonds, payable only out of the net earnings of municipally owned heating plants, waterworks, gas works, or electric light or power plants, providing that such refunding bonds shall conform to the provisions of Chapter three hundred twelve (312) of the Code of Iowa, 1935, and providing for the exchange of such refunding bonds for outstanding bonds or the sale of such refunding bonds, and providing for the disposition of the proceeds of such refunding bonds, on which action was postponed Monday, was taken up and considered.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 80 by striking the period (.) following the word "therein" at the end of line 14 of the printed bill and substituting in lieu thereof a semicolon (;) and the following: "provided that nothing in this act shall be construed to authorize cities and towns to extend the maturity date of bonds or obligations originally issued to pay for any such plant, if such bonds are in default in payment of principal or interest, nor to authorize issuance of refunding bonds in excess of the unpaid balance of the expenditure originally authorized by the electors for the establishment of such plant."

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Augustine	Corwin	Grunewald	Lundy
Baldwin	Donohue	Guernsey	Moore
Bell of	Edwards	Hopkins	Parker
Des Moines	Evans	Irwin	Stevens
Berg	Geske	Kimberly	Stewart
Billingsley	Gillespie	Levis	Whitehill
Byers			

Nays, 23:

Beardsley	Ellis	Husted	Murray
Bell of Crawford	Elthon	Kirketeg	Pelzer
Breen	Gillette	Mason	Schadt
Chrystal	Goetsch	Mighell	Smith
Dean	Hill	Miller	Zeigler
Doran	Hoeven	Millhone	

Absent or not voting, 3:

Dewey	Driscoll	Shaw
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The amendment was adopted.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 27:

Augustine	Dean	Hopkins	Millhone
Baldwin	Donohue	Irwin	Moore
Berg	Edwards	Kimberly	Parker
Billingsley	Evans	Kirketeg	Pelzer
Byers	Geske	Levis	Stevens
Chrystal	Grunewald	Lundy	Whitehill
Corwin	Guernsey	Miller	

Nays, 17:

Beardsley	Elthon	Hill	Mighell
Bell of Crawford	Gillespie	Hoeyen	Schadt
Breen	Gillette	Husted	Smith
Doran	Goetsch	Mason	Zeigler
Ellis			

Absent or not voting, 6:

Bell of Des Moines	Dewey	Murray	Stewart
	Driscoll	Shaw	

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

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 10th day of February, 1937, sent to the Governor for his approval, Senate File 54 and Senate File 7.

FRANK PELZER, *Chairman.*

Passed on file.

HOUSE MESSAGES CONSIDERED

House File 21, a bill for an act to amend Sections forty-four hundred forty-six (4446), forty-four hundred forty-seven (4447), forty-two hundred thirty-eight (4238), and forty-four hundred fifty-nine (4459), Code, 1935, and to repeal Section forty-four hundred sixty (4460), Code, 1935, and enact a substitute therefor, relating to textbooks in the public schools.

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

House File 23, by Rutherford, a bill for an act to amend Section seven thousand seven hundred fourteen-g one (7714-g1), Code, 1935, relating to the composing and refunding of indebtedness of drainage districts.

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

House File 43, by Johnson of Buena Vista, a bill for an act to amend Section sixty-nine hundred forty-four (6944), Code, 1935, by repealing paragraph five (5) thereof; and to amend Section sixty-nine hundred fifty-three (6953) of said Code so as to coordinate said latter Section with the aforesaid repeal, all relating to the taxation of public securities.

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

House Joint Resolution 1, a Joint Resolution fixing the compensation of the chaplains of the Forty-seventh General Assembly and making an appropriation therefor.

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

Ernest R. Moore, former Lieutenant Governor, was present in the Senate Chamber, and on request of Senator Byers, was invited to address the Senate.

EXTRA COPIES SENATE FILE 143

Senator Millhone asked and received unanimous consent to have twelve hundred (1200) additional copies of Senate File 143, relating to farm-to-market roads, printed.

On motion of Senator Hill, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

Senator Beardsley moved that when the Senate adjourn it be until 10:00 a. m. Thursday, which motion prevailed.

REPORT OF COMMITTEE

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 104, a bill for an act to make permanent certain temporary transfers of certain funds of Monroe County, Iowa, made by authority of the state comptroller of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman.*

Ordered passed on file.

HOUSE FILE 5 REREFERRED

On request of Senator Kimberly, House File 5 was withdrawn from the committee on ways and means and referred to the committee on printing.

COMMITTEE ON RETRENCHMENT AND REFORM

The President announced the appointment of Senators Geske and Stevens to serve on the committee on retrenchment and reform with Senator Elthon, chairman of the committee on appropriations, Senator Kimberly, chairman of ways and means, and Senator Shaw, chairman of judiciary 1.

CONFERENCE COMMITTEE ON SENATE FILE 15

The report of the conference committee on Senate File 15, which appeared in the Senate Journal of February 9th, was accepted and the committee discharged.

President Valentine appointed as members of the second conference committee, on the part of the Senate, on Senate File 15, Senators Guernsey, Breen, Hoeven, and Levis.

EXPLANATION OF ABSENCE FROM ROLL CALL

Being unavoidably detained on account of being called to the Governor's office, as a member of a committee to confer with him on the homestead and old age relief measure, I was not able to vote on Senate Files 67, 6 and 80.

A. CLAIRE DEWEY.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 1 as follows:

1. Amend Section 4, line 2, after the word "during" by inserting "any part of" and striking the word "entire".

2. Amend Section 4, line 12, by striking the words "on September 1" and inserting in lieu thereof the words "during part".

3. Amend Section 10, line 5, after the word "be" and before the word "by" inserting in lieu thereof the word "retained" and add the word "and" following "treasurer", and strike all of Section 10 after the word "to" in line 6 and insert in lieu thereof "the amount available for homestead tax payments in the succeeding year".

4. Amend Section 11 by striking all of said section and inserting in lieu thereof:

"Sec. 11. Amend Section 10136, Chapter 441, Code, 1935, by striking from line 2 thereof the words 'one-half acre' and inserting in lieu thereof 'ten acres'.

"The word 'homestead' as used in this act means and shall be construed to be such as defined by Chapter 441 of the Code of 1935 as amended. For the purpose of clarification of the meaning and intent of this act, any person owning a homestead whether by deed, contract of deed, or contract of purchase shall be entitled to the benefits pursuant to this act."

A. E. AUGUSTINE.

MR. PRESIDENT: We move to amend Senate File 15 as follows:

"Strike all of the last five (5) lines of page one (1) and the first three (3) lines of page two (2) of the printed bill and insert in lieu thereof the following:

Whereas, The 47th General Assembly has determined that such emergency by reason of the drouth and other conditions exists at this time in certain portions of the State and that the need for a moratorium as to all debtors generally in said areas so affected is urgent, not only as to land owners, who comprise about thirty per cent (30%) of the population of the State, but to the remaining seventy per cent (70%), a large part of whom are borrowers, and are laborers, tenants, tenant farmers, business and professional men and women, and

Whereas, The need exists for continuing and extending the time to which all obligations may be enforced in certain cases by reason of the inability of the borrower to pay the same, due to conditions over which he had no control, and for such parties it is deemed advisable to confer upon the courts the right and authority to determine each case upon its merits where a claim is made for an extension of time of payment due to the said emergency, and to enter an order accordingly extending the time of payment of such obligation or obligations for a period of time not to exceed the first day of March, 1939, preserving, however, so far as possible, all liens so given as security for said obligations or those which arise by operation of law, and

Whereas, The need for such relief above referred to is as urgent as to debtors generally, at this time, as it was at the time of the enactment of Chapter 182, Acts of the 45th General Assembly and Chapter 115, Acts of the 46th General Assembly; therefore,"

Further amend by inserting after Section 4 the following section:

"Sec. 5. In all actions, not hereinbefore provided for, to enforce the collection of or to place in judgment or decree any note or notes, contract or contracts, accounts, landlords' liens or other obligations or to foreclose chattel mortgages where the obligor or obligors, parties or parties'

defendants, admit liability as claimed and make application to the court for an extension of the time of payment of such obligations by reason of inability to pay, due to the conditions of said emergency referred to herein, the court may, in its discretion, if the evidence so warrants, extend the time of payment of said obligation for a period of time not to exceed the first day of March, 1939. It shall be the duty of the court in determining each case upon its merits, where such application for extension of time payment is made, to so far as possible protect and preserve the liens, contractual or otherwise, which the party or parties have in order that the rights of all parties in said controversy may be best protected and preserved insofar as it is possible for the court to do under the circumstances."

Further amend by renumbering the following sections of the bill accordingly.

L. H. DORAN.

LEO ELTHON.

The Journal of February 9th was corrected and approved.

On motion of Senator Irwin, the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 11, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. R. H. Hackley, pastor of St. Paul A. M. E. Church, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stewart for the day, on request of Senator Corwin.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Dewey, from citizens of Salem, opposing legislation to change or amend the present state liquor law. Judiciary 2.

By Senator Baldwin, from citizens of various sections of the state, asking for a liquor reform measure on the principles expressed by sponsors of the recently introduced liquor bill. Judiciary 2.

By Senator Goetsch, from voters of Winneshiek county, favoring legislation to enact the homestead tax relief bill. Ways and means.

INTRODUCTION OF BILLS

Senate File 151, by committee on mines and mining, a bill for an act to amend Chapter sixty-two-B one (62-B1), Code, 1935, relating to preference for domestic products and labor.

Read first and second times and placed on calendar.

Senate File 152, by Senators Hill and Shaw, a bill for an emergency act relating to the extension of the period of redemption of homesteads from tax sales until March 1, 1939, and prohibiting the issuance of tax deeds on homesteads on tax sale

certificates where tax deeds have not been granted, and suspending all laws in conflict herewith.

Read first and second times and referred to committee on judiciary 2.

Senate File 153, by Senators Byers, Breen, Geske, and Berg, a bill for an act to amend Sections nine thousand three hundred nineteen (9319), nine thousand three hundred twenty-nine (9329), nine thousand three hundred forty-eight (9348), nine thousand three hundred eighty-two (9382), and twelve thousand seven hundred seventy-two (12772), Code, 1935, all relating to building and loan associations and investments therein; to authorize such associations to insure members' investments in Federal Savings and Loan Insurance Corporation; to provide for conversion of federal savings and loan associations into state associations; to prescribe plans, terms and conditions under which loans may be made and funds invested by such associations; to provide for associations' liens on shares of members and for enforcement thereof; to provide for publishing annual statements; to prescribe contents of annual statement to auditor of state; to provide for bonding employees and officers thereof; to specify classes of shares which may be issued; to limit their expenses; to make shares in federal savings and loan associations authorized investments for fiduciaries; to give the executive council authority to approve or disapprove of articles of incorporation and by-laws and grant or refuse permission to organize such associations and to provide for appeal from executive council's action; to authorize establishing proper reserves for losses before declaring dividends; and to repeal all laws in conflict therewith, and to repeal Sections nine thousand three hundred fourteen (9314), nine thousand three hundred fifteen (9315), nine thousand three hundred thirty (9330), nine thousand three hundred thirty-three (9333), nine thousand three hundred thirty-six (9336), nine thousand three hundred thirty-nine (9339), nine thousand three hundred forty (9340), nine thousand three hundred forty-one (9341), nine thousand three hundred forty-seven (9347), nine thousand three hundred fifty (9350), and nine thousand three hundred sixty-five (9365), Code, 1935, and to enact substitutes therefor.

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

Senate File 154, by Senator Gillespie, a bill for an act to repeal Sections thirty-one hundred fifty-one (3151) to thirty-one hundred sixty-nine (3169), inclusive, of the Iowa Code, 1935, relating to narcotic drugs and the possession, sale and distribution thereof, and to enact a substitute therefor to prohibit manufacture, possession, sale, and dispensing of narcotic drugs, with certain exceptions, and to provide for licensing and revocation of licenses in connection therewith; prescribing conditions under which purchases and sales may be made; and to provide for the return of unused portions of the same; also providing for the keeping of records in connection therewith and providing exemptions under this act to persons and corporations; declaring what is a nuisance under this act and providing for forfeiture and destruction in certain cases; providing records to be confidential and prescribing upon whom the burden of proof rests and providing for penalties for violation of the act.

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

Senate File 155, by Senators Gillette and Shaw, a bill for an act to amend Sections sixty-one hundred twenty-seven (6127), sixty-one hundred thirty-five (6135), and sixty-one hundred forty-three (6143), Code, 1935, relating to the rights of cities to purchase, erect, maintain and operate telephone plants and to regulate and fix rents and rates for telephone service.

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

Senate File 156, by Senators Gillette and Shaw, a bill for an act to amend the law as it appears in Section six thousand one hundred forty-three (6143), Code, 1935, relating to the regulation of rates and service furnished by persons and corporations for gas, heat, water, light or power, and providing for the conducting of investigations by city councils, subpoenaing of witnesses and punishment for refusal to appear and testify.

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

Senate File 157, by Senators Irwin and Corwin, a bill for an act to amend subsection three (3) of Section six thousand nine hundred forty-three-f twenty-one (943-f21), Code, 1935, remov-

ing the penalties and changing the interest charged for failure to report income in the income tax return in certain cases.

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

Senate Joint Resolution 3, by Shaw, Bell of Crawford, and Breen, a joint resolution to agree to and adopt a proposed amendment to the Constitution of the State of Iowa, relating to trial by jury in civil cases, and which amendment has heretofore been agreed to and adopted by the Forty-sixth (46th) General Assembly.

Whereas the Forty-sixth (46th) General Assembly, in regular session, and by Senate Joint Resolution No. 8 of said assembly and by a majority of the members elected to each of the two Houses of said assembly, did duly adopt and agree to a proposed amendment to the Constitution of the State of Iowa, in words and figures as follows, to wit: "That section nine (9) of article I of the constitution of the state of Iowa is hereby amended by adding thereto the following: 'The General Assembly may authorize the return of verdicts in civil cases upon the concurrence of not less than nine (9) members of the jury.'", and

Whereas said proposed amendment, and the yeas and nays taken thereon, were at the time and in the manner required by said constitution, duly entered on the journals of each of the Houses of said General Assembly, and

Whereas said proposed amendment was, by the terms of said Senate Joint Resolution No. 8, referred to the Forty-seventh (47th) General Assembly as required by the constitution, and

Whereas said proposed amendment was duly published in the manner and form and for the time provided by the constitution and laws of the state, due return and report of such publication having been made by the Secretary of State to both Houses of the Forty-seventh (47th) General Assembly, now therefore,

Be it Resolved and Enacted by the Forty-seventh (47th) General Assembly of the State of Iowa:

Section 1. That the proposed amendment to the Constitution of the State of Iowa, to wit: "That section nine (9) of article I of the constitution of the state of Iowa is hereby amended by adding thereto the following: 'The General Assembly may authorize the return of verdicts in civil cases upon the concurrence of not less than nine (9) members of the jury.'", be and the same is hereby agreed to and adopted by the Forty-seventh (47th) General Assembly.

Sec. 2. Said proposed amendment shall be submitted to the people at the general election in 1938 and in the manner provided by the laws of this state.

Read first and second times and referred to committee on constitutional amendments.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 10, relative to holding a joint session February 24th, the program to be furnished by the Pioneer Lawmakers of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House File 6, House File 62, and Senate File 78.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 6, House File 62, and Senate File 78.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 11th day of February, 1937, sent to the Governor for his approval, Senate File 78.

FRANK PELZER, *Chairman.*

Passed on file.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on February 9, 1937, he had approved the following joint resolution:

Senate Joint Resolution 2, relating to compensation of officers and employees of the Forty-seventh General Assembly.

A communication was received from the Governor announcing that, on February 10, 1937, he had approved the following bill:

Senate File 54, an act to authorize designation of primary road extension in any city or town separated from the remainder of the state by a river more than five hundred feet in width.

UNFINISHED BUSINESS

On request of Senator Doran, consideration of Senate File 77 was deferred, the bill to retain its place on the calendar.

On request of Senator Hill, consideration of the House amendments to Senate File 16 was deferred at this time, the amendments to retain their place on the calendar.

SENATE FILE 124 REFERRED

On request of Senator Grunewald, Senate File 124 was withdrawn from the calendar and referred to the committee on agriculture.

THIRD READING OF BILLS

On motion of Senator Whitehill, Senate File 130, a bill for an act to provide for a naval militia to be known as the Iowa Naval Reserve and to provide for the government and discipline thereof, a committee bill, was taken up and considered.

Senator Billingsley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Edwards	Hopkins	Murray
Berg	Ellis	Husted	Parker
Billingsley	Elthon	Kimberly	Pelzer
Breen	Geske	Levis	Schadt
Byers	Gillespie	Lundy	Smith
Chrystal	Goetsch	Mighell	Shaw
Corwin	Grunewald	Miller	Stevens
Dewey	Guernsey	Millhone	Whitehill
Donohue	Hill	Moore	Zeigler
Doran	Hoeven		

Nays, 1:

Gillette

Absent or not voting, 11:

Baldwin	Bell of	Driscoll	Kirketeg
Beardsley	Des Moines	Evans	Mason
Bell of Crawford	Dean	Irwin	Stewart

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

Senator Billingsley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Doran, consideration of Senate File 118 was deferred at this time, the bill to retain its place on the calendar.

On motion of Senator Guernsey, Senate File 76, a bill for an act to amend Section thirteen thousand three hundred fifty-two (13352) of the Code of Iowa, 1935, relative to escapes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Guernsey moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Donohue	Guernsey	Millhone
Beardsley	Doran	Hill	Moore
Bell of	Edwards	Hoeven	Murray
Des Moines	Ellis	Hopkins	Parker
Billingsley	Elthon	Husted	Pelzer
Breen	Evans	Kimberly	Schadt
Byers	Geske	Kirketeg	Smith
Chrystal	Gillespie	Levis	Shaw
Corwin	Gillette	Lundy	Whitehill
Dean	Goetsch	Miller	Zeigler
Dewey	Grunewald		

Nays, none.

Absent or not voting, 9:

Baldwin	Driscoll	Mason	Stevens
Bell of Crawford	Irwin	Mighell	Stewart
Berg			

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

Senator Guernsey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Lundy, Senate File 104, a bill for an act

to make permanent certain temporary transfers of certain funds of Monroe county, Iowa, made by authority of the state comptroller of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lundy moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Dewey	Guernsey	Miller
Beardsley	Donohue	Hill	Millhone
Bell of Crawford	Doran	Hoeven	Moore
Bell of	Edwards	Hopkins	Murray
Des Moines	Ellis	Husted	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Geske	Kirketeg	Smith
Breen	Gillespie	Levis	Shaw
Chrystal	Gillette	Lundy	Whitehill
Corwin	Goetsch	Mason	Zeigler
Dean	Grunewald	Mighell	

Nays, none.

Absent or not voting, 8:

Baldwin	Driscoll	Irwin	Stevens
Byers	Elthon	Parker	Stewart

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

Senator Lundy moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SPECIAL ORDER

Senator Shaw moved that consideration of Senate File 1, which was a special order of business, be deferred at this time, but that the bill retain its place on the calendar, which motion prevailed.

Senator Shaw moved that the rules be suspended, and that the President appoint a special committee of five to act in an advisory capacity in the preparation of amendments to Senate File 1, which motion prevailed.

The President appointed as the members of the committee to confer on amendments to Senate File 1, Senators Shaw, Levis, Donohue, Augustine, and Breen.

SENATE FILE 75 INDEFINITELY POSTPONED

On motion of Senator Donohue, Senate File 75, a bill for an act to amend Section ten thousand six hundred thirty-nine (10639) of the Code of Iowa, 1935, relative to accounting for fees by justices of the peace, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted, and Senate File 75 was indefinitely postponed.

On request of Senator Donohue, the rules were suspended and Senate File 137 was taken up for consideration at this time.

THIRD READING OF BILLS

On motion of Senator Donohue, Senate File 137, a bill for an act to prohibit certain life, health, and accident insurance companies or associations which issue contracts, the performance of which is contingent upon the payment of assessments of calls made upon their members, from doing business within this state, a committee bill, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine	Dewey	Hill	Miller
Baldwin	Donohue	Hoeven	Millhone
Beardsley	Doran	Hopkins	Moore
Bell of Crawford	Edwards	Husted	Murray
Bell of	Ellis	Irwin	Parker
Des Moines	Elthon	Kimberly	Pelzer
Berg	Geske	Kirketeg	Schadt
Billingsley	Gillespie	Levis	Shaw
Breen	Gillette	Lundy	Stevens
Byers	Goetsch	Mason	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dean	Guernsey		

Nays, none.

Absent or not voting, 5:

Chrystal	Evans	Smith	Stewart
Driscoll			

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

Senator Donohue moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Donohue, the rules were suspended and Senate File 138 was taken up for consideration at this time.

On motion of Senator Donohue, Senate File 138, a bill for an act to transfer from Chapter five hundred ninety-two (592) to Section thirteen thousand four hundred forty-one-g three (13441-g3), Code, 1935, the authority to issue search warrants for the certain books, pictures, papers, circulars, articles and things prohibited by said chapter, and to this end to repeal Sections thirteen thousand one hundred ninety-four (13194), and to amend Section thirteen thousand four hundred forty-one-g three (13441-g3), both of the Code, 1935, a committee bill, was taken up and considered.

Senator Millhone moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 47:

Augustine	Dewey	Guernsey	Miller
Baldwin	Donohue	Hill	Millhone
Beardsley	Doran	Hoeven	Moore
Bell of Crawford	Edwards	Hopkins	Murray
Bell of	Ellis	Husted	Parker
Des Moines	Elthon	Irwin	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Geske	Kirketeg	Smith
Breen	Gillespie	Levis	Shaw
Byers	Gillette	Lundy	Stevens
Corwin	Goetsch	Mason	Whitehill
Dean	Grunewald	Mighell	Zeigler

Nays, none.

Absent or not voting, 3:

Chrystal	Driscoll	Stewart
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Millhone moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Donohue requested that the rules be suspended and

that Senate File 139 be considered at this time. There were objections and the request was not granted.

On request of Senator Donohue, the rules were suspended and Senate File 140 was taken up for consideration at this time.

On motion of Senator Donohue, Senate File 140, a bill for an act to amend Section ten thousand sixteen (10016), Code, 1935, relating to sales contracts and leases wherein the transfer of title or ownership of personal property is made to depend upon a condition, and to the recording or filing of such contracts, a committee bill, was taken up and considered.

The bill was read for information.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine	Donohue	Hoeven	Millhone
Baldwin	Doran	Hopkins	Moore
Beardsley	Edwards	Husted	Murray
Bell of Crawford	Ellis	Irwin	Parker
Bell of	Elthon	Kimberly	Pelzer
Des Moines	Geske	Kirketeg	Schadt
Berg	Gillespie	Levis	Smith
Billingsley	Gillette	Lundy	Shaw
Breen	Goetsch	Mason	Stevens
Byers	Grunewald	Mighell	Whitehill
Corwin	Guernsey	Miller	Zeigler
Dewey	Hill		

Nays, none.

Absent or not voting, 5:

Chrystal	Driscoll	Evans	Stewart
Dean			

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

Senator Levis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Donohue, the rules were suspended and Senate File 141 was taken up for consideration at this time.

On motion of Senator Donohue, Senate File 141, a bill for an act to repeal Chapter two hundred ninety-two-G one (292-G1),

Code, 1935, relating to personal service trades, a committee bill, was taken up and considered.

Senator Millhone moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Doran	Hill	Millhone
Beardsley	Edwards	Hoeven	Moore
Bell of	Ellis	Hopkins	Murray
Des Moines	Elthon	Husted	Parker
Berg	Evans	Kimberly	Pelzer
Billingsley	Geske	Kirketeg	Schadt
Breen	Gillespie	Levis	Smith
Byers	Gillette	Lundy	Shaw
Corwin	Goetsch	Mason	Stevens
Dean	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Donohue			

Nays, none.

Absent or not voting, 6:

Baldwin	Chrystal	Irwin	Stewart
Bell of Crawford	Driscoll		

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

Senator Millhone moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Donohue, the rules were suspended and Senate File 142 was taken up for consideration at this time.

On motion of Senator Donohue, Senate File 142, a bill for an act to amend Section thirteen thousand six hundred fifty-nine (13659), Code, 1935, relating to the grounds on which a trial information filed by the county attorney under Chapter six hundred thirty-four (634), Code, 1935, may be set aside, a committee bill, was taken up and considered.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Doran	Hill	Millhone
Baldwin	Edwards	Hoeven	Murray
Bell of Crawford	Ellis	Hopkins	Parker
Beardsley	Elthon	Husted	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Geske	Kirketeg	Smith
Breen	Gillespie	Levis	Shaw
Byers	Gillette	Lundy	Stevens
Dean	Goetsch	Mason	Whitehill
Dewey	Grunewald	Mighell	Zeigler
Donohue	Guernsey	Miller	

Nays, none.

Absent or not voting, 7:

Bell of	Chrystal	Driscoll	Moore
Des Moines	Corwin	Irwin	Stewart

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

Senator Hoeven moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILES WITHDRAWN

On request of Senator Kimberly, Senate File 102 was withdrawn from the further consideration of the Senate.

On request of Senator Breen, Senate File 135 was withdrawn from the further consideration of the Senate.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 4

On request of Senator Hill, House Concurrent Resolution 4, which appears on page 228 of the Journal was taken up and considered.

Senator Doran moved that further consideration of House Concurrent Resolution 4 be deferred until next Monday, which motion prevailed.

On motion of Senator Millhone, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

On request of Senator Husted, Senate File 148 was rereferred to the committee on agriculture.

EXTRA COPIES SENATE FILE 101

By unanimous consent, on request of Senator Hopkins, six hundred extra copies of Senate File 101, relating to the distribution of special funds to the public school districts of the state, were ordered printed.

REPORTS OF COMMITTEES

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File 28, a bill for an act to amend Chapter eighty-two (82) of the acts of the Forty-fifth General Assembly, Extra Session, relating to taxation, begs leave to report it has had the same under consideration and returns the same without recommendation.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File 21, a bill for an act to amend Sections forty-four hundred forty-six (4446), forty-four hundred forty-seven (4447), forty-two hundred thirty-eight (4238), and forty-four hundred fifty-nine (4459), Code, 1935, and to repeal Section forty-four hundred sixty (4460), Code, 1935, and enact a substitute therefor, relating to textbooks in the public schools, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. M. HOPKINS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: We move to amend Senate File 47 by striking all of Section 1 thereof, and substituting in lieu thereof the following:

"Section 1. Section one hundred thirteen (113), Code, 1935, is hereby repealed and the following enacted in lieu thereof:

"113. The auditor of state shall cause the financial condition and transactions of all county, city and town offices, including cities under special charter, having a population of two thousand or more, and all school offices, other than those in rural and village independent districts and school townships, to be examined at least once each year by the state examiners of accounts."

PAUL L. MILLHONE.

ORA E. HUSTED.

AMENDMENT TO SENATE FILE 139

MR. PRESIDENT: I move to amend Senate File 139 by striking from line 10 the words and figures "fifty dollars (\$50)" and inserting in lieu

thereof the words and figures "five hundred dollars (\$500)"; and to further amend by striking from line 11 the words and figures "one (1) day" and substituting in lieu thereof the words and figures "six (6) months".

G. R. HILL.

L. H. DORAN.

The Journal of February 10th was corrected and approved.

On motion of Senator Donohue, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 12, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. J. C. Buthman, pastor of the Methodist Church, Clarion.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Dean for the day, on request of Senator Breen.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Baldwin, from citizens of Dubuque, opposing legislation to tax gas companies a percentage of their gross receipts. Ways and means.

By Senator Hoeven, from voters of Hawarden, favoring legislation for educational equalization. Public schools.

By Senator Schadt, from Iowa City fire department and Iowa association of fire fighters, favoring legislation to improve training and equipment of fire departments. Cities and towns.

By Senator Schadt, from Iowa works progress writers' project, favoring advancement of state funds for publication of the Iowa Guide. Greater Iowa.

Senator Shaw asked and received the unanimous consent of the Senate to suspend the rules, as to order of procedure, and to address the Senate at this time.

Senator Shaw moved that the rules be suspended and resolutions be introduced at this time, which motion prevailed.

The following resolution was read for the information of the Senate:

SENATE RESOLUTION 4

Whereas, On March 1st, 1937, thousands of extensions of redemption periods will expire on real estate on which sheriff's sale has been held, and

Whereas, On said date the period of continuance granted in thousands of mortgage foreclosure cases will, under the present law, expire, and

Whereas, Only fourteen working days remain in the month of February and to make an extension or renewal of the moratorium of value to distressed mortgagors it must be passed in time to permit the filing of applications and the obtaining of orders and must be preceded by publication, and

Whereas, The emergency now facing the General Assembly is that of getting such an act upon the statute books in time to serve the people for whose relief it is intended,

Be It Therefore Resolved by the Senate: That it stay in session or that its members remain on call in the City of Des Moines until such legislation shall have been finally determined upon and that a copy of this Resolution be immediately transmitted to the House of Representatives.

Senator Hill moved that the House amendments to Senate File 16 be taken up and considered at this time.

The President ruled the motion out of order in view of the fact that a resolution was now before the Senate.

Senator Shaw moved the adoption of the resolution, which motion prevailed.

REPORT OF COMMITTEE ON RULES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on rules begs leave to report that they have had under consideration the subject of rules for the Senate intended to govern the proceedings of the Senate in the Forty-seventh General Assembly. They recommend that the rules of the Forty-sixth General Assembly in regular session be amended as follows, and that when so amended they be adopted as the rules of the Forty-seventh General Assembly in regular session:

Amend rule 2 by striking the following sentence which begins in line nine (9) of the printed rules and ends in line eleven (11), and which reads as follows: "He shall appoint all committees, unless otherwise specially ordered."

Amend rule 22 by striking the word "twelfth" in line two (2), and inserting in lieu thereof the word "eighth".

Amend rule 23 by striking the figure "10th" in line two (2), and inserting in lieu thereof the figure "1st".

Further amend by striking rule 29 and inserting in lieu thereof a new rule 29 as follows: "Rule 29. Committee on Committees. All committees shall be selected by a Senate committee on committees. The Senate committee to appoint the committees shall consist of five (5) members elected

by the Senate in regular session, three members of said committee shall be elected from the party having a majority of the members in the Senate, and two members on said committee shall be elected from the party having the minority of the members in the Senate."

Amend rule 35 by striking out the words, "twenty-six" in the seventh line of the printed copy of the rules, and inserting in lieu thereof the words "two-thirds of the".

Further amend by striking out all of rule 40 after the heading and inserting in lieu thereof the following: "A sifting committee shall be appointed by the committee on committees upon motion of any member of the Senate. The motion to be made and propounded to the Senate shall be as follows: 'Shall a sifting committee at this time be appointed?' After taking a vote by Yeas and Nays, if a majority of said vote shall be in favor of the appointment of said committee, the committee on committees shall then at once appoint the said committee."

Amend rule 47 by striking from the paragraph headed under the italicized words "doorkeeper", the comma after the word "visitors" in next to the last line of said paragraph, and the following immediately following said comma: "and shall announce all committees and messengers from the Governor or House" and insert in lieu of said comma a period. Also strike out the period at the end of the paragraph headed under the italicized words "Sergeant-at-arms, File Clerk and Bill Clerk" which appears at the end of said paragraph and insert in lieu thereof a comma and also insert immediately following the comma the following: "and shall announce all committees and messengers from the Governor or House."

Amend rule 49 by adding a new paragraph thereto as follows: "No report on confirmations of appointments made by the Governor shall be acted upon until after the expiration of seven (7) days from the date the committee is appointed to make investigation of the appointee. This rule shall not apply during the last seven legislative days of the session."

FRANK C. BYERS, *Chairman.*

Senator Donohue moved that the custodian of the State House be immediately ordered to return the picture of Abraham Lincoln to its place in the front of the Senate chamber, to hang there permanently in place of that of Henry Wallace, Secretary of Agriculture, which motion prevailed.

Senator Guernsey moved that the Senate recess until the fall of the gavel, which motion prevailed.

INTRODUCTION OF BILLS

Senate File 158, by Senator Murray, a bill for an act to exempt certain corporations from certain provisions of Chapter ninety-three (93), acts of the Forty-sixth General Assembly, and to per-

mit such exemption corporations to renew when renewal is unanimously voted by the stockholders.

Read first and second times and referred to committee on judiciary 2.

Senate File 159, by Senator Stevens, a bill for an act to amend Chapter three hundred eighty-three (383) of the Code, 1935, relating to electric transmission lines and to empower the board of railroad commissioners of the state of Iowa upon request of the board of supervisors of any county to fix fair and reasonable maximum rates for electric energy supplied in such county for general farm or residence purposes, outside the corporate limits of cities and towns, by any person, firm or public or private corporation engaged in the business of supplying such service; and to prescribe the procedure and conditions under which such maximum rates shall be fixed.

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

Senate File 160, by Senators Breen and Driscoll, a bill for an act to amend Chapter three hundred twenty-nine-c two (329-c2), Code, 1935, relating to the powers of the state board of assessment and review to its council; to amend Sections sixty-nine hundred forty-three-c twenty-seven (6943-c27), sixty-nine hundred forty-three-c twenty-nine (6943-c29), sixty-nine hundred forty-three-c thirty (6943-c30); and to provide for the manner and place where action may be brought by said board and to the manner in which appeals may be taken from its orders and findings; and to provide for the form and time of notice that said board must give of its hearings and to provide for the place where said board's hearings shall be held.

Read first and second times and referred to committee on judiciary 1.

Senate File 161, by Senators Berg and Corwin (Bulow and Fuelling), a bill for an act to amend Section five thousand six hundred eighty-three (5683), Code, 1935, relating to powers of cities and towns.

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

Senate File 162, by Senators Dewey and Elthon, a bill for an act directing county treasurers to collect retail sales tax on motor vehicles, applying for first registration, when same has not been previously paid to permit holders under Section six thousand nine hundred forty-three-F forty-eight (6943-F48), Code, 1935.

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

Ex-Senator Hicklin was present in the Senate Chamber and, on request of Senator Dewey, was invited to address the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 7, a bill for an act relating to the printing of ballots, and to provide for the printing of separate ballots where all names cannot be placed on the voting machines.

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

House File 49, a bill for an act relating to the auditing of financial records of counties, schools, townships and cities.

A. C. GUSTAFSON, *Chief Clerk.*

STATE OF IOWA EXECUTIVE DEPARTMENT PROCLAMATION

Whereas, The emergency which made necessary the enactment of Chapter No. 179 of the laws of the Forty-fifth General Assembly; Chapter No. 182 of the laws of the Forty-fifth General Assembly; Chapter No. 115 of the Forty-sixth General Assembly, and Chapter No. 110 of the laws of the Forty-sixth General Assembly, relating to the Moratorium on Farm and Home Mortgage Foreclosures and to the extension of the period of redemption on mortgages which were already foreclosed, still exists, and

Whereas, Since the effective date of this legislation, Iowa has been afflicted with a severe drouth, visited by destructive insect pests, and stricken with other devastation which impaired the welfare of the State as a whole, making it increasingly difficult for the legislation referred to, to properly protect the interests of unfortunate citizens from forces over which they had no control, and has seriously jeopardized the stability of thousands of Iowa citizens not now, or heretofore, protected by this legislation, all of which has imperiled the present and future welfare of the State as a whole.

Now, therefore, I, Nelson G. Kraschel, Governor of the State of Iowa,

by and with the authority vested in me, as Chief Executive of the State of Iowa, do hereby declare that the original emergency still exists, aggravated by new and distressing conditions which, in themselves, constitute a new emergency, and I recommend that the Forty-seventh General Assembly now in session do recognize this emergency by such legislation as will protect the interests of all the people of the State of Iowa.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed, at Des Moines this twelfth day of February, in the year of Our Lord One Thousand Nine Hundred Thirty-seven, and in the One Hundred Sixty-first year of the Independence of the United States of America.

N. G. KRASCHEL, *Governor.*

ATTEST:

ROBERT E. O'BRIAN, *Secretary of State.*

On request of Senator Guernsey, the rules were suspended, and the conference committee report on Senate File 15 was taken up and considered.

Senator Guernsey asked and received unanimous consent to correct typographical errors in the conference report.

Senator Guernsey moved the adoption of the conference committee report and concurrence in the amendments proposed.

The President declared the amendment to Senate File 15, filed by Senators Doran and Elthon and appearing on pages 249 and 250 of the Senate Journal, to be out of order.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 15

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the Conference Committee appointed to consider the differences between the Senate and House on Senate File 15, being a bill relating to the foreclosure of real estate mortgages and deeds of trust and providing for the continuance of such actions, beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments and that the bill as passed by the Senate be amended as follows; and when so amended the bill do pass:

Amend said bill by striking the word "that" from the first line of the second paragraph of the Preamble; by striking the word "therefore," from the last line of the third paragraph of the Preamble; and by adding to said Preamble the following paragraph:

"Whereas, since the enactment of said chapters, Iowa has been afflicted with a severe drouth, visited by destructive insect pests, and stricken by other devastating circumstances which greatly imperil the present and future welfare of the state as a whole, so that the Forty-seventh General

Assembly has now determined that a new and additional emergency has arisen, and the Governor has by proclamation so declared, therefore,".

Amend Section 1 by inserting between the comma and the word "and" in line 6 of said section the following: "aggravated by new and distressing conditions, which of themselves constitute a new emergency,".

Amend Section 2 by inserting between the words "application" and "of" in line 7 of said section the following: "in good faith".

Amend Section 2 by striking the word "and" from line 9 of said section.

Amend Section 2 of said bill by striking from said section commencing in line 12 following the word "contrary" the following: "however a showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall not be sufficient to constitute good cause within the meaning of this act."

Also amend by changing the capital letter "U" in the word "upon" in line 16 to a small "u", and by adding the word "and" following the comma after the word "contrary" in line 12.

Further amend by adding the following section following Section 2: "Sec. 3. A showing of present insolvency of the mortgagor or mortgagors and/or present inadequacy of the security shall in themselves not be sufficient to constitute good cause for refusal to grant a continuance within the meaning of Section 2 of this act."

Further amend by renumbering the remaining sections of said bill.

Amend Section 4, being Section 5 as renumbered, by striking from line 3 of said section the figures "1934" and inserting in lieu thereof the figures "1936".

Further amend Section 4 by striking from line 3 of said section the first word "mortgagors" and inserting in lieu thereof the words "a mortgagor".

Amend Section 5, being Section 6 as renumbered, by striking from line 2 of said section the figures "1934" and inserting in lieu thereof the figures "1936".

WM. J. DRESSEN,
A. H. BAUMHOVER,
HENRY L. DAVIS,
EARL C. FISHBAUGH, JR.,
On the part of the House.

HUGH G. GUERNSEY,
EDWARD BREEN,
CHARLES B. HOEVEN,
H. V. LEVIS,
On the part of the Senate.

Senator Millhone moved the previous question, which motion prevailed.

Roll call was requested.

On the question, "Shall the conference committee report be adopted and the amendments proposed therein be concurred in?" the vote was:

Ayes, 40:

Augustine
Beardsley
Bell of Crawford

Bell of
Des Moines
Billingsley

Breen
Byers
Chrystal

Dewey
Edwards
Ellis

Elthon	Husted	Mighell	Schadt
Gillespie	Irwin	Miller	Smith
Gillette	Kimberly	Millhone	Shaw
Goetsch	Kirketeg	Moore	Stevens
Grunewald	Levis	Murray	Stewart
Guernsey	Lundy	Parker	Whitehill
Hill	Mason	Pelzer	Zeigler
Hoeven			

Nays, 8:

Baldwin	Corwin	Doran	Geske
Berg	Donohue	Evans	Hopkins

Absent or not voting, 2:

Dean	Driscoll
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The conference committee report and amendments proposed therein, having received a constitutional majority, were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Hill, Senate File 15, a bill for an emergency act relating to the foreclosure of real estate mortgages and deeds of trust; providing for the continuance of such actions; providing for determination by the court of the rights of the holder of such mortgages, and of the owner or owners of the real estate, and of persons liable on such mortgages, deeds of trust, or the notes secured thereby, to the possession of the real estate, and to the rents, income and profits therefrom; providing for the suspension of conflicting acts; providing that applications heretofore filed under Chapter one hundred eighty-two (182), acts of the Forty-fifth General Assembly, and/or Chapter one hundred fifteen (115), acts of the Forty-sixth General Assembly, whether ruled upon or not, shall be considered as refiled under this act; and providing for the termination of this act, as amended, was taken up and considered.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 46:

Augustine	Billingsley	Donohue	Gillespie
Baldwin	Breen	Edwards	Gillette
Beardsley	Byers	Ellis	Goetsch
Bell of Crawford	Chrystal	Elthon	Grunewald
Bell of	Corwin	Evans	Guernsey
Des Moines	Dewey	Geske	Hill

Hoeven	Levis	Moore	Shaw
Hopkins	Lundy	Murray	Stevens
Husted	Mason	Parker	Stewart
Irwin	Mighell	Pelzer	Whitehill
Kimberly	Miller	Schadt	Zeigler
Kirketeg	Millhone	Smith	

Nays, 2:

Berg Doran

Absent or not voting, 2:

Dean Driscoll

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

Senator Guernsey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hill asked and received unanimous consent to have Senate File 15 messaged to the House.

Senator Doran moved that the Senate recess until 1:30 p. m., which motion was lost.

Senator Hill called up for consideration Senate File 16, amended by the House, and moved that the Senate refuse to concur in the following amendments:

HOUSE AMENDMENTS CONSIDERED

Amend by striking all after the enacting clause and substituting therefor the following:

Section 1. The Forty-seventh General Assembly hereby declares and determines that an emergency existed when chapter one hundred seventy-nine (179), acts of the Forty-fifth General Assembly was enacted and that an emergency did exist when Chapter one hundred ten (110), Acts of the Forty-sixth General Assembly was enacted and that an emergency does exist at this time and is general throughout the state of Iowa, and that the safety and future welfare of the state as a whole is endangered thereby. The General Assembly acting under the power reserved by the people of Iowa does hereby enact the following:

"Sec. 2. In any action, for the foreclosure of a real estate mortgage or a deed of trust, which has been commenced prior to March 1, 1937, in any of the courts, and in which a decree has been or may hereafter be entered, but the redemption period, as now provided, has not expired, upon application of the owner or owners of such real estate, the court shall, unless upon hearing upon said application good cause is shown to the contrary, order that no sheriff's deed shall be issued until March 1,

1939, and in the meantime said owner or owners may redeem such property, and are entitled to possession thereof.

"Provided, the court having jurisdiction of such foreclosure action shall order and direct, that there shall be applied from the income of said real estate so much thereof as is just and equitable, toward the payment of taxes accruing thereon during the period of redemption extension as provided by this act, and any balance distributed as the court may direct, and shall make such provision for the preservation of said property as will be just and equitable during the redemption period, and to this end the court may, in his discretion, in order to carry out the foregoing powers, appoint a receiver of said real estate, and invest said receiver with such powers as the court may find will be just and equitable to all parties to the proceeding.

"Providing, that in the event the said owner or owners do not comply with the orders of the court, the order for extension of redemption period as authorized by this act shall, on proper hearing, be set aside by order of the court.

"Sec. 3. The court shall not appoint as a receiver of said real estate a field agent of any insurance company or loan company or any other person in the employment of the mortgagor or mortgagee, unless otherwise agreed.

"Sec. 4. During the period of extension of redemption, as herein provided, the owner or owners of said real estate shall have the exclusive right to redeem, and the rights of redemption of subsequent mortgagees, junior lienholders, and creditors shall terminate within the period as by law now provided, the provisions of this act notwithstanding.

"Sec. 5. During the period of extension of redemption, as herein provided, the clerk of the district court of the county in which such foreclosure action is brought, shall receive and disburse the income from said real estate, as the court shall order as just and equitable.

"Sec. 6. Immediately upon this act going into effect the clerk of the district court shall notify by registered mail in properly addressed and stamped envelopes at their last known addresses all defendant mortgagors or grantors of deeds of trust who have been granted extensions of the period of redemption, and which have not been revoked, and also their attorney or attorneys of record, that unless an application for a further extension under this chapter is made before March 1, 1937, that the extension theretofore granted shall automatically expire.

Sec. 7. Immediately upon filing of the application for the further extension of a period of redemption, the court shall set the time and place of hearing and prescribe the kind of notice to be given to all parties plaintiff, and no sheriff's deed shall issue until the hearing is had upon such application and the extension of the period of redemption denied, and unless good cause is shown why said extension should not be granted until March 1, 1939, the court shall grant the extension.

Sec. 8. The provisions of this act shall not apply to any mortgages or deeds of trust executed subsequent to March 1, 1936, nor shall it apply to mortgagors or mortgagees under deeds of trust who acquired the real

estate subsequent to March 1, 1936, except only in cases where the period of redemption has already been extended by court order.

Sec. 9. The provisions of this act shall apply to any mortgages or deeds of trust executed prior to March 1, 1936, and subsequently renewed.

Sec. 10. All applications which have been filed for extension of redemption and upon which no hearings have been held shall be in full force and effect.

Sec. 11. Every original notice covering the foreclosure of a real estate mortgage, or deed of trust, or the note or notes secured thereby, served after the taking effect of this act, shall, during the time this act is in effect, contain a notice to the defendant or defendants that he or they may appear at the time and place stipulated in said notice and file application for continuance of said cause of action until March 1, 1939.

Sec. 12. The words 'owner or owners' as used in this act, shall include any person holding rights in real estate as joint tenant, tenant in common, life tenant, devisee or heir at law or any person holding the legal title to real estate. The application for extension by one or more owners, when made as provided in this act, shall inure to the benefit of all of the owners, if there be more than one.

Sec. 13. All acts or parts of acts in conflict with this act are hereby suspended.

Sec. 14. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional or 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. 15. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Delta Press, a newspaper published at Delta, Iowa, and in the Oskaloosa Tribune, a newspaper published at Oskaloosa, Iowa."

Senator Beardsley moved the previous question, which motion prevailed.

On the question, "Shall the Senate refuse to concur?" the vote was:

Ayes, 45:

Baldwin	Donohue	Hoeven	Moore
Beardsley	Doran	Hopkins	Murray
Bell of Crawford	Edwards	Husted	Parker
Bell of	Ellis	Kimberly	Pelzer
Des Moines	Elthon	Kirketeg	Schadt
Berg	Evans	Levis	Smith
Billingsley	Geske	Lundy	Shaw
Breen	Gillette	Mason	Stevens
Byers	Goetsch	Mighell	Stewart
Chrystal	Grunewald	Miller	Whitehill
Corwin	Guernsey	Millhone	Zeigler
Dewey	Hill		

Nays, none.

Absent or not voting, 5:

Augustine	Driscoll	Gillespie	Irwin
Dean			

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

Senator Baldwin moved that the Senate adjourn until 1:30 p. m. Monday.

Senator Stevens moved to amend the motion of Senator Baldwin to read "that when the Senate adjourn it be until 1:30 Monday", which amendment was adopted.

Roll call was requested.

On the question, "Shall the Senate, when it adjourns, adjourn until 1:30 p. m. Monday?" the vote was:

Ayes, 26:

Augustine	Chrystal	Grunewald	Murray
Baldwin	Donohue	Guernsey	Parker
Bell of	Edwards	Hoeven	Pelzer
Des Moines	Ellis	Kimberly	Schadt
Berg	Evans	Kirketeg	Stevens
Breen	Geske	Levis	Stewart
Byers	Gillespie	Millhone	

Nays, 20:

Beardsley	Elthon	Husted	Moore
Bell of Crawford	Gillette	Lundy	Smith
Billingsley	Goetsch	Mason	Shaw
Dewey	Hill	Mighell	Whitehill
Doran	Hopkins	Miller	Zeigler

Absent or not voting, 4:

Corwin	Dean	Driscoll	Irwin
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The motion prevailed.

REPORTS OF COMMITTEES

Senator Goetsch submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File 3, a bill for an act to amend Chapter nine (9), Code, 1935, relating to the general land office of the State of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

SAM D. GOETSCH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File 90, a bill for an act to amend Sections two hundred ninety-six-e one (296-e1) and three hundred three (303), Code, 1935, relating to postage for members of general assembly, begs leave to report it has had the same under consideration and recommends the same do pass.

SAM D. GOETSCH, *Chairman.*

Ordered passed on file.

On motion of Senator Beardsley, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report and the amendments therein recommended and passed Senate File 15, a bill for an act relating to the foreclosure of real estate mortgages and deeds of trust.

Also: MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendments to Senate File 16, a bill for an act relative to the extension of the period of redemption under mortgage foreclosures and requests a conference committee and the Speaker has appointed as members of such conference committee on the part of the House, Representatives Dreessen, Baumhover, Fishbaugh and Davis.

A. C. GUSTAFSON, *Chief Clerk.*

The messages from the House were received and the President appointed as members of the conference committee on Senate File 16, Senators Guernsey, Breen, Hoeven, and Levis, on the part of the Senate.

RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as Clerk to Senator Roy E. Stevens, effective February 15, 1937.

GERTRUDE SCHLEICHER.

The resignation was accepted.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 28 by striking from Section 2 in line 7, the words "eighteen hundred" and substituting in lieu thereof the words "fifteen hundred"; also by striking from line 9

the words "eighteen hundred" and substituting in lieu thereof the words "fifteen hundred".

L. S. GILLETTE.

MR. PRESIDENT: I move to amend Senate File 77 as follows:

1. From Section 1, line 140, 146 and 147, line 151, line 154, line 161, line 164, and line 166, the words "active practice" and insert in lieu thereof the words "practical experience".

2. Insert after the period in line 155, "The practical experience required in this section may be obtained under the exemption provisions of Section 1876 hereof."

L. H. DORAN.

Senator Donohue moved that the Senate adjourn until 1:30 p. m. Monday.

Senator Donohue asked and received unanimous consent to withdraw his motion to adjourn.

On request of Senator Hill, 1,400 copies of Senate File 15, as passed, were ordered printed.

The Journal of February 11th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 1:30 p. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Joseph M. Kennedy, pastor of the Central Presbyterian Church, Nevada.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Geske for the day, on request of Senator Kimberly; Senator Baldwin for the day, on request of Senator Moore.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hoeven, from citizens of Archer, favoring legislation to provide teachers' annuities. Public schools.

By Senator Hoeven, from citizens of Little Rock, favoring legislation relative to state aid for public schools. Public schools.

By Senator Edwards, from Mount Ayr Cooperative Club, favoring a continuance of present state conservation set-up. Conservation.

By Senator Hopkins, from citizens of Lyon county, favoring an annuity retirement system for teachers. Public schools.

By Senator Bell, from citizens of Burlington, favoring enactment of House File 59, relative to qualifications of chiropractors. Public health.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 125, a proposed bill to legalize the proceedings of the city council of Mt. Pleasant. WALTER H. BEAM, *Secretary*.

INTRODUCTION OF BILLS

Senate File 163, by Senator Gillespie, a bill for an act to permit an income taxpayer in computing his net taxable income to deduct from gross income the amount actually expended by him during the tax year for medical, hospital, and surgical services for himself and for dependent persons for whose support he is legally liable, and to this end to amend Sections sixty-nine hundred forty-three-f nine (6943-f9) and sixty-nine hundred forty-three-f ten (6943-f10), Code, 1935.

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

Senate File 164, by committee on pharmacy, a bill for an act to repeal Sections thirty-one seventy-four (3174) to thirty-one seventy-seven-b one (3177-b1), inclusive, of the Iowa Code, 1935, relating to the sale of poisons and the distribution thereof, and enacting a substitute for Sections thirty-one seventy-four (3174) to thirty-one seventy-seven-b one (3177-b1), inclusive, relating to the sale of certain poisons; the conditions under which they may be sold; to provide for the labeling of same; and to provide certain exemptions.

Read first and second times and placed on calendar.

Senate File 165, by Senator Augustine, a bill for an act to amend Section seventy-four fifty-four (7454), Code of Iowa, 1935, providing for the dissolution of drainage districts after they have been inoperative for a period of five (5) years.

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

Senate File 166, by Senators Corwin and Bell (Pine, Latchaw and Dodds), a bill for an act to authorize levee and/or drainage districts to maintain actions to collect damages resulting from the construction of locks, dams and pools; to make settlements and adjustments of said damages, and to employ legal engineering counsel; and to become members of drainage associations.

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

Senate File 167, by Senators Breen and Baldwin, a bill for an act to amend Chapter three hundred forty-seven (347), Code,

1935, by adding certain sections and to provide for confession of judgment for delinquent taxes and to provide for the payment of certain taxes in installments, where property has been sold to the county under the provisions of Section seventy-two hundred fifty-five-b1 (7255-b1) and not assigned by said county.

Read first and second times and referred to committee on judiciary 1.

Senate File 168, by Senator Dewey, a bill for an act to amend Section five thousand two hundred ninety-six-f thirteen (5296-f13), Code, 1935, relating to old age assistance, property exclusions thereunder; and to amend Section five thousand two hundred ninety-six-f sixteen (5296-f16), Code, 1935, old age assistance, applying to transfer of property to state.

Read first and second times and referred to committee on social security.

Senate File 169, by Senator Mason, a bill for an act to forbid the acceptance of any sum of money by any board or officer of the State of Iowa for the construction of a building for any state institution, unless such sum of money is accompanied by a fund of sufficient size to provide for the expense of the care, upkeep and operation of such building for the purposes for which the fund provides for its erection for a period of not less than fifty years.

Read first and second times and referred to committee on public land and buildings.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 25, a bill for an act relating to the profession of barbering.

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

House File 32, a bill for an act making the statutes applicable to cities and towns in general apply to cities acting under special charter.

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

House File 33, a bill for an act to legalize the proceedings relating to an election held in the town of Milford, Dickinson County, Iowa.

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

Senate File 50, a bill for an act to legalize the election and proceedings relating to the sale and issuance of bonds by the Consolidated Independent School District of Smithland, Woodbury County, Iowa.

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

House File 61, a bill for an act to permit cities and towns to grant franchises to operate and maintain bus and motor transportation lines.

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

Senate File 71, a bill for an act relating to investment of funds by guardians of veterans.

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

House File 87, a bill for an act relating to artisan's lien and the enforcement thereof.

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

House File 89, a bill for an act relating to larceny in nighttime.

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

House File 99, a bill for an act relating to general executions for balance.

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

House File 106, a bill for an act relating to the use of busses owned by school districts to transport pupils.

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

House File 128, a bill for an act relating to school census.

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

House File 173, a bill for an act relating to the opening of coal mines and providing for the issuance of license by the state mine inspectors authorizing the same.

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

House Concurrent Resolution 7 relative to supplying Codes for use of members of the Forty-seventh General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 7

Whereas, The House on February 4th authorized the Chief Clerk to requisition Codes for use of the members of the House in their respective homes during the Forty-seventh General Assembly, and

Whereas, It now develops that such Codes can only be supplied upon the joint action of both houses of the General Assembly, and

Whereas, Certain members of the House have already been supplied

with the Codes thus requisitioned and there are a considerable number of requests not yet filed for the reason above stated, now, therefore,

Be It Resolved by the House, the Senate Concurring: That the Chief Clerk of the House and the Secretary of the Senate each be authorized to requisition one Code for each member of the Forty-seventh General Assembly for use during the session, upon written request therefor.

HOUSE MESSAGES CONSIDERED

House File 106, by Keeney, Elliott and Whitney, a bill for an act to amend Section forty-one hundred seventy-nine (4179), Code of Iowa, 1935, relating to the use of busses owned by school districts to transport pupils.

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

House File 87, by Pine and Yager, a bill for an act to amend Chapter 456 of the Code of 1935, providing for artisan's lien and the enforcement thereof.

Read first and second times and referred to committee on judiciary 1.

House File 61, by Hickenlooper, a bill for an act to amend Section fifty-nine hundred four-c one (5904-c1), Code, 1935, to permit cities and towns to grant franchises to operate and maintain on and over their streets bus and motor transportation lines to carry passengers for hire on a plan similar to street railways, and to provide the manner of granting or a renewal or extension of any such franchise by a majority of the legal electors voting thereon in favor of the same at a general, city or town, or special election provided that the applicant be the owner of the existing street railway company.

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

House File 99, by Lookingbill and Dreessen, a bill for an act to repeal Section twelve thousand three hundred and seventy-seven (12377), Code, 1935, relating to general executions for balance.

Read first and second times and referred to committee on judiciary 2.

House File 89, by Reilly, a bill for an act to amend Section

thirteen thousand and eight (13008), Code, 1935, relating to larceny in nighttime.

Read first and second times and referred to committee on judiciary 1.

House File 33, by Yager, a bill for an act to legalize the proceedings relating to an election held in the town of Milford, Dickinson 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 six thousand one hundred thirty-four-d one (6134-d1) to six thousand one hundred thirty-four-d seven (6134-d7), inclusive of the 1935 Code of Iowa; and to legalize the contract entered into between said town of Milford, Iowa, and the Monroe Electric Company for the construction of said municipal electric light plant, and the issuance of revenue bonds in payment thereof; and declaring said contract and the revenue bonds issued thereunder, as valid and enforceable obligations of said town.

Read first and second times and referred to committee on judiciary 1.

House File 32, by Dietz and Engel, a bill for an act to repeal Section six thousand seven hundred eighty-eight (6788) of the Code of Iowa, 1935, and to enact a substitute therefor in order to make the statutes applicable to cities and towns in general apply to cities acting under special charter.

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

House File 173, by committee on mines and mining, a bill for an act to amend Chapter sixty-eight (68), Code, 1935, relating to the opening of coal mines and providing for the issuance of a license by the state mine inspectors authorizing the same.

Read first and second times and referred to committee on mines and mining.

House File 25, by Blue, Judd, a bill for an act to amend Sections twenty-two hundred seventeen (2217) and twenty-five hundred twenty-two (2522), Code of 1935, providing penalties for the

violation of the laws of Iowa and the rules of the department of health relating to the profession of barbering.

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

House File 128, by Sours of Floyd, a bill for an act to amend Sections forty-two hundred thirty-five (4235), forty-three hundred twelve (4312), and forty-three hundred thirteen (4313), Code, 1935, relating to school census.

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

Senator Shaw offered the following resolution and moved its adoption:

SENATE RESOLUTION 4

Whereas, Janet Lou Bouma of Pocahontas, Iowa, did on the 12th day of March, 1936, by heroic action and at the risk of her own life rescue her little playmate, Charles Carmichael, from drowning, and

Whereas, It has been the custom in the past for this body to recognize and commemorate heroism, especially on the part of children, now,

Be It Therefore Resolved by the Senate of the State of Iowa: That the said act of heroism be and the same is hereby recognized and the President of the Senate is authorized to confer on the said Janet Lou Bouma a medal commemorating said act, and the Secretary of the Senate is directed to transmit to the said Janet Lou Bouma a copy of this resolution.

The resolution was adopted.

The Honorable Joseph H. Allen, Mayor of Des Moines, introduced to the Senate Janet Lou Bouma and Charles Carmichael; and the President presented to Janet a medal, commemorating her heroism.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File 15.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 15.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 15th day of February, 1937, sent to the Governor for his approval, Senate File 15.

FRANK PELZER, *Chairman.*

Passed on file.

BILLS APPROVED BY THE GOVERNOR

Communications were received from the Governor, announcing that, on February 12, 1937, he had approved the following:

Senate File 7, relating to legalizing execution sales by execution officers.

Senate File 78, an act making appropriation to defray expenses of inaugural ceremonies.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 16.

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the Conference Committee appointed to consider the differences between the Senate and House on Senate File 16, being a bill relating to the extension of the redemption period from the sale under foreclosure of real estate, beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments and that the bill as passed by the Senate be amended as follows; and when so amended the bill do pass:

Amend said bill by striking the word "that" from the first line of the second paragraph of the preamble; by striking the word "therefore," from the last line of the third paragraph of the preamble, inserting the word "and" in lieu thereof, and by adding to said preamble the following paragraph:

"Whereas, Since the enactment of said chapters, Iowa has been afflicted with a severe drouth, visited by destructive insect pests, and stricken by other devastating circumstances which greatly imperil the present and future welfare of the state as a whole, so that the Forty-seventh General Assembly has now determined that a new and additional emergency has arisen, and the Governor has by proclamation so declared, therefore,"

Amend Section 1 of Senate File 16 by inserting between the comma and the word "and" in line 6 of said section the following: "aggravated

by new and distressing conditions, which of themselves constitute a new emergency,".

Amend Section 2 of said bill by inserting between the comma and the word "order" in line 6 of said section the following:

"or said application is found not to have been made in good faith,".

Further amend Section 2 of said bill by inserting between the words "not" and "be" in line 11 of said section the following: "in themselves".

Further amend Section 2 of said bill by inserting between the first comma and the word "the" in line 4 of said section the following: "and in all actions upon mortgages or deeds of trust executed after January 1, 1934, and upon which actions to foreclose have been commenced, and/or decrees entered, and in all actions where foreclosures were not commenced until after January 1, 1936,".

Amend said bill by striking all of Sections 7 and 8 therefrom, and by renumbering the remaining sections.

Amend Section 12 of said bill, being Section 10 as renumbered, by striking the last letter "s" from the words "sections" and "subsections" in line 1 of said section.

WM. J. DRESSEN,
A. H. BAUMHOVER,
HENRY L. DAVIS,
EARL C. FISHBAUGH, JR.

On the part of the House.

HUGH G. GUERNSEY,
EDWARD BREEN
CHARLES B. HOEVEN,
H. V. LEVIS,

On the part of the Senate.

Senator Guernsey asked and received unanimous consent to suspend the rules and consider the conference committee report on Senate File 16 at this time.

The conference committee report on Senate File 16 was read for information.

Senator Guernsey asked and received unanimous consent to suspend the rules and withdraw the conference committee report on Senate File 16, which had been filed and read for the information of the Senate.

Senator Guernsey submitted the following conference committee report on Senate File 16:

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 16.

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned members of the Conference Committee appointed to consider the differences between the Senate and House on Senate File 16, being a bill relating to the extension of the redemption period from the sale under foreclosure of real estate, beg leave to report that we have had the same under consideration and recommend that the House

recede from its amendments and that the bill as passed by the Senate be amended as follows; and when so amended the bill do pass:

Amend said bill by striking the word "that" from the first line of the second paragraph of the preamble; by striking the word "therefore," from the last line of the third paragraph of the preamble, inserting the word "and" in lieu thereof, and by adding to said preamble the following paragraph:

"Whereas, since the enactment of said chapters, Iowa has been afflicted with a severe drouth, visited by destructive insect pests, and stricken by other devastating circumstances which greatly imperil the present and future welfare of the state as a whole, so that the Forty-seventh General Assembly has now determined that a new and additional emergency has arisen, and the governor has by proclamation so declared, therefore,"

Amend Section 1 of Senate File 16 by inserting between the comma and the word "and" in line 6 of said section the following: "aggravated by new and distressing conditions, which of themselves constitute a new emergency,".

Amend Section 2 of said bill by inserting between the comma and the word "order" in line 6 of said section the following: "or said application is found not to have been made in good faith,".

Further amend Section 2 of said bill by inserting between the words "not" and "be" in line 11 of said section the following: "in themselves".

Further amend Section 2 of said bill by inserting between the first comma and the word "the" in line 4 of said Section the following: "and in all foreclosure actions on mortgages and deeds of trust executed prior to January 1, 1936, in which decrees have been entered but the period of redemption has not expired,".

Amend said bill by striking all of sections 7 and 8 therefrom, and by renumbering the remaining sections.

Amend section 12 of said bill, being Section 10 as renumbered, by striking the last letter "s" from the words "sections" and "subsections" in line 1 of said section.

WM. J. DRESSEN

A. H. BAUMHOVER

HENRY L. DAVIS

EARL C. FISHBAUGH, JR.

On the part of the House.

HUGH G. GUERNSEY

EDWARD BREEN

CHARLES B. HOEVEN

H. V. LEVIS

On the part of the Senate.

The report of the conference committee on Senate File 16 was read for the information of the Senate.

Senate File 16, as it would read if the conference committee report should be adopted, was read for the information of the Senate.

Senator Guernsey moved that the Senate adopt the report of the conference committee and concur in the amendments proposed therein.

Senator Hill moved the previous question, which motion prevailed.

On the question, "Shall the Senate adopt the conference committee report on Senate File 16, and concur in the amendments proposed therein?" the vote was:

Ayes, 34:

Augustine	Edwards	Husted	Pelzer
Beardsley	Ellis	Irwin	Schadt
Bell of Crawford	Gillespie	Levis	Shaw
Bell of	Gillette	Mason	Smith
Des Moines	Goetsch	Mighell	Stevens
Breen	Grunewald	Miller	Stewart
Chrystal	Guernsey	Millhone	Whitehill
Dean	Hill	Moore	Zeigler
Dewey	Hoeven	Murray	

Nays, 11:

Berg	Corwin	Evans	Lundy
Billingsley	Donohue	Kimberly	Parker
Byers	Doran	Kirketeg	

Absent or not voting, 5:

Baldwin	Elthon	Geske	Hopkins
Driscoll			

The conference committee report was adopted and the amendments concurred in.

THIRD READING OF BILLS

On motion of Senator Guernsey, Senate File 16, a bill for an emergency act relating to the extension of the redemption period from the sale under foreclosure of real estate where deeds of conveyance have not already passed; declaring that the emergency still exists; providing for the making of applications for extensions of the period of redemption and for the kind and manner of notices to be given; making the provisions of this act applicable to all cases where the courts have granted such extension; and providing for applications now on file, for payment and distribution of rents and for suspension of all acts or parts of acts in conflict with this act, as amended, was taken up and considered.

Senator Guernsey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Dewey	Irwin	Murray
Beardsley	Edwards	Kimberly	Parker
Bell of Crawford	Ellis	Kirketeg	Pelzer
Bell of Des Moines	Evans	Levis	Schadt
Billingsley	Gillette	Lundy	Shaw
Breen	Goetsch	Mason	Smith
Byers	Grunewald	Mighell	Stevens
Chrystal	Guernsey	Miller	Stewart
Corwin	Hill	Millhone	Whitehill
Dean	Hoeven	Moore	Zeigler
	Husted		

Nays, 3:

Berg	Donohue	Doran
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Absent or not voting, 6:

Baldwin	Elthon	Gillespie	Hopkins
Driscoll	Geske		

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

Senator Guernsey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF COMMITTEES

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 88, a bill for an act to amend Chapter 294, Code, 1935, authorizing river front improvement commissions to acquire and improve the channel of any stream that is not meandered, lying within the corporate limits, begs leave to report it has had the same under consideration and recommends that the same do pass. J. BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 99, a bill for an act to amend chapter two hundred ninety-three (293), Code, 1935, by adding a section authorizing the leasing of park property under certain conditions, begs leave to report it has had the same under consideration and recommends that the same be amended as follows; and when so amended the bill do pass:

Amend by striking from Section 1, lines 6 and 7, the words "particular park or portion thereof," and inserting in lieu thereof the words "portion of any park".

J. BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 26, a bill for an act to amend Section five thousand six hundred ninety-four (5694), Code, 1935, all relating to the applicability and exceptions of those covered under civil service in cities and towns, begs leave to report it has had the same under consideration and recommends that the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 26 by striking the words "seventy-five" in line five (5) and inserting in lieu thereof the word "fifty"; and by adding Section 2, which shall be as follows:

"Sec. 2. Section fifty-six hundred ninety-five (5695) of the Code of Iowa, 1935, is hereby amended by striking the word "long" in line four (4) and the word "and" in line five (5), and inserting in lieu thereof the words "three (3) years".

J. BERG, *Chairman.*

Ordered passed on file.

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 92, a bill for an act to make an appropriation available for the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs and other similar crop pests and for the eradication of new or reintroduced insects not now known to occur in the state, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking the words and figures "fifty thousand dollars (\$50,000)" in line four (4) of Section one (1) and by inserting in lieu thereof the words and figures "thirty-five thousand dollars, (\$35,000)".

LEO ELTHON, *Chairman.*

Ordered passed on file.

On request of Senator Shaw, consideration of Senate File 1 was deferred at this time, the bill to retain its place on the calendar.

REPORT OF SPECIAL COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

To the members of the Assembly and particularly to the appropriations committee, the members of the special committee delegated to inspect the general condition of the state institution at Mt. Pleasant, Iowa, desire to report the following:

We find that the institution, in general, is in good condition; however, due to a recent fire which destroyed the main part of the Administration building, its rebuilding is necessary, which will entail an output of some four hundred thousand dollars.

We also find an overcrowded condition as to housing room for the patients. We find that there is need for doctors and nurses.

We also find a serious fire hazard which can be corrected in part by a rewiring at a relatively small outlay.

We also find a serious lack of toilet facilities for the inmates which should be corrected at once.

However, the committee is pleasantly surprised with the condition of the institution in general. We find that the patients are well taken care of, the quarters are kept in a very orderly condition and immaculately clean.

The barns and livestock are very well taken care of and the state can well be proud of the type and quality of the livestock on this farm.

The committee recommends that the legislature consider carefully the rebuilding of the Administration building as to type of material, construction, and amount of money to be spent. We realize that something must be done but at the same time it must be kept in mind that this is only one of the urgent needs with which we are confronted.

Respectfully submitted,

LEO ELTHON,
SANFORD ZEIGLER, JR.

GUSTAVE ALESCH,
On the part of the House.

SAM D. GOETSCH,
ROY E. STEVENS,
ORA E. HUSTED,
On the part of the Senate.

The report of the special committee was accepted.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House Concurrent Resolution 4 as follows:

Strike from line 3 the word "investigate" and insert the word "study".

Strike from line 32 the word "investigate" and insert the word "study".

L. H. DORAN.

MR. PRESIDENT: I move to amend the report of the Senate Committee on Rules as follows: to wit; By striking the sixth paragraph thereof, which paragraph reads as follows: to wit; "Amend rule 35 by striking out the words, 'twenty-six' in the seventh line of the printed copy of the rules, and inserting in lieu thereof the words 'two-thirds of the'."

HAROLD L. IRWIN.

Mary C. Ryan was sworn in as clerk to Senator Roy E. Stevens, to take the place of Gertrude Schleicher, resigned.

On request of Senator Hill, 2,400 extra copies of Senate File 15, as passed, were ordered printed.

The Journal of February 12th was corrected and approved.

On motion of Senator Stevens, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 16, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Claude R. Cook, pastor of the Methodist Church, Carroll.

PETITIONS AND MEMORIALS

By Senator Murray, from citizens of Sioux City, favoring teachers' retirement annuity. Public schools.

By Senator Millhone, from teachers of Shenandoah, favoring teachers' retirement annuity. Public schools.

By Senator Murray, from Junior University Women of Sioux City, favoring teachers' retirement annuity. Public schools.

By Senator Gillette, from business and professional men of Estherville, favoring legislation to prohibit bank night or other similar trade practices. Judiciary 1.

By Senator Breen, from Walter Porsch Post 1856, V. F. W., favoring legislation proclaiming November 11th of each year a legal State holiday. Departmental affairs.

By Senator Doran, from Ames Post No. 37 of the Iowa Department of the American Legion, favoring educational equalization. Public schools.

INTRODUCTION OF BILLS

Senate File 170, by committee on mines and mining, a bill for an act to amend Chapter sixty-eight (68), Code, 1935, relating to the opening of coal mines and providing for the issuance of a license by the state mine inspectors authorizing the same.

Read first and second times and placed on calendar.

Senate File 171, by Senator Augustine, a bill for an act to provide for registration of bicycles and to regulate the use thereof.

Read first and second times and referred to committee on judiciary 2.

RESOLUTIONS FILED

SENATE RESOLUTION 5

Believing that the request of the President for change in the personnel, or increase in number of the members of the Supreme Court of the United States is inopportune and that, irrespective of any high motives of the President, insistence upon such change will be at this time generally construed as an attempt to make the judicial branch of the government answerable and subservient to the executive, and further,

Believing that the carrying out of such request will create fear and distrust throughout the nation and delay recovery,

Be It Now, Therefore, Resolved by the Senate of the State of Iowa: That our Senators and Representatives in the Congress of the United States be requested to use all honorable means to persuade the President to withdraw his request for such change and that, failing in such effort, they, by all honorable means, seek to defeat the legislation necessary to comply therewith.

Be It Further Resolved: That we endorse and commend the stand taken by Senator Gillette and others who have opposed such plan, and that copies of this resolution be transmitted by the Secretary of the Senate to each of the Iowa members in the Congress of the United States.

A. J. SHAW.

E. P. DONOHUE.

WM. S. BEARDSLEY.

FRANK C. BYERS.

PAUL L. MILLHON.

Senator Byers called up the report of the committee on rules, which is found on page 267 of the Senate Journal.

Senator Irwin submitted the following amendment and moved its adoption:

Amend the report of the Senate Committee on Rules as follows: to wit; By striking the sixth paragraph thereof, which paragraph reads as follows: to wit; "Amend Rule 35 by striking out the words, 'twenty-six' in the seventh line of the printed copy of the rules, and inserting in lieu thereof the words 'two-thirds of the'."

Roll call was requested.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 23:

Augustine	Ellis	Guernsey	Miller
Baldwin	Elthon	Hoeven	Moore
Bell of Crawford	Gillespie	Hopkins	Murray
Breen	Gillette	Irwin	Stevens
Chrystal	Goetsch	Mason	Stewart
Dean	Grunewald	Mighell	

Nays, 23:

Beardsley	Donohue	Kimberly	Schadt
Berg	Doran	Kirketeg	Shaw
Billingsley	Edwards	Lundy	Smith
Byers	Evans	Millhone	Whitehill
Corwin	Hill	Parker	Zeigler
Dewey	Husted	Pelzer	

Absent or not voting, 4:

Bell of Des Moines	Driscoll	Geske	Levis
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The amendment was lost.

Senator Byers moved the adoption of the report of the committee on rules, and requested a roll call.

On the question, "Shall the report of the committee on rules be adopted?" the vote was:

Ayes, 26:

Beardsley	Doran	Kimberly	Schadt
Berg	Edwards	Kirketeg	Shaw
Billingsley	Evans	Lundy	Smith
Byers	Hill	Millhone	Stewart
Corwin	Hoeven	Parker	Whitehill
Dewey	Hopkins	Pelzer	Zeigler
Donohue	Husted		

Nays, 20:

Augustine	Dean	Goetsch	Mighell
Baldwin	Ellis	Grunewald	Miller
Bell of Crawford	Elthon	Guernsey	Moore
Breen	Gillespie	Irwin	Murray
Chrystal	Gillette	Mason	Stevens

Absent or not voting, 4:

Bell of Des Moines	Driscoll	Geske	Levis
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The report was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled Senate File 50 and Senate File 71.

FRANK PELZER, *Chairman Senate Committee.*
JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 50 and Senate File 71.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 16th day of February, 1937, sent to the Governor for his approval, Senate File 50 and Senate File 71.

FRANK PELZER, *Chairman.*

Passed on file.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on February 15, 1937, he had approved the following:

Senate File 15, relating to the foreclosure of real estate mortgages and deeds of trust.

On request of Senator Baldwin, the rules were suspended and House Concurrent Resolution 7, which appears on page 283 of the Senate Journal, was taken up and considered.

Senator Beardsley raised the point of order that the subject matter in this resolution was defeated by the Senate in a previous vote.

The President ruled that since the resolution introduced in the Senate was laid on the table, it had not been defeated, and that the subject matter in House Concurrent Resolution 7 was in order.

Senator Beardsley moved that House Concurrent Resolution 7 be laid on the table, which motion prevailed.

On request of Senator Shaw, consideration of Senate File 1 was deferred at this time, the bill to retain its place on the calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report and the amendments recommended therein and passed Senate File 16, a bill for an act relating to the extension of the redemption period from the sale under foreclosure of real estate.

A. C. GUSTAFSON, *Chief Clerk.*

REPORTS OF COMMITTEES

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 125, a bill for an act to confirm, ratify, legalize and declare valid for all purposes the action of the city of Mount Pleasant in Henry County, Iowa, through its city council, in erecting, in and for said city, and in paying for, a building for the purpose of housing, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Senator Edwards submitted the following reports:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 21, a bill for an act to amend Section forty-six hundred forty-four-c 58 (4644-c 58), Code, 1935, relating to the levy of a road poll tax, begs leave to report it has had the same under consideration and recommends the same do pass.

H. W. EDWARDS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 79, a bill for an act to amend Section Fifty-three hundred fifty-three (5353) of Chapter two hundred sixty-nine (269) on county public hospitals with reference to the levy allowed for improvement and maintenance thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

H. W. EDWARDS, *Chairman.*

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred House File 106, a bill for an act to amend Section forty-one hundred seventy-nine (4179), Code of Iowa, 1935, relating to the use of busses owned by school districts to transport pupils, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend House File 106 by striking from line 9 of Section 1, the follow-

ing: "an instructor," and inserting in lieu thereof the following: "a member of the faculty of said school, and". GEO. M. HOPKINS, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Doran, Senate File 77, a bill for an act to amend, revise and codify Chapter eighty-nine (89) of the Code of Iowa, 1935, relating to the practice of professional engineering and land surveying; creating a board of engineering examiners and defining the duties and qualifications of the members of such board; defining the terms "professional engineering" and "land surveying"; and providing for the examination and registration of persons engaged in the practice of professional engineering and land surveying; and providing penalty for violations of this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran offered the following amendments and moved their adoption:

Amend Senate File 77 as follows:

1. From Section 1, lines 140, 146 and 147, line 151, line 154, line 161, line 164, and line 166, the words "active practice" and insert in lieu thereof the words "practical experience".

2. Insert after the period in line 155, "The practical experience required in this section may be obtained under the exemption provisions of Section 1876 hereof."

On request of Senator Doran, the word "strike" was inserted in amendment 1, after the figure 1 and before the word "from".

The amendments were adopted.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Rule 8 was invoked.

On the question, "Shall the bill pass?" the vote was:

Ayes, 25:

Baldwin	Edwards	Husted	Millhone
Berg	Evans	Irwin	Pelzer
Billingsley	Gillette	Kimberly	Schadt
Corwin	Grunewald	Kirketeg	Shaw
Dean	Hill	Levis	Whitehill
Donohue	Hopkins	Lundy	Zeigler
Doran			

Nays, 23:

Augustine	Byers	Goetsch	Moore
Beardsley	Crystal	Guernsey	Murray
Bell of Crawford	Dewey	Hoeven	Parker
Bell of	Ellis	Mason	Smith
Des Moines	Elthon	Mighell	Stevens
Breen	Gillespie	Miller	Stewart

Absent or not voting, 2:

Driscoll	Geske
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Dewey moved that the vote by which Senate File 77 failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table.

Roll call was requested.

On the question, "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 3:

Chrystal	Dewey	Hopkins
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Nays, 35:

Baldwin	Doran	Guernsey	Murray
Beardsley	Edwards	Hill	Pelzer
Berg	Ellis	Hoeven	Schadt
Billingsley	Elthon	Husted	Shaw
Breen	Evans	Kimberly	Smith
Byers	Gillespie	Kirketeg	Stevens
Corwin	Gillette	Levis	Whitehill
Dean	Goetsch	Lundy	Zeigler
Donohue	Grunewald	Millhone	

Absent or not voting, 12:

Augustine	Driscoll	Mason	Moore
Bell of Crawford	Geske	Mighell	Parker
Bell of	Irwin	Miller	Stewart
Des Moines			

The motion did not prevail.

On request of Senator Doran, consideration of Senate File 118 was deferred at this time, the bill to retain its place on the calendar.

On motion of Senator Donohue, Senate File 139, a bill for an act to repeal Section twelve thousand five hundred forty-three (12543), Code, 1935, and to enact a substitute therefor, relating to the punishment for contempts, a committee bill, was taken up and considered.

Senators Hill and Doran offered the following amendment, and Senator Hill moved its adoption:

Amend Senate File 139 by striking from line 10 the words and figures "fifty dollars (\$50)" and inserting in lieu thereof the words and figures "five hundred dollars (\$500)"; and further amend by striking from line 11 the words and figures "one (1) day" and substituting in lieu thereof the words and figures "six (6) months".

The amendment was adopted.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Baldwin	Edwards	Hoeven	Moore
Beardsley	Ellis	Hopkins	Murray
Berg	Elthon	Husted	Pelzer
Billingsley	Evans	Irwin	Schadt
Breen	Gillespie	Kimberly	Shaw
Byers	Gillette	Kirketeg	Smith
Corwin	Goetsch	Levis	Stevens
Dean	Grunewald	Lundy	Stewart
Dewey	Guernsey	Mason	Whitehill
Donohue	Hill	Millhone	Zeigler
Doran			

Nays, 1:

Chrystal

Absent or not voting, 8:

Augustine	Bell of	Geske	Miller
Bell of Crawford	Des Moines	Mighell	Parker
	Driscoll		

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

Senator Donohue moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hill moved that Senate File 143 be deferred at this time, but that the bill retain its place on the calendar.

Senator Hill withdrew his motion.

On request of Senator Millhone, consideration of Senate File 143 was deferred at this time, the bill to retain its place on the calendar.

On request of Senator Lundy, consideration of Senate File 151 was deferred at this time, the bill to retain its place on the calendar.

On request of Senator Irwin, consideration of Senate File 28 was deferred at this time, the bill to retain its place on the calendar.

On request of Senator Shaw, consideration of House File 21 was deferred at this time, the bill to retain its place on the calendar.

On motion of Senator Gillette, Senate File 3, a bill for an act to amend Chapter nine (9), Code, 1935, relating to the general land office of the State of Iowa; the duties of the secretary of state in relation thereto; the transfer of certain maps, records and surveys thereto; and the preservation of records therein; and to repeal Sections fifty-four hundred eighty-three (5483), fifty-four hundred eighty-six (5486), fifty-four hundred eighty-eight (5488), fifty-four hundred eighty-nine (5489), fifty-four hundred ninety (5490); to amend Sections fifty-one hundred thirty-three (5133), sixty-two hundred eighty-eight (6288), seventy hundred forty-five (7045), seventy hundred sixty-four (7064); and to repeal Sections fifty-four hundred eighty-two (5482), fifty-four hundred eighty-four (5484), fifty-four hundred eighty-five (5485), fifty-four hundred eighty-seven (5487), fifty-four hundred ninety-six (5496), sixty-three hundred two (6302), ten thousand two hundred twenty-five (10225), and to enact substitutes for said repealed sections; all of said sections relating to land surveys and to perpetuating the records thereof, and all of said sections being of the Code, 1935, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gillette moved that the bill be read a third time row, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 45:

Baldwin	Billingsley	Donohue	Gillespie
Beardsley	Breen	Doran	Gillette
Bell of Crawford	Chrystal	Edwards	Goetsch
Bell of	Corwin	Ellis	Grunewald
Des Moines	Dean	Elthon	Guernsey
Berg	Dewey	Evans	Hill

Hoeven
Hopkins
Husted
Irwin
Kirketeg
Levis

Lundy
Mason
Mighell
Miller
Millhone
Moore

Murray
Parker
Pelzer
Schadt
Shaw

Smith
Stevens
Stewart
Whitehill
Ziegler

Nays, none.

Present, 1:

Kimberly

Absent or not voting, 4:

Augustine

Byers

Driscoll

Geske

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

Senator Gillette moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Moore, Senate File 90, a bill for an act to amend Sections two hundred ninety-six-e one (296-e1) and three hundred three (303), Code, 1935, relating to postage for members of the General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Moore offered the following amendment and moved its adoption:

"Amend Senate File 90 by adding as Section 3 the following: 'This act, being deemed of importance, shall be in force and effect from and after its passage and publication as provided by law.'"

The amendment was adopted.

Senator Donohue offered the following amendment:

"Amend Senate File 90 by striking the publication clause."

The President ruled the amendment by Senator Donohue out of order.

Senator Billingsley moved the previous question on the bill, which motion did not prevail.

Senator Moore moved to reconsider the vote by which his amendment to Senate File 90 was adopted, which motion prevailed.

By unanimous consent, Senator Moore withdrew his amendment.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 90 by adding a Section 3 as follows:

"The provisions of this Act shall not apply to any member of the 47th General Assembly during the regular session of the 47th General Assembly."

The amendment was adopted.

Senator Moore moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 22:

Augustine	Byers	Goetsch	Moore
Bell of Crawford	Corwin	Guernsey	Murray
Bell of Des Moines	Dean	Hopkins	Schadt
Berg	Donohue	Kimberly	Stevens
Breen	Edwards	Lundy	Stewart
	Gillespie	Millhone	

Nays, 23:

Baldwin	Elthon	Kirketeg	Pelzer
Beardsley	Evans	Levis	Shaw
Billingsley	Grunewald	Mason	Smith
Dewey	Hill	Mighell	Whitehill
Doran	Hoeven	Miller	Zeigler
Ellis	Husted	Parker	

Absent or not voting, 5:

Chrystal	Geske	Gillette	Irwin
Driscoll			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Beardsley moved that the vote by which Senate File 90 failed to pass the Senate be reconsidered, and the motion to reconsider be laid on the table.

Roll call was requested.

On the question, "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 19:

Beardsley	Evans	Kirketeg	Millhone
Billingsley	Hill	Levis	Smith
Doran	Hoeven	Mason	Whitehill
Ellis	Hopkins	Mighell	Zeigler
Elthon	Husted	Miller	

Nays, 25:

Augustine	Byers	Goetsch	Murray
Baldwin	Corwin	Grunewald	Parker
Bell of Crawford	Dean	Guernsey	Pelzer
Bell of Des Moines	Dewey	Kimberly	Schadt
Berg	Donohue	Lundy	Stevens
Breen	Edwards	Moore	Stewart
	Gillespie		

Absent or not voting, 6:

Chrystal	Geske	Irwin	Shaw
Driscoll	Gillette		

The motion did not prevail.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 77 failed to pass the Senate.

ROY E. STEVENS.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 90 failed to pass the Senate.

H. C. BALDWIN.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 151 by adding a new section following Section 4 as follows:

"Sec. 5. The provisions of this Act shall not apply to municipally owned and operated public utilities."

JOHN BERG.

E. P. DONOHUE.

MR. PRESIDENT: We hereby move to amend Senate Resolution 5 by striking everything after the word "Believing" in the first line thereof, and substituting in lieu thereof the following: "That the request of the President for progressive legislation in connection with the rules and regulations governing the federal judiciary system of the United States is opportune and should be favorably acted upon by the Congress of the United States," and

Believing that such request will not in any way injure, hinder, or obstruct the administration of justice in our courts, and

Believing that our constitution should be liberally construed in the line of progress, changing conditions and advanced thought, and

Whereas, We believe that the Senate of Iowa should go on record favoring all progressive legislation and especially that legislation proposed by our Secretary of Agriculture, Henry Wallace, in connection with the rehabilitation of agriculture in our state.

Be It Therefore, Resolved by the Senate of the State of Iowa: That our representatives in the Congress of United States be requested to support the President in his request, and

Be It Further Resolved, That the Senate of Iowa indorse the progressive record of our Secretary of Agriculture, Henry Wallace, in his

recovery program for the rejuvenation of agriculture in the State of Iowa, and

Be It Further Resolved, That copies of this resolution be transmitted to the Secretary of the United States Senate, and to each of the Iowa Congressmen of United States.

H. L. IRWIN.

ROY E. STEVENS.

TOM E. MURRAY.

Amend Section 1, line 2 of Senate File 150, by striking after the word "containing" the words "less than one and one-half per cent (1½%)" and insert in lieu thereof the following, "not less than ninety per cent (90%)".

Further amend by striking the comma in line 3 of Section 1 and insert in lieu thereof the following words "or corn oil."

ORA E. HUSTED.

MR. PRESIDENT: We move to amend Senate File 1 as follows:

1. Strike all of Section 1 and in lieu thereof insert the following:

"Strike all the number '2' at the beginning of the 8th line of Section 6943-f63, Code of 1935, and insert the following as Paragraph 2 of said Section following Paragraph 1 thereof:

The board shall set aside and cause to be paid into the Old Age Pension fund from time to time as available the next five million, five hundred thousand dollars (\$5,500,000.00) collected each year under the provisions of this act."

2. Further amend by adding as Paragraph 3 of said Section 6943-f63, Code of 1935, the following paragraph:

"On July 1st, 1937, and quarterly thereafter, up to and including April 1st, 1939, the board shall, from the revenue collected under this act, set aside and cause to be paid into a fund to be known as the Iowa Emergency Relief Administration Fund, which fund is hereby created, the sum of five hundred thousand (\$500,000) dollars quarterly, which sums are hereby appropriated for direct relief and for work relief and for expenses incidental thereto, for the purpose of caring for unemployed and needy persons within this state. The funds hereby appropriated shall be administered through the Iowa Emergency Relief Administration and shall be withdrawn only as needed from time to time, by requisition of the governor, and upon warrants drawn by the state comptroller payable to the Iowa Emergency Relief Administration. With the exception of necessary administrative expenses, said fund shall be allocated by the Iowa Emergency Relief Administration to the various counties of the state in accordance with the need therefor.

3. Further amend by striking all of Section 2.

4. Further amend by adding as Section Four (4) of Section 6943-f63, Code of 1935, the following paragraph:

"4. The balance of said fund shall be held by the Treasurer of State and shall be designated as The Homestead Credit Fund and shall be distributed by the Treasurer of State on warrants drawn by the Comptroller upon the direction of the board under the provisions of this act and made payable to the County Treasurers of the several counties of the state.

Amend by striking all of Section 3 of Senate File 1 and inserting in lieu thereof the following:

Section 6943-f64, of the Code of Iowa of 1935, is hereby repealed and the following is enacted in lieu thereof:

"The Homestead Credit Fund shall be apportioned each year as hereinafter provided so as to give a credit against the tax on each eligible homestead in the State, as defined herein, the amount of such credit to be in the same proportion that the assessed valuation of each eligible homestead in the State in an amount not to exceed \$2,500.00 bears to the total assessed valuation of all eligible homesteads in the State in an amount not to exceed \$2,500.00 for each homestead.

The revenue distributable in The Homestead Credit Fund, as provided for in paragraph four of Section 6943-f63, shall be allocated every six months to the several Counties of the State in the same proportion that the assessed valuation of all eligible homesteads in each County in an amount not to exceed \$2,500.00 for each homestead, bears to the total assessed valuation of all eligible homesteads in the State in an amount not to exceed \$2,500.00 for each homestead. On March 25, 1938, and every six months thereafter the Board shall certify to the County Treasurer of each County in the State the total amount of money which has been apportioned or is then apportionable to that County.

On October 1, 1937, and annually thereafter, the Board shall estimate the millage credit to be given to each dollar of eligible homestead valuation based upon the estimated revenue that may be distributable from The Homestead Credit Fund for the ensuing year, and shall certify to the County Auditors of the several Counties of the State such millage credit and the amount in dollars thereof. The County Auditors shall then enter such credit against the tax levied on each eligible homestead in said Counties and payable during the ensuing year, designating on the tax lists such credit as being from The Homestead Credit Fund, and credit shall then be given to the several taxing districts in which such eligible homesteads are located in an amount equal to the credits allowed on the taxes of such homesteads. The amount of said credits shall be apportioned by the County Treasurers to the several taxing districts as provided by law, in the same manner as though the amount of the credit had been paid by the owners of said homesteads; provided, however, that the several taxing districts shall not be permitted to draw the funds so credited until after the semi-annual allocations have been received by the County Treasurers, as provided in this Act. The County Treasurers shall show on each tax receipt the amount of credit received from The Homestead Credit Fund.

Further amend by striking all of Section 4 of Senate File 1 and insert in lieu thereof the following:

"Any person who is the owner of a homestead, as defined in this act, and who desires to avail himself of the benefits provided hereunder may do so by filing a verified statement with the county auditor of the county in which the claimed homestead is located on or before July 1st, 1937, and the claim of the owner must be supported by the affidavits of at least two disinterested free holders of the taxing district in which the claimed homestead is located.

The State Board of Assessment and Review shall prescribe the forms upon which said application is to be made and shall also prescribe the form of the supporting affidavit.

After the time for filing claims under this act has expired, the county board of supervisors in each county shall forthwith examine all applications filed and shall either allow or disallow said claims.

All applications which have been allowed by the boards of supervisors shall be certified on or before August 1st, 1937, by the county auditors to the county treasurers of the several counties which certificates shall list the name of each owner, legal description of the claimed homestead, and the value of said homestead in an amount not to exceed twenty-five hundred (2,500) dollars for each homestead. The County Treasurers shall forthwith certify to the State Board of Assessment and Review the total assessed valuation of all homesteads so certified in an amount not to exceed twenty-five hundred (2,500) dollars for each homestead."

"On or before September 1, 1937, the revenue then distributable in the homestead credit fund as provided for in Paragraph 4 of Section 6943-f63, shall be allocated to the several counties of the state in the same manner as hereinbefore provided in this act.

The county treasurer of each county shall enter a credit against the tax levied on each eligible homestead in the various counties, being the tax for the year 1936, payable in 1937, said credit to be determined as hereinbefore provided. The county treasurer shall show on each tax receipt the amount of credit received from the homestead credit fund.

In the event that a taxpayer has paid one or both of the installments of the 1936 tax payable in 1937 on such eligible homesteads prior to the time of the entry of such credit, the county treasurer shall, at the time he enters such credit, remit to such taxpayers the amount of such credit less unpaid portion of tax, if any.

Amend by striking all of Section 5 of Senate File 1, and inserting in lieu thereof the following:

"Any person who desires to avail himself of the benefits provided hereunder shall each year commencing January 1, 1938, deliver to the assessor, on blank forms to be furnished by the assessor, a verified statement and designation of homestead as claimed by him, and the assessor shall return said statement and designation with the assessment roll to the County Auditor; provided, that if the said verified statement and designation of homestead is not delivered to the assessor, the person may, on or before August 1 of any year, file with the County Auditor such verified statement and designation, together with the supporting affidavits of at least two disinterested free holders of the taxing district in which the claimed homestead is located.

"The County Board of Supervisors in each county shall forthwith examine all applications, whether delivered to the assessors or filed with the County Auditor as herein provided and shall either allow or disallow said claims.

"All applications which have been allowed by the boards of supervisors shall be certified on or before September 1, in each year by the County Auditor to the County Treasurer of the several counties, which certificates

shall list the name of each owner, legal description of the claimed homestead, and the value of said homestead in the amount not to exceed twenty-five hundred (\$2,500) dollars for each homestead. The County Treasurer shall forthwith certify to the State Board of Assessment and Review the total assessed value of all homesteads so certified in an amount not to exceed twenty-five hundred (\$2,500) dollars in each homestead.

Amend Section 6 of Senate File 1, by striking the figures "6292" in line three thereof, and inserting in lieu thereof the figures "6962".

Insert after the word "board" in line eight thereof the words "of supervisors".

Amend Section eight (8) of Senate File 1 by striking all of said section and inserting in lieu thereof the following:

"As soon as practicable after the effective date of this act, and from time to time thereafter as necessary, the board shall prepare and forward to the county auditors of this state prescribed sample forms, including forms of verified statements and supporting affidavits, for use under the provisions of this act, and the County Auditors shall furnish blank forms prepared in accordance therewith with the assessment rolls, books and supplies delivered to the successors.

Further amend by striking Section 9 of Senate File 1, and insert in lieu thereof the following:

"Any person whose application is denied may appeal from the action of the Board of Supervisors to the district court in the county in which said claimed homestead is situated by giving written notice of such appeal to the County Auditor of said county within ten days from the date of such action by the Board of Supervisors. Said appeal shall be tried by equitable proceedings."

Strike all of Section 10, and amend by inserting the following section:

"If the amount of credit apportioned to any homestead or homesteads under the provisions of this act shall exceed the total tax, exclusive of any such assessments levied against said homestead or homesteads for the preceding year, then such excess shall be returned by the County Treasurer to the homestead credit fund to be reallocated the following year by the Board as provided under the provisions of this act."

Strike Section 11, and amend by inserting in lieu thereof the following:

"For the purpose of this act and wherever used in this act:

1. The word "homestead" shall have the following meaning:

a. The homestead must embrace the house in which the owner claiming exemption under this act, actually lives six months or more in the year.

b. It may contain one or more contiguous lots or tracts of land with the building and other appurtenances thereon habitually and in good faith used as a part of the homestead.

c. If within a city or town plat, it must not exceed one-half acre in extent; this limitation, however, is subject to paragraph "e" of this section.

d. If outside a city or town, it must not contain more than forty acres; this limitation, however, is subject to paragraph "e" of this section.

e. If its value is less than twenty-five hundred dollars (\$2,500.00), the land area may be enlarged until it reaches that amount.

f. It must not embrace more than one dwelling house.

g. If a part of the building is used for other purposes than that of a dwelling, and is productive of income, the owner asking for exemption under this act, shall be entitled to exemption only on the basis of the value of that part of the dwelling house actually used by him or by him and his family.

h. A house occupied by a widow or widower, upon the death of the husband or wife, shall be considered a homestead where there has been an election under the terms of Section ten thousand one hundred forty-six (10146), Code, 1935.

2. The word "owner" shall mean the person who holds the fee simple title to the homestead and in addition shall mean the person occupying as a surviving spouse where there has been an election under the terms of Section ten thousand one hundred forty-six (10146), Code, 1935, or the person occupying under a contract of purchase or occupying the homestead under devise or by operation of the inheritance tax laws where the whole interest passes or where a divided interest is shared only by blood relative, or where the person occupies the homestead under a deed which conveys a divided interest where the other interests are owned by blood relatives.

E. P. DONOHUE.
EDWARD BREEN.
A. E. AUGUSTINE.
H. V. LEVIS.

The Journal of February 15th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 17, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Paul H. Hicks, pastor of the First Methodist Church, Chariton.

PETITIONS AND MEMORIALS

By Senator Augustine, from teachers of Oskaloosa, favoring teachers' retirement annuities. Public schools.

By Senator Elthon, from teachers of Osage, favoring teachers' retirement annuities. Public schools.

By Senator Whitehill, from the Marshalltown Teachers' Association, favoring teachers' retirement annuities. Public schools.

By Senator Breen, from the Fort Dodge Chapter of the D. A. R., favoring teachers' retirement annuities. Public schools.

By Senator Hopkins, from the Perry Teachers' Federation, favoring teachers' retirement annuities. Public schools.

By Senator Evans, from Post No. 28 of the American Legion, at Sidney, favoring enactment of Senate File 99, to permit leasing of parks or park property to patriotic organizations. Cities and towns.

By Senator Evans, from Lorraine Post No. 67 of the American Legion, at Red Oak, favoring enactment of Senate File 99. Cities and towns.

By Senator Mason, from teachers of Montezuma Consolidated School, favoring enactment of House File 130, providing for teachers' retirement annuities. Public schools.

By Senator Mason, from teachers at What Cheer, favoring enactment of House File 130. Public schools.

By Senator Corwin, from people of Wapello, favoring legislation to prohibit the sale and shooting of fireworks. Judiciary 2.

By Senator Schadt, from county deputies and clerks of Iowa and Johnson counties, favoring enactment of legislation to place county deputies and clerks under civil service. County and township.

By Senator Billingsley, from county employees of Jasper county, favoring enactment of legislation to place county officers under civil service. County and township.

Senator Beardsley called up for consideration Senate Resolution 5, which appears on page 295 of the Senate Journal.

The substitute resolution, which appears on page 305 of the Senate Journal, was taken up for consideration and Senator Irwin moved its adoption.

Senator Donohue raised the point of order that the subject matter in the substitute was not the same as that in the original resolution. The point of order was not sustained by the President.

Senator Donohue moved the previous question, which motion prevailed.

Roll call was requested.

On the question, "Shall the substitute amendment be adopted?" the vote was:

Ayes, 20:

Augustine	Chrystal	Gillette	Mighell
Baldwin	Dean	Grunewald	Miller
Bell of Crawford	Ellis	Guernsey	Moore
Bell of	Geske	Irwin	Murray
Des Moines	Gillespie	Mason	Stevens
Breen			

Nays, 29:

Beardsley	Edwards	Husted	Pelzer
Berg	Elthon	Kimberly	Schadt
Billingsley	Evans	Kirketeg	Shaw
Byers	Goetsch	Levis	Smith
Corwin	Hill	Lundy	Stewart
Dewey	Hoeven	Millhone	Whitehill
Donohue	Hopkins	Parker	Zeigler
Doran			

Absent or not voting, 1:

Driscoll

The amendment was not adopted.

Senator Beardsley moved the adoption of Senate Resolution 5.

Roll call was requested.

On the question, "Shall Senate Resolution 5 be adopted?" the vote was:

Ayes, 29:

Beardsley	Edwards	Husted	Pelzer
Berg	Elthon	Kimberly	Schadt
Billingsley	Evans	Kirketeg	Shaw
Byers	Goetsch	Levis	Smith
Corwin	Hill	Lundy	Stewart
Dewey	Hoeven	Millhone	Whitehill
Donohue	Hopkins	Parker	Zeigler
Doran			

Nays, 20:

Augustine	Chrystal	Gillette	Mighell
Baldwin	Dean	Grunewald	Miller
Bell of Crawford	Ellis	Guernsey	Moore
Bell of	Geske	Irwin	Murray
Des Moines	Gillespie	Mason	Stevens
Breen			

Absent or not voting, 1:

Driscoll

The resolution was adopted.

Senator Hill asked unanimous consent to take up for consideration at this time House Concurrent Resolution 4, which appears on page 228 of the Senate Journal. There were objections.

INTRODUCTION OF BILLS

Senate File 172, by Senator Kimberly, a bill for an act to amend Section five thousand six hundred ninety-four (5694), Code, 1935, relating to the applicability of civil service and exceptions there-to by adding a provision as to the applicability of civil service to certain officials in cities acting under special charter with a population of over fifty thousand (50,000).

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

Senate File 173, by Senator Stevens, a bill for an act to establish the Iowa commission on interstate cooperation consisting of a Senate committee on interstate cooperation, a House committee on interstate cooperation, and a Governor's committee on inter-

state cooperation, for the purpose of facilitating the cooperation of this state with other units of Government; providing for the appointment, organization, duties, and functions of such commission and committees, and for the payment of the expenses connected therewith.

Read first and second times and referred to committee on federal co-ordination.

Senate File 174, by committee on highways, a bill for an act to amend Section forty-seven hundred fifty-five-b twenty-six (4755-b26), Code of Iowa, 1935, relating to the construction or reconstruction of primary roads.

Read first and second times and placed on calendar.

Senate File 175, by Senator Chrystal, a bill for an act to amend Section two thousand five hundred eighty-five-c two (2585-c2), Code of 1935, relating to the licensing, supervision and regulation of the practice of embalming.

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

Senate Joint Resolution 4, by greater Iowa committee, a joint resolution relating to the Greater Iowa Commission, requesting the cooperation of appropriate governmental agencies, and making appropriation therefor.

Read first and second times and placed on calendar.

Senate File 176, by Senator Gillespie, a bill for an act to authorize the executive council of the State of Iowa to deed certain real estate to the city of Des Moines upon the city of Des Moines' conveying certain real estate to the State of Iowa.

Read first and second times and referred to committee on judiciary 1.

Senate File 177, by Senators Gillespie and Berg, a bill for an act making unlawful certain discriminations in price, in services or facilities furnished, or in payment for services or facilities to be rendered, in connection with the sale of commodities in the course of trade or commerce, and providing certain remedies for violation.

Read first and second times and referred to committee on manufacturing, trade and commerce.

Senate File 178, by Senator Berg, a bill for an act to revise the law in relation to marriages, requiring certificate of health by applicants for license to marry.

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

Senate File 179, by Senator Byers, a bill for an act to amend Section sixty-five hundred eighty (6580), Code, 1935, to authorize cities under commission form of government, by a two-thirds vote of its council, to lease any city property not needed for the immediate use of such city for a period of not to exceed twenty-five years in such cities.

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

Senator Shaw moved that the Senate resolve itself into a committee of the whole for the consideration of the proposed amendments to Senate File 1, which motion prevailed.

The committee of the whole arose.

On motion of Senator Beardsley, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File 16.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 16.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of February, 1937, sent to the Governor for his approval, Senate File 16.

FRANK PELZER, *Chairman.*

Passed on file.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on February 16, 1937, he had approved the following:

Senate File 50, a legalizing act for the consolidated independent School District of Smithland, Woodbury county.

Senate File 71, relating to investment of funds by guardians of veterans.

RESOLUTION

State of Iowa, Executive Council.

Whereas, Under the provisions of Sections 295 and 296 of the 1935 Code of Iowa the Executive Council of the State of Iowa is charged with the duty of making assignments of rooms to the various state departments and of keeping in repair all buildings and grounds of the state at the seat of government; and

Whereas, There is insufficient space in the State House to house all state departments and several departments are located in offices in West Des Moines at a cost to the state of approximately \$67,000.00 per annum, which system makes for inefficiency in transactions between the various departments; and

Whereas, Many state departments are housed in buildings which are not fireproof, thus exposing to the ravages of fire and the elements many invaluable state records, the loss of which would be irreparable; that among such departments, the records of which are thus unprotected, are the Old Age Assistance Commission, the Unemployment Compensation Commission, the Board of Control, the Railroad Commission, the State Department of Health, the Board of Education, the Industrial Commission, the Bureau of Labor and the State Fire Marshal; and

Whereas, The Bryant building, in which are housed four departments of the State Government, has been condemned and is being occupied at this time against the advice of the State Architect, the State Labor Commissioner and the State Fire Marshal; and

Whereas, The departments now housed in the Bryant building should be removed therefrom without delay, which removal will cause added expenditures to be made for rental for outside quarters; now, therefore,

Be It Resolved: That the Executive Council of Iowa does hereby respectfully petition the General Assembly of the State of Iowa to take some action to relieve the overcrowded condition which now exists; and

Be It Further Resolved, That a copy of this resolution be transmitted to the Senate and to the House of Representatives of the Forty-seventh General Assembly.

Approved this 15th day of February, A. D. 1937.

N. G. KRASCHEL, *Governor.*

EXECUTIVE
COUNCIL SEAL
STATE OF IOWA

ROBERT E. O'BRIAN, *Secretary of State.*

C. W. STORMS, *Auditor of State.*

LEO J. WEGMAN, *Treasurer of State.*

THOMAS L. CURRAN, *Secretary of Agriculture.*

On request of Senator Smith, the word "certified", in the amendments to Senate File 1 at the bottom of page 308 of the Senate Journal, was corrected to read "certificates".

On motion of Senator Donohue, the Senate resolved itself into a committee of the whole for further consideration of the proposed amendments to Senate File 1.

The committee of the whole arose.

REPORT OF COMMITTEE OF THE WHOLE

The Chairman of the committee of the whole submitted the following report:

MR. PRESIDENT: Your committee of the whole, to which was referred Senate File 1, a bill for an act to encourage the acquiring and ownership of homesteads; to amend Chapter 329-F1 of the Code of 1935, relating to taxation, income and retail sales; to renumber paragraph two (2) of Section 6943-f63 of the Code of 1935 and to insert in lieu thereof a new paragraph two (2) relating to the allocation of funds arising under the provisions of said Chapter 329-F1 to the old age pension fund; to strike from Section 6943-f64, paragraph three (3) thereof, and substitute in lieu thereof a new paragraph three (3) of said section and additional paragraphs of said section relating to the allocation of funds arising under the provisions of the said Chapter to the reduction of taxes on homesteads and prescribing the procedure of county treasurers in the certification and distribution to the several taxing districts of the counties of money received from the Comptroller on order of the board; to define homesteads and providing for the designation thereof, and prescribing the duties of officers and providing a method of entering credit against the tax on the first twenty-five hundred (2,500) dollars of the assessed value of homesteads less exemption if any afforded by Section 6946; and providing a method for determining beneficiaries for such credits; to provide for the disposition of the excess, if any, transmitted to county treasurers and apportioned by them over and above the total tax levied on homesteads within such twenty-five hundred (2,500) dollar

limit; to provide a method of review of all questions relating to tax credits on homesteads, and providing a penalty for making false affidavits for the purpose of securing such credits; and amending Section 6943-f39 by striking therefrom the date of the original termination of the sales tax thereby extending said tax on and after April 1, 1937, and providing for the taking of effect of said act by and upon publication, begs leave to report it has had the same under consideration and recommends the same be amended as follows:

Strike all the number "2" at the beginning of the eighth line of Section 6943-f63, Code of 1935, and insert the following as Paragraph 2 of said section following Paragraph 1 thereof:

"The board shall set aside and cause to be paid into the Old Age Pension fund from time to time as available the next five million, five hundred thousand dollars (\$5,500,000.00) collected each year under the provisions of this act."

2. Further amend by adding as Paragraph 3 of said Section 6943-f63, Code of 1935, the following paragraph:

"On July 1st, 1937, and quarterly thereafter, up to and including April 1st, 1939, the board shall, from the revenue collected under this act, set aside and cause to be paid into a fund to be known as the Iowa Emergency Relief Administration Fund, which fund is hereby created, the sum of five hundred thousand (\$500,000) dollars quarterly, which sums are hereby appropriated for direct relief and for work relief and for expenses incidental thereto, for the purpose of caring for unemployed and needy persons within this state. The funds hereby appropriated shall be administered through the Iowa Emergency Relief Administration and shall be withdrawn only as needed from time to time, by requisition of the Governor, and upon warrants drawn by the state comptroller payable to the Iowa Emergency Relief Administration. With the exception of necessary administrative expenses, said fund shall be allocated by the Iowa Emergency Relief Administration to the various counties of the state in accordance with the need therefor."

3. Further amend by striking all of Section 2.

4. Further amend by adding as Section Four (4) of Section 6943-f63, Code of 1935, the following paragraph:

"4. The balance of said fund shall be held by the Treasurer of State and shall be designated as The Homestead Credit Fund and shall be distributed by the Treasurer of State on warrants drawn by the Comptroller upon the direction of the board under the provisions of this act and made payable to the county treasurers of the several counties of the state."

Amend by striking all of Section 3 of Senate File 1 and inserting in lieu thereof the following:

Section 6943-f64, of the Code of Iowa of 1935, is hereby repealed and the following is enacted in lieu thereof:

"The Homestead Credit Fund shall be apportioned each year as hereinafter provided so as to give a credit against the tax on each eligible homestead in the State, as defined herein, the amount of such credit to be in the same proportion that the assessed valuation of each eligible homestead in the State in an amount not to exceed \$2,500.00 bears to the

total assessed valuation of all eligible homesteads in the State in an amount not to exceed \$2,500.00 for each homestead.

"The revenue distributable in The Homestead Credit Fund, as provided for in paragraph four of Section 6943-f63, shall be allocated every six months to the several counties of the State in the same proportion that the assessed valuation of all eligible homesteads in each county in an amount not to exceed \$2,500.00 for each homestead, bears to the total assessed valuation of all eligible homesteads in the State in an amount not to exceed \$2,500.00 for each homestead. On March 25, 1938, and every six months thereafter the Board shall certify to the County Treasurer of each county in the State the total amount of money which has been apportioned or is then apportionable to that county.

"On October 1, 1937, and annually thereafter, the Board shall estimate the millage credit to be given to each dollar of eligible homestead valuation based upon the estimated revenue that may be distributable from The Homestead Credit Fund for the ensuing year, and shall certify to the County Auditors of the several Counties of the State such millage credit and the amount in dollars thereof. The County Auditors shall then enter such credit against the tax levied on each eligible homestead in said Counties and payable during the ensuing year, designating on the tax lists such credit as being from The Homestead Credit Fund, and credit shall then be given to the several taxing districts in which such eligible homesteads are located in an amount equal to the credits allowed on the taxes of such homesteads. The amount of said credits shall be apportioned by the County Treasurers to the several taxing districts as provided by law, in the same manner as though the amount of the credit had been paid by the owners of said homesteads; provided, however, that the several taxing districts shall not be permitted to draw the funds so credited until after the semi-annual allocations have been received by the County Treasurer, as provided in this Act. The County Treasurers shall show on each tax receipt the amount of credit received from The Homestead Credit Fund."

Further amend by striking all of Section 4 of Senate File 1 and insert in lieu thereof the following:

"Any person who is the owner of a homestead, as defined in this act, and who desires to avail himself of the benefits provided hereunder may do so by filing a verified statement with the county auditor of the county in which the claimed homestead is located on or before July 1st, 1937, and the claim of the owner must be supported by the affidavits of at least two disinterested free holders of the taxing district in which the claimed homestead is located.

"The State Board of Assessment and Review shall prescribe the forms upon which said application is to be made and shall also prescribe the form of the supporting affidavit.

"After the time for filing claims under this act has expired, the county board of supervisors in each county shall forthwith examine all applications filed and shall either allow or disallow said claims.

"All applications which have been allowed by the boards of supervisors shall be certified on or before August 1st, 1937, by the county auditors to

the county treasurers of the several counties which certificates shall list the name of each owner, legal description of the claimed homestead, and the value of said homestead in an amount not to exceed twenty-five hundred (2,500) dollars for each homestead. The County Treasurers shall forthwith certify to the State Board of Assessment and Review the total assessed valuation of all homesteads so certified in an amount not to exceed twenty-five hundred (2,500) dollars for each homestead.

"On or before September 1, 1937, the revenue then distributable in the homestead credit fund as provided for in Paragraph 4 of Section 6943-f63, shall be allocated to the several counties of the state in the same manner as hereinbefore provided in this act.

"The county treasurer of each county shall enter a credit against the tax levied on each eligible homestead in the various counties, being the tax for the year 1936, payable in 1937, said credit to be determined as hereinbefore provided. The county treasurer shall show on each tax receipt the amount of credit received from the homestead credit fund.

"In the event that a taxpayer has paid one or both of the installments of the 1936 tax payable in 1937 on such eligible homesteads prior to the time of the entry of such credit, the county treasurer shall, at the time he enters such credit, remit to such taxpayers the amount of such credit less unpaid portion of tax, if any."

Amend by striking all of Section 5 of Senate File 1, and inserting in lieu thereof the following:

"Any person who desires to avail himself of the benefits provided hereunder shall each year commencing January 1, 1938, deliver to the assessor, on blank forms to be furnished by the assessor, a verified statement and designation of homestead as claimed by him, and the assessor shall return said statement and designation with the assessment roll to the County Auditor; provided, that if the said verified statement and designation of homestead is not delivered to the assessor, the person may, on or before August 1 of any year, file with the County Auditor such verified statement and designation, together with the supporting affidavits of at least two disinterested free holders of the taxing district in which the claimed homestead is located.

"The County Board of Supervisors in each county shall forthwith examine all applications, whether delivered to the assessors or filed with the County Auditor as herein provided and shall either allow or disallow said claims.

"All applications which have been allowed by the boards of supervisors shall be certified on or before September 1, in each year by the County Auditor to the County Treasurer of the several counties, which certificates shall list the name of each owner, legal description of the claimed homestead, and the value of said homestead in the amount not to exceed twenty-five hundred (\$2,500) dollars for each homestead. The County Treasurer shall forthwith certify to the State Board of Assessment and Review the total assessed value of all homesteads so certified in an amount not to exceed twenty-five hundred (2,500) dollars in each homestead."

Amend Section 6 of Senate File 1, by striking the figures "6292" in line three thereof, and inserting in lieu thereof the figures "6962".

Insert after the word "board" in line eight thereof the words "of supervisors".

Amend Section eight (8) of Senate File 1 by striking all of said section and inserting in lieu thereof the following:

"As soon as practicable after the effective date of this act, and from time to time thereafter as necessary, the board shall prepare and forward to the county auditors of this state prescribed sample forms, including forms of verified statements and supporting affidavits, for use under the provisions of this act, and the County Auditors shall furnish blank forms prepared in accordance therewith with the assessment rolls, books and supplies delivered to the successors."

Further amend by striking Section 9 of Senate File 1, and insert in lieu thereof the following:

"Any person whose application is denied may appeal from the action of the Board of Supervisors to the district court in the county in which said claimed homestead is situated by giving written notice of such appeal to the County Auditor of said county within ten days from the date of such action by the Board of Supervisors. Said appeal shall be tried by equitable proceedings."

Strike all of Section 10, and amend by inserting the following section:

"If the amount of credit apportioned to any homestead or homesteads under the provisions of this act shall exceed the total tax, exclusive of any such assessments levied against said homestead or homesteads for the preceding year, then such excess shall be returned by the County Treasurer to the homestead credit fund to be reallocated the following year by the Board as provided under the provisions of this act."

JOHN K. VALENTINE, *Chairman.*

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 9, providing for the adoption of the joint rules of the 47th General Assembly.

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

House File 159, a bill for an act relating to the extension of the period of redemption of homesteads from tax sales.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 159, a bill for an emergency act relating to the extension of the period of redemption of homesteads from tax sales until March 1, 1939, and prohibiting the issuance of tax deeds on homesteads on tax sale certificates where tax deeds have not been

granted, and providing a method of appeal in connection therewith, and suspending all laws in conflict herewith.

Read first and second times and referred to committee on judiciary 2.

HOUSE CONCURRENT RESOLUTION 9

Be It Resolved by the House, the Senate Concurring: That the joint rules of the House and the Senate of the 46th General Assembly be adopted by the 47th General Assembly when amended by adding thereto Rule 19 as follows:

Rule 19.

Action on Bills Having Passed Either Chamber

Any bill having passed either chamber and having been acted upon favorably by the committee in the other chamber to which such bill was then assigned, shall not be placed in either a sifting committee, or in any like committee of such chamber.

C. G. JOHNSON.

IVER CHRISTOFFERSEN.

THOS. HENDRICKSON.

O. W. HULTMAN.

J. O. GALLAGHER.

MORGAN J. MCENANEY.

EXTRA COPIES OF SENATE FILES

On request of Senator Hill 2,400 copies of Senate File 16, relating to extension of the period of redemption of real estate, were ordered printed.

On request of Senator Millhone, 1,200 extra copies of Senate File 143, relating to farm-to-market roads, were ordered printed.

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 94, a bill for an act to require sales pavilions to keep certain records of personal property sold and to keep the same open for public inspection, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend the title by inserting after the word "pavilions" in the first line the words "operator or operators". Further amend the title by striking the period (.) in line three (3) and inserting in lieu thereof the following: "and to provide a penalty for violation thereof."

2. Strike lines five (5) and six (6) of Section 1 and insert in lieu thereof the following: "Truck operator or party delivering the property to sale pavilion, the truck license number if any, together with the names

of the owner, seller, and buyer of said personal property and his address, showing the number of chattels, the nature of, and a brief description of the property and the date of sale."

3. Any violation of the terms of this section shall be punishable by a fine of not to exceed one hundred dollars (\$100) or by imprisonment in the county jail not to exceed thirty (30) days. A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 127, a bill for an act to protect restrictions affecting real estate arising out of deed or deeds in a chain of title to real estate and running with the land, limiting the use of the property, etc., and providing that such restrictions shall be unaffected by the issuance of tax deeds, begs leave to report it has had the same under consideration and recommends the same do pass. A. J. SHAW, *Chairman*.

Ordered passed on file.

SENATE CONCURRENT RESOLUTION 11

The following resolution was filed.

Whereas, The cost of maintaining and financing the various state governments and their sub-divisions and the institutions thereunder, has greatly increased in the past few years; and

Whereas, Experience has shown that it is necessary that revenue be obtained from sources other than general taxation on property holdings; and

Whereas, Experience and the result of experiments in the provision of the needed revenue has demonstrated that a retail sales tax is the most effective and equitable means of obtaining necessary revenue and distributing this growing tax burden; and

Whereas, A very considerable number of the States of the Union, among which is the state of Iowa, have enacted retail sales tax legislation for the purpose of providing needed revenue; and

Whereas, No little difficulty has been encountered in the practical application of such tax acts because of the tendencies of the consumers to do considerable buying in adjoining states where there is no retail sales tax, for the purpose of evading the state retail sales tax law in the state of their residences; and

Whereas, Such widespread practice by the citizens of states having a retail sales tax law has and is working a hardship on such states and the business concerns operating therein because of the volume of business done in adjoining states by persons interested in evading such retail sales tax; and

Whereas, Legislation to curb such practices is difficult for the states to provide because of the provision of the Federal constitution prohibiting the levying and collection of duties or taxes on interstate commerce; and

Whereas, The only practical means of curbing the conditions herein complained of would be the enactment of Federal legislation permitting states to impose a non-discriminatory tax on transactions in Interstate Commerce, now therefore,

Be It Resolved by the Senate, the House Concurring: That the Congress of the United States, the Department of Commerce, the Interstate Commerce Commission and the executive department of the federal government have this important subject brought to their attention to the end that adequate federal legislation be provided to prevent the hardships herein enumerated on the respective states, that have found it necessary to employ a retail sales tax for revenue purposes and that federal legislation delegating to the states the power to impose a non-discriminatory tax upon transactions in Interstate Commerce be provided to eliminate, insofar as possible, the evils herein set forth.

J. BERG.

A. J. SHAW.

SAM D. GOETSCH.

GEO. L. PARKER.

SANFORD ZEIGLER, JR.

E. I. MASON.

WM. S. BEARDSLEY.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 77, by striking from line 140, the word four and inserting in lieu thereof, the word two; by striking from line 146, the word eight and inserting in lieu thereof the word six; by striking from line 150, the word two and inserting in lieu thereof the word one; by striking from line 154, the word six and inserting in lieu thereof the word five.

L. H. DORAN.

MR. PRESIDENT: Amend Senate File 151 by adding to Section two (2) the following: "Any contract for purchase of coal provided for in this Act may contain the provision that the purchaser may, in the event of an emergency, purchase coal elsewhere without advertising for bids in any year, for not more than ten per cent (10%) of said purchaser's annual requirements for coal."

HUGH W. LUNDY.

Senator Hill asked unanimous consent to take up for consideration House Concurrent Resolution 4 at this time. There were objections.

The Journal of February 16th was corrected and approved.

Senator Baldwin moved that the Senate adjourn until 10:00 a. m. Thursday.

Roll call was requested.

On the question, "Shall the Senate adjourn until 10:00 a. m. Thursday?" the vote was:

Ayes, 34:

Augustine	Donohue	Hoeven	Moore
Baldwin	Edwards	Hopkins	Murray
Bell of Crawford	Ellis	Husted	Parker
Berg	Evans	Kimberly	Schadt
Breen	Geske	Kirketeg	Shaw
Byers	Gillespie	Levis	Smith
Corwin	Gillette	Mighell	Stevens
Dean	Goetsch	Miller	Stewart
Dewey	Grunewald		

Nays, 6:

Doran	Hill	Pelzer	Zeigler
Elthon	Mason		

Absent or not voting, 10:

Beardsley	Billingsley	Guernsey	Millhone
Bell of	Chrystal	Irwin	Whitehill
Des Moines	Driscoll	Lundy	

The motion prevailed and the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 18, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. William Horatio Phelps of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bell of Des Moines, for the duration of his illness, on request of Senator Irwin.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Dewey, from citizens of Winfield, favoring enactment of legislation for educational equalization. Public schools.

By Senator Smith, from citizens of Waverly, favoring enactment of House File 130, providing for retirement annuities for teachers. Public schools.

By Senator Hill, from the Lawn Hill Parent Teachers' Association of Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from the Quill Club of Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from teachers of Lincoln High School of Webster City, favoring enactment of House File 130. Public schools.

By Senator Baldwin, from voters of Dubuque and members of the Dubuque Rotary Club, favoring enactment of House File 130. Public schools.

By Senator Hoeven, from citizens of Sheldon, favoring enactment of House File 130. Public schools.

By Senator Edwards, from the Creston Police Department,

favoring enactment of House File 51, a civil service bill. County and township affairs.

By Senator Edwards, from the Creston Police Department, favoring enactment of House File 98, relating to liability of drivers of motor or other vehicles of police or fire departments. Cities and towns.

By Senator Edwards, from the Creston Police Department, favoring enactment of House File 146, relating to retirement systems for police and firemen. Cities and towns.

By Senator Edwards, from a women's club of Lamoni, favoring enactment of House File 130, relating to retirement annuities for school teachers. Public schools.

By Senator Breen, from citizens of the Eighth District, favoring enactment of House File 130, relating to retirement annuities for school teachers. Public schools.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on February 17, 1937, he had approved the following:

Senate File 16, relating to the extension of the redemption period from sale under foreclosure of real estate.

Senator Hill called up for consideration House Concurrent Resolution 4, which appears on page 228 of the Senate Journal.

Senator Doran offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 4 as follows:

Strike from line 3 the word "investigate" and insert the word "study".
Strike from line 32 the word "investigate" and insert the word "study".

The amendment was adopted.

Senator Irwin moved to amend House Concurrent Resolution 4 by inserting after the word "the" in line 6 of the last paragraph the words "President of the".

By unanimous consent, Senator Irwin withdrew his amendment.

Senator Irwin moved that House Concurrent Resolution 4 be referred to the committee on social security.

Roll call was requested.

On the question, "Shall House Concurrent Resolution 4 be referred to the committee on social security?" the vote was:

Ayes, 29:

Augustine	Ellis	Guernsey	Moore
Baldwin	Elthon	Hoeven	Murray
Bell of Crawford	Evans	Irwin	Parker
Breen	Geske	Levis	Pelzer
Byers	Gillespie	Lundy	Schadt
Chrystal	Gillette	Mighell	Shaw
Dean	Grunewald	Miller	Stewart
Donohue			

Nays, 16:

Beardsley	Doran	Hopkins	Millhone
Berg	Edwards	Husted	Smith
Billingsley	Goetsch	Kimberly	Whitehill
Dewey	Hill	Kirketeg	Zeigler

Absent or not voting, 5:

Bell of Des Moines	Corwin Driscoll	Mason	Stevens
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The motion prevailed and House Concurrent Resolution 4 was referred to the committee on social security.

Senator Byers moved that House Concurrent Resolution 9, which appears on page 321 of the Senate Journal, be referred to the committee on rules, which motion prevailed.

Senator Shaw asked and received unanimous consent that consideration of Senate File 1 be deferred at this time, but that the bill retain its place on the calendar.

Senator Doran asked and received unanimous consent that consideration of Senate File 118 be deferred at this time, but that the bill retain its place on the calendar.

REPORT OF COMMITTEE

Senator Goetsch submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File 65, a bill for an act relating to appointment and confirmation of Industrial Commissioner, State Fire Marshal, members of Board of Parole, and Liquor Control Commission, begs leave to

report it has had the same under consideration and recommends the same do pass.
 SAM D. GOETSCH, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Millhone, Senate File 143, a bill for an act to designate a farm-to-market road system, to provide a comprehensive plan for the improvement of farm-to-market roads, to authorize the board of supervisors of any county to cooperate with the Federal Government and the State Highway Commission in the improvement of farm-to-market roads, to secure for the State of Iowa and the several counties thereof the benefit of all funds allotted or to be allotted to this state by the Federal Government in the aid of secondary roads, to create a farm-to-market road fund and to provide for the disbursement of said fund in the improvement of farm-to-market roads, a committee bill, was taken up and considered.

Senator Mason asked unanimous consent to have further consideration of Senate File 143 deferred until Monday. There were objections.

Senator Doran offered the following amendment and moved its adoption:

Amend Section 14 of Senate File 143 by striking the period after the word "improvement" in line 5, and inserting in lieu thereof the following: "as hereinafter provided."

The amendment was adopted.

Senator Millhone moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Doran	Hill	Miller
Beardsley	Edwards	Hoeven	Millhone
Bell of Crawford	Ellis	Hopkins	Moore
Berg	Elthon	Husted	Murray
Billingsley	Evans	Irwin	Pelzer
Breen	Geske	Kimberly	Schadt
Byers	Gillespie	Kirketeg	Shaw
Chrystal	Gillette	Levis	Smith
Dean	Goetsch	Lundy	Stevens
Dewey	Grunewald	Mason	Whitehill
Donohue	Guernsey	Mighell	Zeigler

Nays, 2:

Corwin

Stewart

Absent or not voting, 4:

Baldwin

Bell of
Des Moines

Driscoll

Parker

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

Senator Millhone moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Hon. Vincent F. Harrington, Congressman from the Ninth District and a former member of this Senate, was present in the Senate Chamber and Senator Baldwin requested that he be invited to address the Senate.

The President appointed Senators Murray and Gillette to escort the Hon. Vincent F. Harrington to the chair, and he addressed the Senate.

On motion of Senator Beardsley, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gillespie for the afternoon, on request of Senator Millhone.

SENATE FILE 38 REREFERRED

Senator Donohue moved that Senate File 38 be rereferred to the committee on ways and means.

Senator Kimberly moved to amend the pending motion and that Senate File 38 be referred to judiciary 1.

The amendment to the motion was lost.

By unanimous consent, Senator Donohue withdrew his motion.

Senator Donohue moved that Senate File 38 be referred to the committee on printing, which motion prevailed.

INTRODUCTION OF BILLS

Senate File 180, by Senators Gillespie and Shaw, a bill for an act to amend Sections sixty-one hundred twenty-seven (6127), sixty-one hundred thirty-four-d five (6134-d5), sixty-one hundred thirty-four-d six (6134-d6), sixty-one hundred thirty-five (6135), and Chapter three hundred twelve (312), Code, 1935, to enable cities and towns to purchase, establish, erect, maintain, and operate transportation systems.

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

Senate File 181, by committee on motor vehicles, a bill for an act to repeal Chapter two hundred fifty-one (251), and all amendments thereto, of the Code, 1935, and Sections forty-six hundred twenty-seven (4627), forty-six hundred eighty-six-c one (4686-c1), forty-six hundred eighty-six-c two (4686-c2), fifty-one hundred five-a thirty-two (5105-a32) to fifty-one hundred five-a thirty-five (5105-a35), inclusive, fifty-one hundred five-c eighteen (5105-c18) to fifty-one hundred five-c twenty-one (5105-c21), inclusive, sixty-seven hundred fifty-four-c one (6754-c1), sixty-seven hundred fifty-four-c two (6754-c2), twelve thousand two hundred twenty-two (12222) to twelve thousand two hundred twenty-eight (12228), inclusive, thirteen thousand eleven (13011) to thirteen thousand thirteen (13013), inclusive, thirteen thousand ninety-two (13092), thirteen thousand one hundred eighteen (13118), thirteen thousand one hundred nineteen (13119), thirteen thousand four hundred seventeen-a one (13417-a1), and thirteen thousand four hundred seventeen-a two (13417-a2) of said Code, and to enact a substitute therefor, and to amend Sections two thousand ten (2010), two thousand eleven (2011), forty-seven hundred fifty-five-b seven (4755-b7), fifty-one hundred five-a forty-one (5105-a41), fifty-one hundred five-c seventeen (5105-c17), and thirteen thousand ninety-two-d one (13092-d1) of said Code, all relating to vehicles and traffic; to provide penalties and liabilities in relation thereto; and to provide a department of the State government for the administration and enforcement thereof.

Read first and second times and placed on the calendar.

Senate File 182, by Senators Corwin and Bell of Des Moines, a bill for an act to amend Section four thousand five hundred five

(4505), Code, 1935, and to provide for exemption to county from loss of school funds.

Read first and second times and referred to committee on judiciary 1.

Senate File 183, by Senator Kirketeg, a bill for an act to amend Senate File fifteen (15), passed by the Forty-seventh General Assembly, entitled "An Emergency Act relating to foreclosure of real estate mortgages and deeds of trust; providing for the continuances of such action"; amending said Senate File by clarifying Section eight (8) of said act as to what original notices shall contain.

Read first and second times and referred to committee on judiciary 1.

MESSAGE FROM THE GOVERNOR

State of Iowa
Executive Office, Des Moines
February 18, 1937.

TO THE HONORABLE MEMBERS OF THE SENATE:

Under the terms of the State Unemployment Compensation Commission Act, passed in the Forty-sixth General Assembly in Extraordinary Session, it becomes necessary for me to appoint a permanent board of management to take charge of administration, on or before March 1st, 1937. In view of the time element, it becomes necessary that these nominations should be made this week in order that the Senate will have full time to consider and act upon confirmation within the specified time.

Personally, I am of the opinion that a full time board of three would insure better service over a period of years than a policy board of five on a per diem basis, leaving the administration greatly to a single executive officer, as incorporated in the present act. This view I know to be shared by many members of the Legislature. Therefore, I suggest that your honorable body consider a short amendment to the existing law, changing the board from a membership of five to a membership of three, and, upon the fate of that amendment, I can then with security proceed to appoint the board in the form that the Legislature directs.

This amendment will not only definitely settle the size of the board, but it will not interfere with the complete consideration of the bill by the Legislature, which has been agreed to by all interested parties. In fact, I suggest that, at an early date, perhaps immediately following your recess, that the entire act be brought before the Legislature for deliberate consideration, in order to consider all proposed changes. It, furthermore, appears to me that when the changes are made that this

Legislature propose that the entire act in that form be reenacted in order to safeguard the legality of the legislation insofar as it is possible.

Respectfully submitted,

N. G. KRASCHEL.

REPORTS OF COMMITTEES

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 133, a bill for an act to amend Section 11429, Code, 1935, allowing the court in its discretion to submit issues of fact in civil cases to be tried by a jury where the amount claimed is less than \$300.00, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed. E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 59, a bill for an act to amend certain sections relating to the Iowa Liquor Control Act and to provide for the maximum profit on all liquors handled by the said commission, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. By striking out the entire title to Senate File 59 and substituting in lieu thereof the following: "An act to amend Sections 1921-f28, 1921-f31, and to repeal Section 1921-f50 of the Code of Iowa of 1935 relating to the Iowa Liquor Control Act, and to provide for the disposal of all profits of the Liquor Control Commission, and to provide for the transfer of the said funds from the general state fund by the comptroller to a fund to be known as the State Board of Control Capital Improvement or Repair Fund, and to provide for the use of said profits."

2. To strike all of Section 1 of Senate File 59.

3. Amend Section 2 of Senate File 59 by adding thereto the following: "Further amend 1921-f28 by striking from line 7 the words 'three dollars' and by inserting in lieu thereof the following words: 'one dollar'."

4. By striking all of Section 4 of Senate File 59 and substituting in lieu thereof the following:

Sec. 4. Section nineteen hundred twenty-one f-fifty (1921-f50), Code, 1935, is hereby repealed and the following is enacted in lieu thereof, to wit:

"1921-f50. Fund—disposal of. All money received by the commission shall constitute a fund which shall be known as the Liquor Control Act Fund. Whenever said fund shall have a balance therein in excess of the amount necessary to carry out the provisions of this act, as determined and fixed by the comptroller from time to time, said comptroller shall transfer said excess balance to the general fund of the state."

Sec. 5. Temporary exception. Any excess balance now existing in said liquor control act fund, and all excess balances hereafter accruing in said fund, shall be promptly transferred by the comptroller to a fund

to be known as the state board of control capital improvement or repair fund, but said transfers to said last named fund shall cease when said transfers shall amount in the aggregate to two million five hundred thousand (\$2,500,000) dollars. Said capital improvement and repair fund shall be expended by the state board of control in the erection of such capital improvements on the lands under the control of said board, or in such repairs on existing improvements on said lands, as the executive council shall approve. The funds in said last named fund are hereby appropriated for the purposes aforesaid.

Sec. 6. This act being deemed of immediate importance shall be in force and effect after its passage and publication in the Charles City Press, a newspaper published at Charles City, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Senator Whitehill submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred Senate File 86, a bill for an act relating to the unlawful wearing, displaying, or use of military badges, buttons, emblems, or insignia, and providing a penalty for violation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

B. C. WHITEHILL, *Chairman.*

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 120, a bill for an act to amend Sections forty-two hundred thirty-five (4235), forty-three hundred twelve (4312), and forty-three hundred thirteen (4313), Code, 1935, relating to school census, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. M. HOPKINS, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File 159, by striking out all that part after the enacting clause, and by inserting in lieu thereof, the following:

Amend Section 6950, Code, 1935, by adding to said section after the period in line 18 thereof, the following: "In event the homestead of any person coming under the provisions of this section shall have been sold under the provision of Chapter 347, Code, 1935, the county in which said homestead is located may, by a written resolution of its board of supervisors, cancel said sale and refund to the purchaser, the net amount of the purchase price."

ORA E. HUSTED.

EXTRA COPIES OF SENATE FILE 181

Senator Beardsley asked and received unanimous consent to have 1,800 copies of Senate File 181, relating to recodification of the motor vehicle law, printed.

The Journal of February 17th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 19, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Joseph Steele, Jr., pastor of the Mayflower Congregational Church, Sioux City.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Guernsey, from merchants and citizens of Centerville, opposing legislation to change the amount and/or method of collection of the retail sales tax. Ways and means.

By Senator Hoeven, from citizens of Larchwood, favoring legislation to provide an annuity retirement system for teachers. Public schools.

By Senator Breen, from citizens of Fort Dodge, favoring enactment of House File 130, providing for an annuity retirement system for teachers. Public schools.

INTRODUCTION OF BILLS

Senate File 184, (Substitute for Senate File 1) by Senators Shaw, Dewey, Bell of Crawford, Driscoll, Berg, Mason, Zeigler, Goetsch, Levis, Breen, Donohue and Augustine, a bill for an act to encourage the acquiring and ownership of homesteads; to amend Chapter 329-F1, Code, 1935, relating to taxation, income, and retail sales and the allocation and distribution of revenue therefrom to the Iowa Emergency Relief Administration Fund and to the Old Age Pension Fund; to amend Section 6943-f63, Code, 1935, by repealing paragraph two (2) thereof and substituting a new paragraph, and by further amending said Section by adding two (2) new paragraphs, all relating to the allocation of funds accruing under the provisions of said Chapter 329-F1; to repeal Section 6943-f64 and enact a substitute therefor, also

relating to the allocation of funds accruing under the provisions of said Chapter 329-F1; to create The Homestead Credit Fund; to provide for the allocation of funds therein to apply as a credit on taxes on homesteads; prescribing the procedure whereby said funds are allocated by the State Board of Assessment and Review to the county treasurers of the several counties; prescribing the procedure for the making of such credit; to define homesteads and providing for the making of claims for credit as provided in this Act, limiting the assessed valuation of homesteads against which said credit shall apply to the first \$2500.00; to provide for the disposition of the excess, if any, remitted to the county treasurers of the several counties and apportioned by them over and above the total tax levied on said \$2,500.00 of assessed valuation; to provide a method of appeal from action of the board of supervisors of the several counties relating to said homestead tax credit; providing a penalty for the making of a false claim or affidavit under the provisions of this Act for the purpose of securing, or obtaining for another, a tax credit; and amending Section 6943-f39 by striking therefrom the date of the original termination of the sales tax; and providing for the taking effect of said Act by and upon publication.

Read first and second times and placed on calendar.

Senate File 185, by committee on livestock and dairying, 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.

Read first and second times and placed on calendar.

Senate File 186, by Senator Husted, a bill for an act to amend Chapter one hundred thirty-three (133), Code, 1935, relating to the creation and enforcement of sanitary safeguards and condition of hotels, restaurants and food establishments; providing for the granting of licenses therefor; providing that food shall be prepared, sold or consumed in a room or rooms wholly separate and apart from other rooms in which any other business is carried on; providing an exemption for railway dining cars, hotels as defined herein, churches, fraternal societies, civic and other organizations not regularly engaged in the serving of food or private boarding houses and homes, and exempting also ice cream, beverages, tobaccos and confections; providing for the

execution date of this act, the revocation of licenses for failure to comply and granting to the department discretionary powers in the granting or renewal of licenses; defining establishments covered by the act; defining a license as a personal privilege and not property; and defining food, restaurants and persons as included in this act.

Read first and second times and referred to committee on judiciary 1.

Senate File 187, by committee on judiciary 2, a bill for an act to amend Section thirteen thousand eight hundred sixty (13,860), Code, 1935, relating to separation of jury.

Read first and second times and placed on calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 10, inviting Harry W. Colmery, National Commander of the American Legion, to address a joint convention of the Forty-seventh General Assembly, Monday, February 22, 1937.

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

House File No. 219, a bill for an emergency act relating to contracts for the sale of real estate.

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

House Concurrent Resolution 8, providing for the March first recess.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 10

Be It Resolved by the House, the Senate Concurring: That Harry W. Colmery, 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 22nd, be invited to address the members of the Forty-seventh General Assembly in joint convention in the House Chamber at 11:00 o'clock A. M., February 22nd.

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 extend said invitation to National Commander Harry W. Colmery, and to receive and welcome him to the joint session of the General Assembly of Iowa.

That a special invitation be extended to G. M. Brown, State Commander

of the American Legion and the other state and district officers of the American Legion be invited to attend the address.

HOUSE CONCURRENT RESOLUTION 8

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday, February 25th, it be to reconvene on Tuesday, March 2nd, at 1:00 P. M.

HOUSE MESSAGES CONSIDERED

House File 219, by emergency legislation committee, a bill for an emergency act relating to contracts for the sale of real estate where the vendor retains legal title; providing for the continuance of actions brought upon said contracts; providing for the suspension of forfeiture proceedings; providing for the preservation of the rights and equities of the vendee or his heirs or assigns under said contracts; providing for possession of said real estate, and to the rents, income and profits therefrom and providing for the distribution thereof; and providing for the suspension of all acts or parts of acts in conflict with this act while same is in effect.

Read first and second times and referred to committee on judiciary 2.

REPORTS OF COMMITTEES

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on elections and contests, to which was referred House File 7, a bill for an act to amend section seven hundred forty-eight (748), Code, 1935, relating to the printing of ballots, and to provide for the printing of separate ballots where all names can not be placed on the voting machines, begs leave to report it has had the same under consideration and recommends the same do pass.

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

Senator Levis submitted the following report:

MR. PRESIDENT: Your committee on public utilities, to which was referred Senate File 27, a bill for an act to amend Section ninety-eight hundred eighty-five (9885), Code, 1935, relating to the production, manufacture, sale and distribution of commodities of commerce and providing that telephone service shall be included within the meaning of said section, begs leave to report it has had the same under consideration and recommends the same do pass.

H. V. LEVIS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public utilities, to which was referred Senate File 108, a bill for an act to amend Section fifty-nine hundred four-c 1 (5904-c 1) to permit cities and towns to grant franchises to operate and maintain on and over their streets bus and motor transportation lines to carry passengers for hire on a plan similar to street railways, and to provide the manner of granting of a renewal or extension of any such franchise by a majority of the legal electors voting thereon in favor of the same at a general, city or town, or special election provided that the applicant be the owner of the existing street railway company or its nominee, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike the word "or" after the word "granting" in line 6 of the title and substitute the word "of".

Amend Section 1 by striking lines 3 and 4 and inserting in lieu thereof the following: "changing the final period at the end of the second paragraph to a comma and adding the following: 'unless'."

H. V. LEVIS, *Chairman.*

Ordered passed on file.

SENATE FILE 17 WITHDRAWN FROM COMMITTEE

At the request of Senator Mason, Senate File 17 was called from the committee and placed on the calendar under rule 35.

Senator Shaw asked and received unanimous consent that the rules be suspended and that Senate File 184 be not referred to a committee but be placed immediately upon the calendar.

Senator Hoeven asked and received unanimous consent that House Concurrent Resolution 10 be taken up and considered at this time.

Senator Hoeven moved the adoption of the resolution, which motion prevailed.

On request of Senator Shaw, consideration of Senate File 1 was deferred temporarily and unanimous consent given that Senate File 184, a substitute for Senate File 1, should take its place on the calendar.

On request of Senator Doran, consideration of Senate File 118 was deferred, the bill to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Lundy, Senate File 151, a bill for an act to amend Chapter sixty-two-B one (62-B1), Code, 1935, relating to preference for domestic products and labor, a committee bill, was taken up and considered.

Senators Berg and Donohue offered the following amendment and Senator Berg moved its adoption:

Amend Senate File 151 by adding a new section following Section 4 as follows:

"Sec. 5. The provisions of this Act shall not apply to municipally owned and operated public utilities."

The amendment was adopted.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 151 by adding to Section two (2) the following: "Any contract for purchase of coal provided for in this Act may contain the provision that the purchaser may, in the event of an emergency, purchase coal elsewhere without advertising for bids in any year, for not more than ten per cent (10%) of said purchaser's annual requirements for coal."

The amendment was adopted.

Senator Lundy moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine	Edwards	Hoeven	Moore
Beardsley	Ellis	Hopkins	Murray
Bell of Crawford	Elthon	Husted	Parker
Berg	Evans	Kimberly	Pelzer
Billingsley	Geske	Kirketeg	Schadt
Breen	Gillespie	Levis	Shaw
Byers	Gillette	Lundy	Smith
Chrystal	Goetsch	Mason	Stevens
Corwin	Grunewald	Mighell	Stewart
Dewey	Guernsey	Miller	Whitehill
Donohue	Hill	Millhone	Zeigler
Doran			

Nays, None.

Absent or not voting, 5:

Baldwin	Bell of Des Moines	Dean Driscoll	Irwin
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lundy moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Owing to the absence of Senator Driscoll, one of the sponsors, Senate File 28 was deferred, the bill to retain its place on the Calendar.

On motion of Senator Shaw, House File 21, by Keeney and Lovrien, a bill for an act to amend sections forty-four hundred forty-six (4446), forty-four hundred forty-seven (4447), forty-two hundred thirty-eight (4238), and forty-four hundred fifty-nine (4459), Code, 1935, and to repeal section forty-four hundred sixty (4460), Code, 1935, and enact a substitute therefor, relating to textbooks in the public schools, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On request of Senator Shaw, Mr. R. A. Griffin was invited to address the Senate and answer any question on House File 21.

Senator Berg moved that House File 21 be re-referred to the committee.

Senator Berg asked and received unanimous consent to withdraw his motion.

Senator Berg moved that further consideration of House File 21 be deferred until Monday, which motion prevailed.

On motion of Senator Berg, Senate File 88, a bill for an act to amend the law as it appears in Chapter two hundred ninety-four (294), of the Code of Iowa, 1935, relating to the creation of river front improvement commissions in certain cities, and the organization and powers thereof, by amending sections five thousand eight hundred fifteen (5815), five thousand eight hundred and twenty (5820), five thousand eight hundred and twenty-one (5821), five thousand eight hundred and twenty-two (5822), and five thousand eight hundred and twenty-three (5823), and by adding to said chapter two hundred ninety-four (294), section five thousand eight hundred and nineteen-a (5819-a), authorizing the river front improvement commissions, to acquire through pur-

chase, gift or condemnation, that portion of the river bed, or channel, of any stream that is not meandered, lying within the corporate limits, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Dewey	Guernsey	Millhone
Baldwin	Donohue	Hill	Moore
Beardsley	Doran	Hoeven	Murray
Bell of Crawford	Edwards	Hopkins	Parker
Berg	Ellis	Husted	Pelzer
Billingsley	Elthon	Irwin	Schadt
Breen	Evans	Kimberly	Shaw
Byers	Geske	Kirketeg	Smith
Chrystal	Gillespie	Levis	Stevens
Corwin	Goetsch	Mighell	Whitehill
Dean	Grunewald	Miller	Zeigler

Nays, None.

Absent or not voting, 6:

Bell of	Driscoll	Lundy	Stewart
Des Moines	Gillette	Mason	

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

Senator Berg moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Evans asked and received unanimous consent that consideration of Senate File 99 be deferred at this time, but that the bill retain its place on the calendar.

Senator Murray asked and received unanimous consent that consideration of Senate File 26 be deferred at this time but that the bill retain its place on the calendar.

On motion of Senator Husted, Senate File 92, a bill for an act to make an appropriation available for the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs and other similar crop pests and for the eradication of new or reintroduced insects not now known to occur in the state and which may become serious pests, and for the purchase, distribution and application of materials and for incidental and other miscel-

laneous expenses connected therewith, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking the words and figures "fifty thousand dollars (\$50,000)" in line four (4) of Section one (1) and by inserting in lieu thereof the words and figures "thirty-five thousand dollars, (\$35,000)".

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Augustine	Donohue	Hill	Millhone
Baldwin	Doran	Hoeven	Moore
Beardsley	Edwards	Hopkins	Murray
Bell of Crawford	Ellis	Husted	Parker
Berg	Elthon	Irwin	Schadt
Billingsley	Evans	Kimberly	Shaw
Breen	Geske	Kirketeg	Smith
Byers	Gillespie	Levis	Stevens
Chrystal	Gillette	Lundy	Stewart
Corwin	Goetsch	Mason	Whitehill
Dean	Grunewald	Mighell	Zeigler
Dewey	Guernsey	Miller	

Nays, None.

Absent or not voting, 3:

Bell of	Driscoll	Pelzer
Des Moines		

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

Senator Husted moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Gillespie asked and received unanimous consent that consideration of Senate File 164 be deferred at this time, but that the bill retain its place on the calendar.

On motion of Senator Hopkins, House File 106, by Keeney, Elliott, and Whitney, a bill for an act to amend section forty-one hundred seventy-nine (4179), Code of Iowa 1935, relating to the use of busses owned by school districts to transport pupils, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend House File 106 by striking from line 9 of Section 1, the following: "an instructor," and inserting in lieu thereof the following: "a member of the faculty of said school, and".

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Edwards	Hopkins	Murray
Baldwin	Ellis	Husted	Parker
Beardsley	Elthon	Irwin	Pelzer
Berg	Geske	Kimberly	Schadt
Billingsley	Gillespie	Kirketeg	Shaw
Byers	Gillette	Levis	Smith
Chrystal	Goetsch	Lundy	Stevens
Corwin	Grunewald	Mighell	Stewart
Dean	Guernsey	Miller	Whitehill
Donohue	Hill	Millhone	Zeigler
Doran	Hoeven	Moore	

Nays, None.

Absent or not voting, 7:

Bell of Crawford	Breen	Driscoll	Mason
Bell of Des Moines	Dewey	Evans	

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

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Elthon, Senate File 116, a companion bill to House File 106, was withdrawn from the further consideration of the Senate.

Senate File 125 was ordered deferred, the bill to retain its place on the calendar.

On motion of Senator Dean, Senate File 21, a bill for an act to amend Section forty-six hundred forty-four-c 58 (4644-c 58), Code, 1935, relating to the levy of a road poll tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dean moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Edwards	Hoeven	Millhone
Baldwin	Ellis	Hopkins	Murray
Beardsley	Elthon	Husted	Parker
Berg	Evans	Irwin	Pelzer
Billingsley	Geske	Kimberly	Schadt
Byers	Gillespie	Kirketeg	Shaw
Chrystal	Gillette	Levis	Smith
Corwin	Goetsch	Lundy	Stevens
Dean	Grunewald	Mason	Stewart
Dewey	Guernsey	Mighell	Whitehill
Donohue	Hill	Miller	Zeigler

Nays, None.

Absent or not voting, 6:

Bell of Crawford	Bell of Des Moines	Breen Doran	Driscoll Moore
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dean moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Donohue, the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

INTRODUCTION OF BILLS

Senate File 188, by Senators Mason, Elthon, Breen and Dean, a bill for an act to amend and revise Chapter one hundred nineteen (119) of the Code of 1935, relating to the practice of Chiropractic; to authorize Chiropractors to employ and practice physical therapy; to define requirements necessary to practice physical therapy, and to provide for endorsements on Chiropractor's licenses authorizing practice of physical therapy, and to provide for the renewal of Chiropractic licenses, to raise educational requirements of Chiropractors and to authorize the practice of Chiropractic in aid of indigent persons and in state institutions.

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

Senate File 189, by Senator Baldwin (Reilly and Flynn), a bill for an act to repeal Section one thousand nine hundred twenty-one-f forty-seven (1921-f47), and to amend section one thousand nine hundred twenty-one-f seventeen (1921-f17), Code, 1935, all relating to the advertising of intoxicating liquor, and regulation thereof by the liquor commission.

Read first and second times and referred to committee on judiciary 2.

Senate File 190, by Senator Gillespie (By request), a bill for an act to amend Section sixty-two hundred eleven (6211), subparagraph sixteen (16), Code, 1935, relating to the garbage disposal and street cleaning fund, by increasing the millage.

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

Senate File 191, by committee on social security, a bill for an act to amend Sections 10 (a) and 10 (b) of Senate File 1, Acts of the 46th General Assembly, Extraordinary Session (approved December 24, 1936) and relating to administration of the Unemployment Insurance Law.

Read first and second times and placed on calendar.

Senate File 192, by Senator Baldwin, a bill for an act to authorize cities operating under the Manager Plan and having a population of over thirty thousand (30,000) to incur indebtedness, make expenditures and issue warrants, and to exceed the amounts set forth in their budget appropriations for the fiscal year beginning April 1, 1936, and ending March 31, 1937, and permitting such cities to make a levy for the General Fund not exceeding thirty thousand dollars (\$30,000), said levy being in addition to other levies for said General Fund, as provided by law, on all taxable property within said cities, said levy being payable in year, 1938, and authorizing said cities to issue warrants in anticipation of the collection of said levy.

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

Senate File 193, by Senator Baldwin, a bill for an act to legalize the actions of the city council and the city auditor of the city of

Dubuque, Iowa, in making expenditures and issuing warrants in the month of April, 1936, in the sum of \$20,119.37, said warrants being drawn on the Consolidated Fund of such city for indebtedness incurred during the fiscal year beginning on April 1, 1935, and ending on March 31, 1936, in excess of appropriations and anticipated revenues for such fiscal year, and to make such warrants a legal, binding and valid obligation of the city of Dubuque, Iowa.

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

Senate File 194, by Senator Doran, a bill for an act to amend Chapter four hundred fifty (450), Code, 1935, relating to landlord's lien and to provide for suspension and/or continuance of landlord's lien claims and/or attachment suits and to provide the conditions of such continuance.

Read first and second times and referred to committee on judiciary 2.

Senate File 195, by Senator Corwin, a bill for an act to legalize action of the board of supervisors of Muscatine county, Iowa, in making expenditures from the Muscatine county insane fund to the poor relief fund.

Read first and second times and referred to committee on judiciary 1.

Senate File 196, by Senators Shaw, Bell of Crawford, Driscoll, Mason, Levis, Breen, Donohue and Augustine, a bill for an act to impose a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes and the administration of said Act; to fix fines and penalties for the violation of the provisions of this Act; to provide for the apportionment of the revenues derived from said tax; and to repeal all laws or parts of laws in conflict herewith.

Read first and second times and placed on the calendar.

Senator Stevens asked and received unanimous consent to suspend the rules and consider Senate File 191 at this time.

Senator Stevens asked and received unanimous consent to make corrections in Senate File 191.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 191, a bill for an act to amend Sections 10 (a) and 10 (b) of Senate File 1, Acts of the 46th General Assembly, Extraordinary Session (approved December 24, 1936) and relating to administration of the Unemployment Insurance Law, was taken up and considered.

Senator Billingsley offered the following amendment and moved its adoption:

Strike from lines 4 and 5 of Section 10 (b) the words "such salary as the Commission may prescribe.", and substitute in lieu thereof the words "a salary not to exceed \$2400.00 per year."

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 38:

Augustine	Ellis	Hopkins	Millhone
Beardsley	Elthon	Husted	Parker
Berg	Evans	Kimberly	Pelzer
Billingsley	Geske	Kirketeg	Shaw
Byers	Gillespie	Levis	Smith
Corwin	Goetsch	Lundy	Stevens
Dewey	Grunewald	Mason	Stewart
Donohue	Guernsey	Mighell	Whitehill
Doran	Hill	Miller	Zeigler
Edwards	Hoeven		

Nays, 8:

Baldwin	Breen	Irwin	Murray
Bell of Crawford	Dean	Moore	Schadt

Absent or not voting, 4:

Bell of Des Moines	Chrystal	Driscoll	Gillette
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The motion prevailed and the amendment was adopted.

Senator Stevens moved that the rules be suspended, and that Senate File 191 be given its third reading on the same day as its first and second readings, and that the bill be placed on its passage, which motion prevailed.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 47:

Augustine	Donohue	Hoeven	Moore
Baldwin	Doran	Hopkins	Murray
Beardsley	Edwards	Husted	Parker
Bell of Crawford	Ellis	Irwin	Pelzer
Berg	Elthon	Kimberly	Schadt
Billingsley	Evans	Kirketeg	Shaw
Breen	Geske	Levis	Smith
Byers	Gillespie	Lundy	Stevens
Chrystal	Goetsch	Mason	Stewart
Corwin	Grunewald	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Hill	Millhone	

Nays, None.

Absent or not voting, 3:

Bell of Des Moines	Driscoll	Gillette
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Stevens asked and received unanimous consent that Senate File 191 be messaged to the House at once.

Senator Shaw asked and received unanimous consent that Senate File 1 be considered.

Senator Shaw moved that Senate File 184 be substituted for Senate File 1 and be considered at this time, which motion prevailed.

On motion of Senator Shaw, Senate File 184, a bill for an act to encourage the acquiring and ownership of homesteads; to amend Chapter 329-F1, Code, 1935, relating to taxation, income, and retail sales and the allocation and distribution of revenue therefrom to the Iowa Emergency Relief Administration Fund and to the Old Age Pension Fund; to amend Section 6943-f63, Code, 1935, by repealing paragraph two (2) thereof and substituting a new paragraph, and by further amending said section by adding two (2) new paragraphs, all relating to the allocation of funds accruing under the provisions of said Chapter 329-F1; to repeal Section 6943-f64 and enact a substitute therefor, also relating to the allocation of funds accruing under the provisions of said Chapter 329-F1; to create The Homestead Credit Fund; to provide

for the allocation of funds therein to apply as a credit on taxes on homesteads; prescribing the procedure whereby said funds are allocated by the State Board of Assessment and Review to the county treasurers of the several counties; prescribing the procedure for the making of such credit; to define homesteads and providing for the making of claims for credit as provided in this Act; limiting the assessed valuation of homesteads against which said credit shall apply to the first \$2,500.00; to provide for the disposition of the excess, if any, remitted to the county treasurers of the several counties and apportioned by them over and above the total tax levied on said \$2,500.00 of assessed valuation; to provide a method of appeal from action of the boards of supervisors of the several counties relating to said homestead tax credit; providing a penalty for the making of a false claim or affidavit under the provisions of this Act for the purpose of securing, or obtaining for another, a tax credit; and amending Section 6943-f39 by striking therefrom the date of the original termination of the sales tax; and providing for the taking effect of said Act by and upon publication, substituted for Senate File 1, was taken up and considered.

Senator Breen offered the following amendment and moved its adoption:

Amend Section nineteen (19) of Senate File one hundred eighty-four (184) by striking said section and inserting in lieu thereof the following:

For the purpose of this act and wherever used in this act:

1. The word, "homestead", shall have the following meaning:

a. The homestead must embrace the dwelling house in which the owner, claiming exemption under this act, actually lives six (6) months or more in the year.

b. It may contain one or more contiguous lots or tracts of land with the buildings or other appurtenances thereon habitually, and in good faith, used as a part of the homestead.

c. If within a city or town plat, it must not exceed one-half ($\frac{1}{2}$) acre in extent; if, however, its assessed valuation is less than twenty-five hundred dollars (\$2500.00), the land area may be enlarged until its assessed valuation reaches that amount.

d. If outside of a city or town, it must not contain more than forty (40) acres.

e. It must not embrace more than one dwelling house, but where a homestead outside of a city or town has more than one dwelling house situated thereon, the millage credit provided for in this act, shall apply to forty (40) acres, the home and buildings used by the owner, but shall not apply to any other dwelling house and buildings appurtenant thereto situated upon said forty (40) acres.

f. If a part of the dwelling house is used for other purposes than that of a place of residence, and is productive of income, the owner asking for millage credit under this act, shall be entitled to millage credit only on the basis of the value of that part of the dwelling house actually used by him or by him and his family.

g. A dwelling house occupied by a widow or widower, upon the death of the husband or wife, shall be considered a homestead where there has been an election under the terms of Section ten thousand one hundred forty-six (10146), Code of 1935.

2. The word, "owner", shall mean the person who holds the fee simple title to the homestead, and in addition shall mean the person occupying as a surviving spouse where there has been an election under the terms of Section ten thousand one hundred forty-six (10146), Code of 1935, or the person occupying under a contract of purchase where it is shown that not less than one-tenth ($1/10$) of the purchase price named in the contract actually has been paid, or the person occupying the homestead under devise or by operation of the inheritance laws where the whole interest passes or where the divided interest is shared only by blood relatives, or where the person is occupying the homestead under a deed which conveys a divided interest where the other interests are owned by blood relatives.

Where not in conflict with the terms of the definitions above set out, the provisions of Chapter 441 of the Code of 1935 shall control.

Senator Breen asked and received unanimous consent to strike paragraph "f" from sub-section 1 of the pending amendment and re-letter the remaining paragraphs.

Senator Breen asked and received unanimous consent to strike the period at the end of paragraph "a" of sub-section 1 of the pending amendment and to add thereto, the following:

"except as otherwise provided in Section 20 hereof."

Senator Breen asked and received unanimous consent to re-write paragraph "a" of sub-section 1 of the pending amendment to read as follows:

a. The homestead must embrace the dwelling house which is actually occupied by the claimant at the time the claim for a homestead credit is made, or it must embrace the dwelling house in which the claimant actually lives six months or more in the year, except as otherwise provided in Section 20 hereof.

Senator Byers moved to amend paragraph "c" of section 1 of the pending amendment by striking the semicolon from line 2 and inserting a period in lieu thereof; and by striking the remainder of the paragraph.

Senator Elthon moved, as a substitute, to strike Senator Byers' amendment to the amendment.

Senator Beardsley moved the previous question on the amendment, the pending amendment, and the main bill.

Point of order was raised. Senator Elthon had the floor and Senator Beardsley withheld his motion on the previous question.

Action was deferred temporarily.

Senator Billingsley called the attention of the Senate to the adoption of House Concurrent Resolution 10 and the appointment of the committee provided for therein. Senator Hopkins moved that the rules be suspended and the President appoint a committee of five on the part of the Senate to extend the invitation to National Commander Harry W. Colmery, and the President appointed Senators Billingsley, Berg, Donohue, Irwin, and Guernsey.

Senator Irwin moved that the Senate adjourn until 10:00 a. m. Saturday.

Senator Breen moved as a substitute motion that the Senate adjourn until 10:00 a. m. Monday.

By unanimous consent Senator Breen withdrew his motion.

Roll call was requested.

On the question, "Shall the Senate adjourn?" the vote was:

Ayes, 21:

Augustine	Donohue	Irwin	Moore
Baldwin	Ellis	Kimberly	Murray
Bell of Crawford	Geske	Levis	Schadt
Breen	Gillespie	Mighell	Stevens
Corwin	Guernsey	Miller	Stewart
Dean			

Nays, 23:

Beardsley	Edwards	Hoeven	Pelzer
Berg	Elthon	Hopkins	Shaw
Billingsley	Evans	Husted	Smith
Byers	Goetsch	Kirketeg	Whitehill
Dewey	Grunewald	Lundy	Zeigler
Doran	Hill	Mason	

Absent or not voting, 6:

Bell of	Chrystal	Gillette	Parker
Des Moines	Driscoll	Millhone	

The motion to adjourn did not prevail.

Consideration of Senate File 184 was resumed.

Senator Elthon withdrew his amendment to Senator Byers' amendment.

Senator Byers withdrew his amendment to the pending amendment.

Senator Beardsley moved the previous question on the amendments and the main bill.

Senator Mighell moved that the Senate adjourn until 10:00 a. m. Monday.

A roll call was requested.

Rule 8 was invoked.

On the question, "Shall the Senate adjourn until 10:00 a. m. Monday?" the vote was:

Ayes, 16:

Baldwin	Ellis	Guernsey	Mighell
Bell of Crawford	Geske	Irwin	Miller
Breen	Gillespie	Kimberly	Moore
Dean	Grunewald	Levis	Murray

Nays, 28:

Augustine	Donohue	Hoeven	Schadt
Beardsley	Doran	Hopkins	Shaw
Berg	Edwards	Husted	Smith
Billingsley	Elthon	Kirketeg	Stevens
Byers	Evans	Lundy	Stewart
Corwin	Goetsch	Mason	Whitehill
Dewey	Hill	Pelzer	Zeigler

Absent or not voting, 6:

Bell of	Chrystal	Gillette	Parker
Des Moines	Driscoll	Millhone	

The motion did not prevail.

The motion on the previous question prevailed and a roll call was requested on the pending amendment.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Augustine	Donohue	Grunewald	Miller
Baldwin	Ellis	Hoeven	Moore
Breen	Elthon	Husted	Murray
Byers	Evans	Irwin	Schadt
Corwin	Geske	Kimberly	Stevens
Dean	Gillespie	Levis	Whitehill

Nays, 19:

Beardsley	Edwards	Kirketeg	Smith
Berg	Goetsch	Lundy	Shaw
Billingsley	Guernsey	Mason	Stewart
Dewey	Hill	Mighell	Zeigler
Doran	Hopkins	Pelzer	

Absent or not voting, 7:

Bell of Crawford	Chrystal	Gillette	Parker
Bell of Des Moines	Driscoll	Millhone	

The motion prevailed and the amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Further amend Senate File one hundred eighty-four (184) after Section nineteen (19) by adding the following section and renumbering the subsequent sections.

Sec. 20. Any person who has resided in Iowa nine (9) months or more prior to the time for claiming said millage credit who owns one homestead but because of the nature of his employment, because of old age, because of necessity for his residence in a place other than that where his homestead is located, or who for any other good cause is unable to occupy such homestead, may claim the millage credit provided for under the terms of this act.

A roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 42:

Augustine	Donohue	Hill	Mighell
Baldwin	Doran	Hoeven	Miller
Beardsley	Edwards	Hopkins	Moore
Berg	Ellis	Husted	Murray
Billingsley	Elthon	Irwin	Schadt
Breen	Evans	Kimberly	Smith
Byers	Geske	Kirketeg	Stevens
Chrystal	Gillespie	Levis	Stewart
Corwin	Goetsch	Lundy	Whitehill
Dean	Grunewald	Mason	Zeigler
Dewey	Guernsey		

Nays, None.

Absent or not voting, 8:

Bell of Crawford	Driscoll	Millhone	Pelzer
Bell of Des Moines	Gillette	Parker	Shaw

The motion prevailed and the amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend by inserting after Section twenty (20), of Senate File one hundred eighty-four (184), as renumbered, the following section and renumbering the subsequent sections:

Sec. 21. If any two or more persons conspire and confederate together with fraudulent intent to obtain the millage credit provided for under the terms of this act by making a false deed, or a false contract of purchase, they are guilty of a conspiracy and every person who is convicted of such a conspiracy shall be imprisoned in the county jail for a period not to exceed one year, or shall be fined in a sum not to exceed one thousand dollars (\$1000.00), or shall be imprisoned in the penitentiary not more than three (3) years.

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Section 10 of Senate File 184 by striking from line nine (9) the words "owner of an eligible homestead", and substituting in lieu thereof the word "taxpayer".

Senator Donohue asked and received unanimous consent to withdraw his amendment.

Senator Donohue offered the following amendments and moved their adoption:

Amend Section 10 of Senate File 184 by adding the following words after the word "denied" in line one (1): "under the provisions of this act".

Amend Senate File 184 by striking all of Section 9 and substituting in lieu thereof the following:

"Sec. 9. If any person fails to make claim for the credits provided for under this act as herein required, he shall be deemed to have waived the homestead credit for the year in which he failed to make proper claim."

The amendments were adopted.

Senator Mighell offered the following amendment and moved its adoption:

Amend Senate File 184, Section 1, by striking the words and figures in lines 7 and 8 of paragraph 1 "five million five hundred thousand dollars (\$5,500,000.00) and substituting in lieu thereof the words and figures "six million one hundred thousand dollars (\$6,100,000.00)."

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 2:

Corwin Mighell

Nays, 31:

Berg	Ellis	Hill	Pelzer
Byers	Elthon	Hopkins	Schadt
Chrystal	Evans	Husted	Shaw
Dean	Geske	Kimberly	Smith
Dewey	Gillespie	Kirketeg	Stewart
Donohue	Goetsch	Levis	Whitehill
Doran	Grunewald	Mason	Zeigler
Edwards	Guernsey	Murray	

Absent or not voting, 17:

Augustine	Bell of	Gillette	Millhone
Baldwin	Des Moines	Hoeven	Moore
Beardsley	Billingsley	Irwin	Parker
Bell of Crawford	Breen	Lundy	Stevens
	Driscoll	Miller	

The amendment was not adopted.

Senator Mighell offered the following amendments and moved their adoption:

Amend Senate File 184, Section 4, by striking all of the first paragraph after the word "be" in line 6 and inserting in lieu thereof the words and figures "twenty-five (25) mills, or such fraction thereof which is equal to the levy when the tax is less than twenty-five (25) mills of the first twenty-five hundred dollars (\$2500.00) or fraction thereof of the assessed valuation of such homestead."

Further amend said section by striking all after the word "State" in line 15 of the second paragraph down to the word "On" in line 20 and inserting in lieu thereof the words: "in proportion to their requirements as determined by the preceding paragraph."

Further amend said section by adding the following: "If at any time said fund should not be sufficient, the amount available shall be prorated in like proportion. Any surplus remaining in the Homestead credit fund after the provisions of this section are complied with shall be paid into the general fund of the state and allocated to state aid for the public schools."

Senator Mason moved that the rules be suspended and that Senator Mighell be given an additional five minutes to explain his amendments.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the rules be suspended and Senator Mighell be given five minutes more in which to finish his argument?" the vote was:

Ayes, 37:

Baldwin	Donohue	Guernsey	Mason
Beardsley	Doran	Hill	Moore
Berg	Edwards	Hoeven	Murray
Billingsley	Ellis	Husted	Schadt
Breen	Elthon	Irwin	Shaw
Byers	Geske	Kimberly	Smith
Chrystal	Gillespie	Kirketeg	Stevens
Corwin	Goetsch	Levis	Whitehill
Dean	Grunewald	Lundy	Zeigler
Dewey			

Nays, 2:

Hopkins	Stewart
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Absent or not voting, 11:

Augustine	Driscoll	Mighell	Parker
Bell of Crawford	Evans	Miller	Pelzer
Bell of Des Moines	Gillette	Millhone	

The rules were suspended and Senator Mighell was given five minutes more in which to finish his arguments.

The amendments were lost.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Baldwin	Doran	Hill	Mighell
Beardsley	Edwards	Hoeven	Murray
Berg	Ellis	Hopkins	Pelzer
Billingsley	Elthon	Husted	Schadt
Breen	Evans	Irwin	Shaw
Byers	Geske	Kimberly	Smith
Chrystal	Gillespie	Kirketeg	Stevens
Corwin	Goetsch	Levis	Stewart
Dean	Grunewald	Lundy	Whitehill
Dewey	Guernsey	Mason	Zeigler
Donohue			

Nays, None.

Absent or not voting, 9:

Augustine	Bell of	Gillette	Moore
Bell of Crawford	Des Moines	Miller	Parker
	Driscoll	Millhone	

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

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shaw asked and received unanimous consent that Senate File 196 be not referred to a committee but be placed on the calendar.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 13, as follows:

1. Strike all of the title and substitute in lieu thereof: "An Act to amend Section two thousand two hundred twenty-seven (2227) of the Code, 1935, relating to Sabbath observance."

2. Strike all of Section 1, of Senate File 13, and insert in lieu thereof the following: "If any person or persons be found on the first day of the week, commonly called Sunday, engaged in dancing, horse racing, or automobile racing; or in any manner disturbing a worshipping assembly or private family engaged in worship; or in buying or selling property of any kind; or in labor except that of necessity or charity, he shall be fined not less than fifty (\$50) dollars, or be committed to the county jail for a period of time not to exceed fifteen (15) days; but nothing herein contained shall be construed to extend to those who conscientiously observe the seventh day of the week as Sabbath; or to prevent persons traveling and/or families emigrating, from pursuing their journey; or keepers of toll bridges and toll gates and ferrymen from attending the same; nor shall the same apply to drug stores, news stands, cafes, restaurants, hotels, oil and gasoline service stations." L. H. DORAN.

MR. PRESIDENT: I move to amend Senate File 181 by striking paragraph three (3) of section three hundred sixteen (316) and by substituting in lieu thereof the following:

"3. Under other conditions, between sunrise and sunset, every motor vehicle shall be limited to that speed which will permit the driver to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using the highway will observe the law;" A. E. AUGUSTINE.

The Journal of February 18th was corrected and approved.

On motion of Senator Breen, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. H. H. Caswell, pastor of the Four Square Gospel Church, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gillette for the day, on request of Senator Murray; Senator Mason for the day, on request of Senator Shaw; Senator Millhone for the day, on request of Senator Gillespie; Senator Dean for the day, on request of Senator Breen; Senator Geske for the day, on request of Senator Kimberly.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Baldwin, from citizens of Dubuque, favoring enactment of House File 130, providing for an annuity retirement system for teachers. Public schools.

By Senator Corwin, from citizens of Muscatine, favoring enactment of House File 130. Public schools.

By Senator Edwards, from citizens of Creston, favoring enactment of House File 130. Public schools.

By Senator Edwards, from citizens of Creston, favoring enactment of House File 48, providing for educational equalization. Public schools.

By Senator Grunewald, from citizens of Vinton, favoring enactment of House File 130. Public schools.

By Senator Hopkins, from citizens of Muscatine, favoring enactment of House File 130. Public schools.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 150, a proposed bill authorizing payment of claim against secondary road maintenance fund of Monroe County.

WALTER H. BEAM, *Secretary*.

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 118, a proposed bill for the legalization of the proceedings of the board of supervisors of Boone County.

WALTER H. BEAM, *Secretary*.

INTRODUCTION OF BILLS

Senate File 197, by Senators Husted and Hopkins, a bill for an act to secure to cities and towns local self government and to provide for local option therein with respect to the sale of liquor and the issuance of permits or licenses for such sale; to establish No-License Territory by majority vote at a regular election upon petition of qualified electors of any city or town; to provide for such elections, recording the vote and limiting the frequency of elections; to prohibit the granting of licenses or permits and canceling all outstanding permits in No-License Territory, and in territory outside cities and towns; to provide for pro rata refunds on licenses and permits cancelled or revoked; to provide penalties for the violation of this Act; establishing rules of evidence and procedure in such cases; to allow the issuance of licenses or permits to druggists in No-License Territory for the sale of liquor for medicinal, mechanical, scientific and sacramental purposes only, and to suspend those provisions of existing law which authorize the issuance of licenses or permits for the sale of liquor outside of cities and towns and for the sale of liquor in cities and towns during the period any city or town shall remain No-License Territory under a vote taken as provided herein.

Read first and second times and referred to committee on judiciary 2.

Senate File 198, by Senator Chrystal, a bill for an act to amend Section nineteen hundred twenty-one-f ninety-nine (1921-f99), Code, 1935, relating to the issuance of beer permits so as to forbid the future issuance of such permits to certain persons.

Read first and second times and referred to committee on judiciary 2.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION 11

On request of Senator Berg, Senate Concurrent Resolution 11, which appears on page 323 of the Senate Journal, was taken up, considered, and adopted.

SENATE FILE 184 ORDERED PRINTED

On request of Senator Shaw, unanimous consent was given to have printed twelve hundred copies of Senate File 184, as it passed the Senate.

Senator Kimberly asked and received unanimous consent that the rules be suspended and that House File 7 be considered at this time.

THIRD READING OF BILLS

On motion of Senator Kimberly, House File 7, by Engel and Dietz, a bill for an act to amend Section seven hundred forty-eight (748), Code, 1935, relating to the printing of ballots, and to provide for the printing of separate ballots where all names can not be placed on the voting machines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Augustine	Doran	Hoeven	Parker
Baldwin	Edwards	Hopkins	Pelzer
Berg	Ellis	Husted	Schadt
Byers	Elthon	Kimberly	Shaw
Chrystal	Evans	Kirketeg	Smith
Corwin	Gillespie	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Donohue	Hill	Murray	

Nays, none.

Absent or not voting, 19:

Beardsley	Breen	Goetsch	Mason
Bell of Crawford	Dean	Grunewald	Millhone
Bell of Des Moines	Driscoll	Irwin	Moore
Billingsley	Geske	Levis	Stevens
	Gillette	Lundy	Stewart

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

Senator Dewey asked and received unanimous consent that Senate File 125 be taken up and considered at this time.

On motion of Senator Dewey, Senate File 125, a bill for an act to confirm, ratify, legalize and declare valid for all purposes the action of the city of Mount Pleasant in Henry county, Iowa, through its city council, in erecting, in and for said city, and in paying for, a building for the purpose of housing various governmental agencies of said city, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dewey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Ellis	Husted	Murray
Baldwin	Elthon	Irwin	Parker
Berg	Evans	Kimberly	Pelzer
Chrystal	Gillespie	Kirketeg	Schadt
Corwin	Goetsch	Levis	Shaw
Dewey	Guernsey	Lundy	Stevens
Donohue	Hill	Mighell	Whitehill
Doran	Hoeven	Miller	Zeigler
Edwards	Hopkins		

Nays, none.

Absent or not voting, 16:

Beardsley	Breen	Geske	Millhone
Bell of Crawford	Byers	Gillette	Moore
Bell of	Dean	Grunewald	Smith
Des Moines	Driscoll	Mason	Stewart
Billingsley			

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

Senator Dewey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Dewey asked and received unanimous consent that Senate File 125 be messaged to the House immediately.

Senator Augustine asked and received unanimous consent that Senate File 79 be taken up and considered at this time.

On motion of Senator Augustine, Senate File 79, a bill for an act to amend Section fifty-three hundred fifty-three (5353) of Chapter two hundred sixty-nine (269) on county public hospital with reference to the levy allowed for improvement and maintenance thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Augustine moved to postpone further consideration of Senate File 79 until Tuesday, which motion prevailed.

Senator Doran asked and received unanimous consent that Senate File 118 be taken up and considered at this time.

On motion of Senator Doran, Senate File 118, a bill for an act to legalize action of the board of supervisors, of Boone county, Iowa, in transferring funds in the amount of thirteen thousand and two (13,002) dollars from the county insane fund of Boone county to the poor fund of said county in 1934; and the transferring of funds in the amount of three thousand two hundred forty-eight and ninety-six one-hundredths (3,248.96) dollars from the county insane fund of Boone county to the poor fund in said county in 1935, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Edwards	Hopkins	Murray
Berg	Ellis	Husted	Parker
Billingsley	Evans	Irwin	Pelzer
Breen	Gillespie	Kimberly	Schadt
Chrystal	Goetsch	Kirketeg	Shaw
Corwin	Guernsey	Lundy	Stevens
Dewey	Hill	Mighell	Whitehill
Donohue	Hoeven	Miller	Zeigler
Doran			

Nays, none.

Absent or not voting, 17:

Baldwin	Byers	Gillette	Millhone
Beardsley	Dean	Grunewald	Moore
Bell of Crawford	Driscoll	Levis	Smith
Bell of	Elthon	Mason	Stewart
Des Moines	Geske		

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

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hoeven asked and received unanimous consent that Senate File 86 be taken up and considered at this time.

On motion of Senator Hoeven, Senate File 86, a bill for an act to repeal Section thirteen thousand seventy-three (13073), of the Code of Iowa, 1935, and to enact a substitute therefor relating to the unlawful wearing, displaying, or use of military badges, buttons, emblems, or insignia and providing a penalty for violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Doran	Hopkins	Murray
Berg	Edwards	Husted	Parker
Billingsley	Ellis	Irwin	Pelzer
Breen	Elthon	Kimberly	Schadt
Byers	Evans	Kirketeg	Shaw
Chrystal	Goetsch	Levis	Smith
Corwin	Guernsey	Lundy	Stevens
Dewey	Hill	Mighell	Whitehill
Donohue	Hoeven	Miller	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Bell of	Geske	Mason
Beardsley	Des Moines	Gillespie	Millhone
Bell of Crawford	Dean	Gillette	Moore
	Driscoll	Grunewald	Stewart

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

Senator Hoeven moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shaw, House File 21, by Keeney and Lovrien, a bill for an act to amend Sections forty-four hundred

forty-six (4446), forty-four hundred forty-seven (4447), forty-two hundred thirty-eight (4238), and forty-four hundred fifty-nine (4459), Code, 1935, and to repeal Section forty-four hundred sixty (4460), Code, 1935, and enact a substitute therefor, relating to textbooks in the public schools, on which consideration had been postponed, was taken up for further consideration.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Edwards	Husted	Murray
Beardsley	Ellis	Irwin	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Gillespie	Kirketeg	Shaw
Breen	Goetsch	Levis	Smith
Corwin	Guernsey	Lundy	Stevens
Dewey	Hill	Mighell	Whitehill
Donohue	Hoeven	Miller	Zeigler
Doran	Hopkins		

Nays, none.

Absent or not voting, 16:

Baldwin	Chrystal	Geske	Millhone
Bell of Crawford	Dean	Gillette	Moore
Bell of	Driscoll	Grunewald	Parker
Des Moines	Elthon	Mason	Stewart
Byers			

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

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 233, a bill for an act to provide for the increase of the statutory exemption from execution for residents who are heads of families.

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

House File 147, a bill for an act to authorize county supervisors to purchase agricultural lime and resell same to farmers.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 147, by greater Iowa committee, a bill for an act authorizing county supervisors to purchase agricultural lime and resell same to farmers and to locate, purchase or acquire by condemnation for county use limestone quarries for the production of agricultural lime, and for the sale of such agricultural lime to the farmers, and the transportation of same; and levying of a special assessment tax against the farmer so benefited, the issuance of anticipatory warrants secured by such special assessment, payable in installments over a five year period.

Read first and second times and referred to committee on greater Iowa.

House File 233, by emergency legislation committee, a bill for an act to declare that an emergency now exists; to provide for the increase of the statutory exemption from execution for residents who are heads of families; to provide for the selection of such exempt property; to provide for exemptions heretofore set off; to provide for preservation of right to parties under Chapter one hundred seventy-seven (177), acts of the Forty-fifth General Assembly, and Chapter one hundred nine (109), acts of the Forty-sixth General Assembly, to provide for suspension of conflicting acts; and to provide that if any part of this act is held unconstitutional it shall not affect the remaining parts.

Read first and second times and referred to committee on judiciary 2.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House under direction of the sergeant-at-arms.

JOINT CONVENTION

In accordance with the concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-Governor Valentine, President of the Senate, presiding.

President Valentine announced a quorum present and the joint convention duly organized.

Moore of Wayne moved that a committee of three, consisting of one member from the Senate and two members from the House, be appointed to notify Hon. Harry W. Colmery, National Commander of the American Legion, that the Joint Convention was ready to receive him. The motion prevailed and the President appointed as such committee: Senator Billingsley, on the part of the Senate and Representatives Moore of Wayne and Kephart of Clay, on the part of the House.

The committee reported that it had waited upon Hon. Harry W. Colmery and notified him that the Joint Convention was in readiness to receive him. The report was accepted and the committee escorted National Commander Colmery to the Speaker's station.

Senator Doran of Boone moved that a committee of three, consisting of one member from the Senate and two members from the House be appointed to escort Sergeant-at-Arms Oley Nelson and former National Commander Ray Murphy to the Speaker's station. The motion prevailed and the President appointed as such committee: Senator Billingsley, on the part of the Senate, and Representatives Moore of Wayne and Kephart of Clay, on the part of the House.

The committee waited upon Sergeant-at-Arms Oley Nelson and former National Commander Ray Murphy and escorted them to the Speaker's station.

President Valentine presented State Commander G. M. Brown, of the American Legion of Iowa, to the Joint Convention. State Commander Brown then presented National Commander Colmery who addressed the members of the Joint Convention.

On motion of Groves of Hamilton, the Joint Convention was dissolved.

The Senate returned from the House Chamber and resumed session.

SENATE FILE 63 WITHDRAWN

Senator Shaw asked and received unanimous consent that Senate File 63, companion bill to House File 21, be withdrawn from further consideration by the Senate.

REPORTS OF COMMITTEES

Senator Smith submitted the following reports:

MR. PRESIDENT: Your committee on public health, to which was referred House File 25, a bill for an act to amend Sections twenty-two hundred seventeen (2217) and twenty-five hundred twenty-two (2522), Code of 1935, providing penalties for the violation of the laws of Iowa and the rules of the department of health relating to the profession of barbering, begs leave to report it has had the same under consideration and recommends the same do pass.

C. COLFAX SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 97, a bill for an act to amend Sections twenty-two hundred seventeen (2217) and twenty-five hundred twenty-two (2522), Code of 1935, providing penalties for the violation of the laws of Iowa and the rules of the department of health relating to the profession of barbering, begs leave to report it has had the same under consideration and recommends the same do pass.

C. COLFAX SMITH, *Chairman*.

Ordered passed on file.

Senator Shaw submitted the following reports:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 44, a bill for an act to amend Section 13803, Code, 1931, relating to the withdrawal of a plea of guilty, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 82, a bill for an act to legalize the proceedings relating to an election held in the town of Milford, Dickinson County, Iowa, on the proposition of establishing a municipal electric light plant within said town, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman*.

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 18, a bill for an act to amend Chapter 471, Code, 1935, relating to divorce, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 25, a bill for an act to prohibit the sale, offering or exposing for sale of fireworks; defining fireworks and to regulate the manner of using fireworks and to provide penalties for the violation of the provisions of this act, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 25 by striking from line 6 of Section 2 of said bill the word "public";

Also amend by adding the letter "s" to the word "association" in line 7 of said section.

Further amend by striking the word "wholesale" from line 13 of said section.

Further amend by striking the words "to sell at wholesale" from line 14 of said section and inserting in lieu thereof the words "from selling".

Further amend by striking all of Section 4 from said bill.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House Joint Resolution 1, a joint resolution fixing the compensation of the chaplains of the Forty-seventh General Assembly and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Senator Berg submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 134, a bill for an act to amend Section 7636, Code, 1935, relating to relinquishment by supervisors of their authority and control of drainage districts within the corporate limits of cities and towns to cities and towns, and providing for transfer of funds therein to such cities and towns, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File 32, a bill for an act to amend, revise and repeal Section six thousand seven hundred eighty-eight (6788) of the Code of Iowa, 1935, and to enact a substitute therefor in order to make the statutes applicable to cities and towns in general apply to cities acting under special charter, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 129, a bill for an act to amend Chapter 329 of the Code of 1935, making Chapter 308A1 and 308D1 applicable to certain special chartered cities, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 114, a bill for an act requiring the city treasurer to act as treasurer for the board of hospital trustees in cities, and prescribing his duties in such capacity, and the bonds to be given therefor, begs leave to report it has had the same under consideration and recommends that the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 1 by inserting after the word "form" in line 8 thereof, the words "and amount".

2. Further amend Section 1 by inserting after the word "board" in line 9 thereof, the words "in its discretion". JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 128, a bill for an act to amend Chapter 326, Iowa Code, 1935, relating to commission governed cities, providing that certain cities may have the right to consent to and provide a site in any park or public grounds of said city for the location of public buildings for public use and not for private profit, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 2, a bill for an act to amend Chapter 266-F1 of the Code of 1935 by repealing that part of Section 5296-f34 levying and providing for the collection of a two (2) dollar head tax, providing for cancellation of such tax levied and collectible as of January 1, 1937, to remove forfeiture of claim for old age pension by reason of failure to pay said tax for more than three (3) years, and to repeal Section 5296-g5 of the Code relating to taxes erroneously paid and application for refund thereof and limiting time in which claims may be filed therefor, and repealing Section 5296-f35 of the Code relating to the taking of census of persons subject to the payment of such head tax, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 89, a bill for an act to amend the law as it appears in Chapter 24 of the Code, 1935, known as the Local Budget Law; to create a state board to review upon appeal certain budgets, proposed expenditures and tax levies; to provide for the organization of such State Appeal Board, and to prescribe its powers and specify its duties; to provide for the employment of qualified deputies and necessary help; to provide for appeal to such board; to make appropriation therefor, and to repeal all acts, or parts of acts, in conflict herewith, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 3 by striking therefrom all that part commencing with the word "Each" in line 27 thereof up to and including the period (.) after the word "duties" in line 30 and inserting in lieu thereof, the following:

"Each deputy appointed by the State Board shall be entitled to receive the amount of his traveling and other necessary expenses actually incurred while engaged in the performance of his official duties as hereinafter set out. Such expenses to be audited and approved by the State Board and proper receipts filed therefor."

2. Amend Section 3 by striking from the proposed new Section 390-h2 the word "one" in line 9 of said proposed new section and inserting in lieu thereof the word "three".

3. Amend Section 3 by striking from the proposed new Section 390-h5 the following words, "so far as possible", as found in line 14 of said proposed section. Also strike from said proposed Section 390-h5 all that part remaining after the period (.) following the word "Board" in line 16 of said proposed section.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 28 by striking out all that portion of Section one (1) commencing with the word "twelve", in line one (1), and ending with the word "Session" in line three (3), and substituting in lieu thereof the following:

"sixty-nine hundred forty-three-f twelve (6943-f12) of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935";

Further amend said file by striking out all that portion of Section two (2) commencing with the word "thirteen" in line one (1), and ending with the word "Session", line three (3), and substituting in lieu thereof the following:

"sixty-nine hundred forty-three-f thirteen (6943-f13) of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935";

Further amend said file by striking out all that portion of Section two (2) commencing with the word "line" in line five (5), and ending with

the word "two" in line six (6), and substituting in lieu thereof the following: "lines five (5) and six (6) thereof the";

And also further amend by striking from line eight (8) of said section the figure "10" and substituting in lieu thereof the following figure, "12";

And also further amend by striking from line eight (8) of said section the word and figure "thirteen (13)" and substituting in lieu thereof the following: "sixty-nine hundred forty-three-f thirteen (6943-f13)";

Further amend said file by striking out all that portion of Section three (3) commencing with the word "fourteen" in line one (1) and ending with the word "Session" in line three (3), and substituting in lieu thereof the following: "sixty-nine hundred forty-three-f fourteen (6943-f14) of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935";

Also further amend by striking out all that portion of Section three (3) commencing with the word "line" in line three (3) and ending with the word "words" in line five (5), and substituting in lieu thereof the following: "lines five (5) and six (6) of said section the words";

Also further amend by striking from line five (5) of said section the figure "6", and substituting in lieu thereof the following: "seven (7)";

Further amend said file by striking out all of Section four (4) thereof.

Further amend said file by striking all of the title thereof following the word "chapter" in the first line and substituting in lieu thereof the following: "three hundred twenty-nine-F one (329-F1), Code, 1935, relating to taxation".

H. L. IRWIN.

MR. PRESIDENT: I move to amend Senate File 196 by adding to Section 3, the following additional subsections, "e" and "f":

e. The gross receipts from the sale of food products for human consumption. "Food products" as used herein includes cereals and cereal products, milk and milk products including ice cream, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith.

f. The gross receipts from the sale of wearing apparel and clothing where the price of each item does not exceed one and one-half dollars (\$1.50), and shoes where the price is two dollars (\$2.00) per pair or less.

L. H. DORAN.

MR. PRESIDENT: I move to amend Senate File 82 by striking all after the enacting clause.

L. H. DORAN.

The Journal of February 19th was corrected and approved.

On motion of Senator Donohue, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 23, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. John F. Arnold, pastor of the Methodist Church, Deep River.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gillette for the day, on request of Senator Murray; Senator Millhone for the day, on request of Senator Gillespie.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Breen, from Parent Teacher Associations of Fort Dodge, favoring enactment of House File 130, providing for an annuity retirement system for teachers. Public schools.

By Senator Byers, from citizens of Coggon, favoring enactment of House File 130. Public schools.

By Senator Baldwin, from citizens of Dubuque, favoring enactment of House File 130. Public schools.

By Senator Mason, from citizens of Grinnell, favoring enactment of House File 130. Public schools.

By Senator Levis, from citizens of Lineville, favoring enactment of House File 130. Public schools.

By Senator Hopkins and Senator Chrystal, from the board of education of Coon Rapids, favoring enactment of House File 130. Public schools.

By Senator Parker, from teachers at Independence, favoring enactment of House File 130. Public schools.

By Senator Hill, from citizens of Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from citizens of Iowa Falls, favoring enactment of House File 130. Public schools.

By Senator Mighell, from citizens of Vinton, favoring enactment of House File 130. Public schools.

By Senator Doran, from the Parent Teachers' Association of Huxley, favoring enactment of House File 48, providing for educational equalization. Public schools.

By Senator Doran, from the board of supervisors of Boone county, favoring enactment of House File 48, providing for educational equalization. Public schools.

By Senator Doran, from the board of supervisors of Boone county, favoring enactment of Senate File 101, providing for educational equalization. Public schools.

By Senator Augustine, from Daughters of American Revolution, Oskaloosa Chapter, favoring enactment of legislation to prohibit the sale and use of fireworks. Cities and towns.

INTRODUCTION OF BILLS

Senate File 199, by Senator Murray, a bill for an act to amend Section four thousand nine hundred ninety-two (4992), Code, 1935, relating to the testing of motor vehicles and the fees therefor.

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

Senate File 200, by Senator Doran, a bill for an act to amend paragraphs number nineteen (19) and number twenty (20) of Section sixty-two hundred eleven (6211), Code, 1935, relating to the power of cities and towns to levy taxes for the building and maintenance of free public libraries.

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

Senate File 201, by committee on judiciary 1, a bill for an act concerning declaratory judgments and decrees and to make uniform the law relating thereto.

Read first and second times and placed on calendar.

Senate File 202, by Senator Chrystal, a bill for an act to repeal Section seventeen hundred three-g twenty-five (1703-g25), Code of 1935, relating to acquisition of lands for conservation purposes by the State.

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

Senate File 203, by Senators Breen, Hill, Mason, and Lundy, a bill for an act to define, regulate, license and tax the business conducted by certain itinerant merchants, with exceptions; to appropriate the revenue derived from such license and tax; to require insurance protection from damage sustained as a result of the negligent operation of vehicles by certain itinerant merchants; to provide penalties for violation hereof; to provide for service of process and place of bringing suit; to provide for seizure of vehicles; to provide for the repeal of certain acts; to provide for the administration and enforcement hereof, and to provide that if any part of this act is held unconstitutional the remaining parts shall not be affected.

Read first and second times and referred to committee on manufacturing, trade and commerce.

Senate File 204, by Senators Gillespie and Hill, a bill for an act to amend Section sixty-nine hundred forty-three-g four (6943-g4) and Section sixty-nine hundred forty-three-g five (6943-g5) of Chapter three hundred twenty-nine-G one (329-G1), Code, 1935, relative to chain store tax.

Read first and second times and referred to committee on manufacturing, trade and commerce.

Senate File 205, by Senator Husted, a bill for an act to amend Section three hundred eighty (380), Code, 1935, relating to the limitation of tax.

Read first and second times and referred to committee on judiciary 1.

Senate File 206, by Senator Husted, a bill for an act to amend Section seventy-four hundred twenty-d one (7420-d1), Code, 1935, relating to deposits.

Read first and second times and referred to committee on judiciary 1.

THIRD READING OF BILLS

On motion of Senator Augustine, Senate File 79, a bill for an act to amend Section fifty-three hundred fifty-three (5353) of Chapter two hundred sixty-nine (269) on county public hospital with reference to the levy allowed for improvement and maintenance thereof, on which action was postponed Monday, was taken up for further consideration.

Senator Augustine moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Edwards	Husted	Parker
Baldwin	Ellis	Kimberly	Pelzer
Beardsley	Elthon	Kirketeg	Schadt
Bell of Crawford	Evans	Levis	Shaw
Breen	Gillespie	Lundy	Smith
Byers	Grunewald	Mason	Stevens
Corwin	Guernsey	Mighell	Stewart
Dewey	Hill	Miller	Whitehill
Donohue	Hoeven	Moore	Zeigler
Doran	Hopkins	Murray	

Nays, 1:

Berg

Absent or not voting, 10:

Bell of	Chrystal	Geske	Irwin
Des Moines	Dean	Gillette	Millhone
Billingsley	Driscoll	Goetsch	

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

Senator Augustine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senate File 28 was temporarily deferred by unanimous consent, the bill to retain its place on the calendar.

Senator Evans asked and received unanimous consent that Senate File 99 be deferred at this time, the bill to retain its place on the calendar.

On motion of Senator Murray, Senate File 26, a bill for an act

to amend Section five thousand six hundred ninety-four (5694), Code, 1935, all relating to the applicability and exceptions of those covered under Civil Service in cities and towns, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking the words "seventy-five" in line five (5) and inserting in lieu thereof the word "fifty"; and by adding Section 2, which shall be as follows:

"Sec. 2. Section fifty-six hundred ninety-five (5695) of the Code of Iowa, 1935, is hereby amended by striking the word "long" in line four (4) and the word "and" in line five (5), and inserting in lieu thereof the words "three (3) years".

Senator Murray offered the following amendment to the title and moved its adoption:

Amend by striking the comma after the parenthesis in line 2 and inserting the following: "and Section fifty-six hundred ninety-five (5695),".

The amendment was adopted.

Senator Murray moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Doran	Hopkins	Moore
Baldwin	Edwards	Husted	Murray
Beardsley	Ellis	Irwin	Parker
Bell of Crawford	Elthon	Kimberly	Pelzer
Berg	Evans	Kirketeg	Schadt
Breen	Gillespie	Levis	Shaw
Byers	Goetsch	Lundy	Smith
Corwin	Grunewald	Mason	Stevens
Dean	Guernsey	Mighell	Whitehill
Dewey	Hill	Miller	Zeigler
Donohue	Hoeven		

Nays, none.

Absent or not voting, 8:

Bell of	Billingsley	Geske	Millhone
Des Moines	Chrystal	Gillette	Stewart
	Driscoll		

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

Senator Murray moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Gillespie asked and received unanimous consent to defer consideration of Senate File 164, the bill to retain its place on the calendar.

Senator Lundy moved that the rules be suspended, and that House File 173 be withdrawn from the committee on mines and mining, and placed on the calendar, which motion prevailed.

Senator Lundy moved that House File 173 be substituted for Senate File 170, which motion prevailed.

On motion of Senator Lundy, House File 173, a bill for an act to amend Chapter sixty-eight (68), Code, 1935, relating to the opening of coal mines and providing for the issuance of a license by the state mine inspectors authorizing the same, a committee bill, was taken up and considered.

The bill was read for information.

Senator Lundy moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Dewey	Hill	Murray
Baldwin	Donohue	Hoeven	Parker
Beardsley	Doran	Hopkins	Pelzer
Bell of Crawford	Edwards	Husted	Schadt
Berg	Ellis	Irwin	Shaw
Billingsley	Elthon	Kimberly	Smith
Breen	Evans	Kirketeg	Stevens
Byers	Gillespie	Levis	Stewart
Chrystal	Goetsch	Lundy	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dean	Guernsey		

Nays, none.

Absent or not voting, 8:

Bell of	Geske	Mason	Millhone
Des Moines	Gillette	Miller	Moore
Driscoll			

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

Senator Lundy moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Lundy, Senate File 170, a companion bill of House File 173, was withdrawn from the further consideration of the Senate.

Senator Stevens called up for consideration his motion to reconsider the vote by which Senate File 77 failed to pass the Senate.

On the question, "Shall the Senate reconsider the vote by which Senate File 77 failed to pass the Senate?" the vote was:

Ayes, 38:

Augustine	Dewey	Hoeven	Moore
Baldwin	Donohue	Hopkins	Murray
Beardsley	Doran	Irwin	Pelzer
Berg	Edwards	Kimberly	Schadt
Billingsley	Ellis	Kirketeg	Shaw
Breen	Gillespie	Levis	Smith
Byers	Goetsch	Lundy	Stewart
Chrystal	Grunewald	Mighell	Whitehill
Corwin	Guernsey	Miller	Zeigler
Dean	Hill		

Nays, 2:

Bell of Crawford Mason

Absent or not voting, 10:

Bell of	Elthon	Gillette	Parker
Des Moines	Evans	Husted	Stevens
Driscoll	Geske	Millhone	

The motion to reconsider prevailed.

Senator Doran moved that the rules be suspended and that the vote by which Senate File 77 went to its third reading be reconsidered, which motion prevailed.

On motion of Senator Doran, Senate File 77, a bill for an act to amend, revise and codify Chapter eighty-nine (89) of the Code of Iowa, 1935, relating to the practice of professional engineering and land surveying; creating a board of engineering examiners and defining the duties and qualifications of the members of such board; defining the terms "professional engineering" and "land surveying;" and providing for the examination and registration of persons engaged in the practice of professional engineering and land surveying; and providing penalty for violations of this act, was taken up and considered.

Senator Doran offered the following amendment:

Amend Senate File 77, by striking from line 140, the word "four" and inserting in lieu thereof the word "two"; by striking from line 146, the word "eight" and inserting in lieu thereof the word "six"; by striking from line 150, the word "two" and inserting in lieu thereof the word "one"; by striking from line 154, the word "six" and inserting in lieu thereof the word "five".

Senator Doran moved the adoption of the following amendment:

Amend Senate File 77, by striking from line 140, the word "four" and inserting in lieu thereof the word "two"; by striking from line 146, the word "eight" and inserting in lieu thereof the word "six".

The amendment was adopted.

By unanimous consent Senator Doran withdrew the remaining part of his amendment.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Donohue	Hoeven	Moore
Baldwin	Doran	Hopkins	Murray
Beardsley	Edwards	Husted	Pelzer
Berg	Ellis	Irwin	Schadt
Billingsley	Evans	Kimberly	Shaw
Breen	Gillespie	Kirketeg	Smith
Byers	Goetsch	Levis	Stevens
Corwin	Grunewald	Lundy	Stewart
Dean	Guernsey	Mighell	Whitehill
Dewey	Hill	Miller	Zeigler

Nays 1:

Mason

Absent or not voting, 9:

Bell of Crawford	Chrystal	Geske	Millhone
Bell of	Driscoll	Gillette	Parker
Des Moines	Elthon		

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

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE CONCURRENT RESOLUTION 8 CONSIDERED

Senator Beardsley asked and received unanimous consent to consider the following resolution:

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday, February 25th, it be to reconvene on Tuesday, March 2nd, at 1:00 P. M.

Senator Donohue moved to amend House Concurrent Resolution 8 by striking the words and figures, "Tuesday, March 2nd," and inserting in lieu thereof the words and figures, "Monday, March 8th,".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 9:

Baldwin	Donohue	Hoeven	Parker
Billingsley	Ellis	Kirketeg	Schadt
Byers			

Nays, 31:

Beardsley	Elthon	Husted	Murray
Berg	Evans	Kimberly	Pelzer
Breen	Gillespie	Levis	Smith
Corwin	Goetsch	Lundy	Shaw
Dean	Grunewald	Mason	Stewart
Dewey	Guernsey	Mighell	Whitehill
Doran	Hill	Miller	Zeigler
Edwards	Hopkins	Moore	

Absent or not voting, 10:

Augustine	Bell of	Driscoll	Irwin
Bell of Crawford	Des Moines	Geske	Millhone
	Chrystal	Gillette	Stevens

The amendment was lost.

Senator Beardsley moved to amend House Concurrent Resolution 8 by striking the words and figures, "Tuesday, March 2nd," and inserting in lieu thereof the words and figures, "Monday, March 1st,".

Senator Baldwin moved as a substitute that House Concurrent Resolution 8 be laid on the table.

Roll call was requested.

On the question, "Shall House Concurrent Resolution 8 be laid on the table?" the vote was:

Ayes, 41:

Augustine	Doran	Hoeven	Moore
Baldwin	Edwards	Hopkins	Murray
Beardsley	Ellis	Husted	Parker
Berg	Elthon	Irwin	Pelzer
Billingsley	Evans	Kimberly	Smith
Breen	Gillespie	Kirketeg	Shaw
Byers	Goetsch	Levis	Stevens
Corwin	Grunewald	Lundy	Stewart
Dean	Guernsey	Mason	Whitehill
Dewey	Hill	Mighell	Zeigler
Donohue			

Nays, 2:

Miller Schadt

Absent or not voting, 7:

Bell of Crawford	Chrystal	Geske	Millhone
Bell of	Driscoll	Gillette	
Des Moines			

The motion prevailed and House Concurrent Resolution 8 was laid on the table.

THIRD READING OF BILLS

On motion of Senator Hopkins, Senate File 94, a bill for an act to require sales pavilions to keep certain records of personal property sold and to keep the same open for public inspection, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were taken up and considered:

1. Amend the title by inserting after the word "pavilions" in the first line the words "operator or operators". Further amend the title by striking the period (.) in line three (3) and inserting in lieu thereof the following: "and to provide a penalty for violation thereof."

2. Strike lines five (5) and six (6) of Section 1 and insert in lieu thereof the following: "Truck operator or party delivering the property to sale pavilion, the truck license number if any, together with the names of the owner, seller, and buyer of said personal property and his address, showing the number of chattels, the nature of, and a brief description of the property and the date of sale."

3. Any violation of the terms of this section shall be punishable by a fine of not to exceed one hundred dollars (\$100) or by imprisonment in the county jail not to exceed thirty (30) days.

Senator Shaw moved to amend the first committee amendment as follows:

Amend the amendment to the title by striking the word "pavilions" in line 1 and inserting in lieu thereof the word "pavilion".

The amendment to the amendment was adopted.

Senator Shaw moved to amend the committee amendments by inserting after the figure 3 in the third amendment, the word and figure, "Sec. 2".

The amendment to the amendment was adopted.

Senator Hopkins moved that Senate File 94 be rereferred to the committee on judiciary 1, which motion prevailed.

On request of Senator Gillespie, consideration of Senate File 127 was deferred at this time, the bill to retain its place on the calendar.

On request of Senator Baldwin, consideration of Senate File 65 was deferred at this time, the bill to retain its place on the calendar.

On request of Senator Donohue, consideration of Senate File 59 was deferred at this time, the bill to retain its place on the calendar.

Senator Hopkins moved that House File 128 be withdrawn from the committee on schools and placed on the calendar.

The motion prevailed.

Senator Hopkins moved that House File 128 be substituted for Senate File 120, which motion prevailed.

On motion of Senator Hopkins, House File 128, by Sours, a bill for an act to amend Sections forty-two hundred thirty-five (4235), forty-three hundred twelve (4312), and forty-three hundred thirteen (4313), Code, 1935, relating to school census, was taken up and considered.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine
Baldwin
Beardsley
Berg

Billingsley
Byers
Corwin
Dean

Dewey
Donohue
Doran
Edwards

Ellis
Elthon
Evans
Gillespie

Goetsch	Husted	Miller	Shaw
Grunewald	Kimberly	Murray	Stevens
Guernsey	Kirketeg	Parker	Stewart
Hill	Levis	Pelzer	Whitehill
Hoeven	Lundy	Schadt	Zeigler
Hopkins	Mighell	Smith	

Nays, none.

Absent or not voting, 11:

Bell of Crawford	Breen	Geske	Mason
Bell of	Chrystal	Gillette	Millhone
Des Moines	Driscoll	Irwin	Moore

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

On request of Senator Hopkins, Senate File 120, a companion bill to House File 128, was withdrawn from the further consideration of the Senate.

EXTRA COPIES SENATE FILE 151

On request of Senator Lundy, 600 extra copies of Senate File 151, relating to preference for domestic products and labor, were ordered printed, as passed by the Senate.

SENATE CONCURRENT RESOLUTION 12

The following resolution was filed:

Memorializing Congress to amend the Federal Social Security Act to include full time teachers and employees in the public school systems in the United States.

Whereas, full time teachers and employees of the public school systems of the United States are not included in the Federal Social Security Act, and

Whereas, they constitute a great class of employees who are not provided for under the aforesaid act or any other social security law, and

Whereas, their inclusion under this act would tend to keep the better type of teacher and employee in the public schools of the United States and efficiency would be greatly increased, therefore,

Be It Resolved by the Senate, the House of Representatives Concurring: That the Forty-seventh General Assembly of the State of Iowa be memorialized to amend said Federal Social Security Act, to include all full time teachers and employees of the public school systems of the United States.

Be It Further Resolved by the Senate, the House of Representatives Concurring: That a copy of this resolution be sent to the two United States Senators from Iowa and to the nine Congressmen from Iowa.

H. C. BALDWIN.
GEO. L. PARKER.
TOM E. MURRAY.
E. P. DONOHUE.

Senate File 89, requiring an appropriation, was referred to the committee on appropriations.

Senate Joint Resolution 4 was referred to the committee on appropriations.

SENATE FILE 181 MADE SPECIAL ORDER

Senator Beardsley moved that Senate File 181 be made a special order for next Tuesday morning at 10:00 o'clock, which motion prevailed.

REPORT OF COMMITTEE

Senator Husted submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred Senate File 150, a bill for an act to regulate the sale of substitutes for lard, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 150, Section 1, line 3 by striking after the word "fat" the remaining words in line 3 and substitute in lieu thereof the following: "and/or corn oil by weight used as or in place of lard except".

Further amend by striking all of Section 6 and renumbering the remaining sections.

ORA E. HUSTED, *Chairman.*

Ordered passed on file.

HOTCHKISS MEMORIAL RESOLUTION

Whereas, the Honorable Albert C. Hotchkiss, who was a member of the Senate in the Twenty-sixth Regular, Twenty-sixth Extra, and Twenty-seventh General Assemblies of the State of Iowa, from the Seventeenth District comprising Audubon, Guthrie and Dallas Counties, died in his home in Adel, Dallas County, Iowa, on March 4, 1934, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the state and nation.

GEO. M. HOPKINS.

CLARKE MEMORIAL RESOLUTION

Whereas, the Honorable George W. Clarke, who was Representative from Dallas County, Iowa, in the Twenty-eighth, Twenty-ninth, Speaker of the House in the Thirtieth and Thirty-first General Assemblies; Lieutenant-Governor from 1908 to 1912; Governor from 1912 to 1917, died in his home in Adel, Iowa, on November 28, 1936, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly:

That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the state and nation.

GEO. M. HOPKINS.

FOSTER MEMORIAL RESOLUTION

Whereas, the Honorable John Wasson Foster, who was a member of the Senate in the Thirty-sixth, Thirty-seventh and Thirty-eighth General Assemblies, from the Seventeenth District comprising Audubon, Guthrie and Dallas Counties, died in a hospital in Des Moines, Iowa, on May 20, 1935, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the state and nation.

GEO. M. HOPKINS.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 25 by striking all of Section four (4) and inserting in lieu thereof the following:

"Sec. 4. This act shall be in full force and effect from and after January 1, 1938."

JOHN BERG.

MR. PRESIDENT: I move to amend Senate File 164 as follows:

1. Amend the title thereof by inserting after the second semicolon in line eight thereof the following: "to provide for licensing the sale of certain such poisons by persons not registered pharmacists;"

2. Renumber section six (6) thereof as Section seven (7), and insert after section five (5) thereof the following new section, which shall be Section six (6):

"Sec. 6. No person, not a registered pharmacist, shall sell or offer for sale any of the poisons described and enumerated in paragraphs three and four of Section five (5) hereof until he has procured a license from the secretary of the pharmacy examiners to so do.

"The secretary of the pharmacy examiners, upon receipt of an application in such form as shall be prescribed, and accompanied by a license fee of one (1) dollar shall issue to such applicant a license to sell and offer for sale the poisons described and enumerated in paragraphs three and four of Section five (5) of this act, which license shall require compliance by the holder with all the regulations prescribed in Section five (5) of this act.

"Such license shall be valid until January 1st following its issuance and may be renewed by paying to the secretary of the pharmacy examiners an annual renewal fee of one (1) dollar. The secretary of the pharmacy examiners shall immediately notify the secretary of the department of agriculture of the issuance or revocation of any license hereunder."

JOHN BERG.

The Journal of February 22nd was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 24, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Alfred G. Ransch, pastor of St. Matthew's Evangelical Lutheran Church of Readlyn.

Senator Mason announced the death of Senator T. F. Driscoll, and moved that the rules be suspended and that the President appoint a committee of three to draft resolutions of respect.

The motion prevailed and the President appointed as such committee, Senators Mason, Irwin and Beardsley.

As a mark of respect to the memory of Senator Driscoll, on motion of Senator Mason, the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 25, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. J. A. E. Cunningham, pastor of the Methodist Church, Seymour.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hill indefinitely on account of the death of his mother, on request of Senator Beardsley.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Byers, from the Brotherhood of Railroad Trainmen at Marion, favoring enactment of House File 27 relative to the safety of employees and travelers upon railroads. Railroads and aeronautics.

By Senator Breen, from citizens of the Eighth District, favoring enactment of House File 130, providing for retirement annuities for teachers. Public schools.

By Senator Baldwin, from voters of Dubuque, favoring enactment of House File 130. Public schools.

By Senator Baldwin, from business men of Dubuque, favoring enactment of House File 130. Public schools.

By Senator Doran, from the Lincoln School Parent Teacher Association at Ames, favoring enactment of House File 48, providing for educational equalization. Public schools.

By Senator Mighell, from teachers of Holstein public school, favoring enactment of House File 130. Public schools.

By Senator Hoeven, from citizens of Sibley, favoring enactment of House File 130. Public schools.

By Senator Hoeven, from citizens of Sibley, favoring legislation to raise the minimum wage for teachers. Public schools.

By Senator Hopkins, from citizens of Casey, favoring enactment of House File 130. Public schools.

By Senator Billingsley, from voters of Jasper county, favoring enactment of Senate File 101, providing for educational equalization. Public schools.

By Senator Edwards, from the Irving Parent-Teacher Association at Creston, favoring enactment of House File 48. Public schools.

By Senator Ellis, from members of the Independent School District of Green Island, favoring enactment of House File 48. Public schools.

By Senator Moore, from citizens of Council Bluffs, favoring enactment of House File 48. Public schools.

By Senator Moore, from citizens of Council Bluffs, favoring enactment of House File 130. Public schools.

By Senator Moore, from custodians of school buildings at Council Bluffs, favoring enactment of House File 130. Public schools.

By Senator Moore, from voters of Council Bluffs, favoring enactment of House File 48. Public schools.

By Senator Moore, from voters of Council Bluffs, favoring enactment of House File 130. Public schools.

By Senator Moore, from the Oak Parent Teachers Association of Council Bluffs, favoring enactment of House File 48. Public schools.

By Senator Moore, from the Oak Parent Teachers Association of Council Bluffs, favoring enactment of House File 130. Public schools.

By Senator Moore, from teachers of Garner Township, Pottawattamie county, favoring enactment of House File 48. Public schools.

By Senator Moore, from teachers of Garner township, Pottawattamie county, favoring enactment of House File 130. Public schools.

By Senator Moore, from teachers of Knox township, Pottawattamie county, favoring enactment of House File 48. Public schools.

By Senator Moore, from teachers of Knox township, Pottawattamie county, favoring enactment of House File 130. Public schools.

By Senator Moore, from the Pottawattamie County School Masters Club at Avoca, favoring enactment of House File 48. Public schools.

By Senator Moore, from the Pottawattamie County School Masters Club at Avoca, favoring enactment of House File 130. Public schools.

By Senator Moore, from teachers of Boomer township at Honey Creek, favoring enactment of House File 48. Public schools.

By Senator Moore, from teachers of Boomer township at Honey Creek, favoring enactment of House File 130. Public schools.

By Senator Moore, from the Underwood Parent-Teacher Association, favoring enactment of House File 130. Public schools.

By Senator Moore, from the Underwood Parent-Teacher Association, favoring enactment of House File 48. Public schools.

By Senator Shaw, from citizens of Humboldt, favoring enactment of House File 130. Public schools.

By Senator Shaw, from citizens of Humboldt, favoring enactment of House File 48. Public schools.

By Senator Pelzer, from teachers at Atlantic, favoring enactment of House File 48. Public schools.

By Senator Pelzer, from teachers at Atlantic, favoring enactment of House File 130. Public schools.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 193, a proposed bill for the legalization of the actions of the city council and the city auditor of Dubuque.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 207, by Senator Miller, a bill for an act to legalize warrants issued by the board of supervisors of Jones county, Iowa, issued against the county general fund, and to legalize the proceedings taken for the levy of taxes to pay said warrants.

Read first and second times and referred to committee on judiciary 2.

Senate File 208, by Senator Guernsey, a bill for an act to amend Section six hundred one (601), Code, 1935, providing for secretary of state to certify nominees thirty (30) days before the general election.

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

Senate File 209, by Senator Berg, a bill for an act to amend Sections six thousand one hundred forty-nine (6149) and six thousand one hundred fifty-eight (6158), Code, 1935, to vest exclusive control in the respective boards of trustees over maintenance, operation, improvement, and extension of waterworks, gas works, and electric light and power plants.

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

Senate File 210, by Senators Doran, Elthon, and Berg, a bill for an act to amend Chapter two hundred fifty-two (252), Code, 1935, and to grant additional power to courts of equity, to extend the time for entering judgments or decree of foreclosure under certain conditions enumerated in this act, providing for continuance, and for appointment of a receiver, prescribing the powers and duties of the receiver, providing for the distribution of funds coming into the hands of the receiver and providing other incidentals and related matters and to amend Section twelve thousand three hundred eighty-two-e two (12382-e2), Code, 1935.

Read first and second times and referred to committee on judiciary 2.

Senate File 211, by Senators Mighell, Shaw, Pelzer, and Bell of Crawford, a bill for an act to amend Section ten thousand two hundred sixty-one (10261), Code, 1935, by limiting the landlord's

lien to include only the crops grown on the leased premises and such increase of livestock on said premises as is raised or maintained from the production of the leased premises; and for the repeal, in its entirety, of Section ten thousand two hundred sixty-five (10265), Code, 1935.

Read first and second times and referred to committee on judiciary 1.

Senate File 212, by committee on state planning, a bill for an act to create a state planning board, to prescribe its powers and duties and to amend Section three hundred two (302), Code, 1935.

Read first and second times and placed on calendar.

Senate File 213, by committee on printing, a bill for an act to appropriate seventy-five hundred (\$7500.00) dollars for the purpose of defraying the cost of publication and distribution of a publication compiled and edited by the Iowa division of the federal writers project of the Works Progress Administration, and to provide for the sale and distribution thereof at a minimum price, the proceeds whereof will be returned to the state treasury.

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

Senate File 214, by committee on judiciary 2, a bill for an act to legalize the corporate acts and the renewal of the Farmers Lumber Company.

Read first and second times and placed on calendar.

Senate File 215, by committee on judiciary 2, a bill for an act to legalize the corporate acts and the renewal of the Greeley Mutual Fire Insurance Association.

Read first and second times and placed on calendar.

Senate File 216, by committee on judiciary 2, a bill for an act to legalize the corporate acts and the renewal of The Dukes-Law Company.

Read first and second times and placed on calendar.

Senate File 217, by committee on judiciary 2, a bill for an act to legalize the corporate acts and the renewal of the Farmers' Mutual Fire and Lightning Insurance Association.

Read first and second times and placed on calendar.

Senate File 218, by committee on public libraries, a bill for an act to amend Section six thousand two hundred eleven (6211) of the Code of Iowa, 1935, by providing for the use of unexpended library funds.

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

Senate File 219, by committee on public libraries, a bill for an act to amend Section five thousand eight hundred fifty-eight (5858) of the Code of Iowa, 1935, by providing for the control of fines and rentals collected by public libraries.

Read first and second times and placed on calendar.

Senate File 220, by Senator Levis, a bill for an act to repeal Section nineteen hundred five-b eight (1905-b8) and Section nineteen hundred five-b eleven (1905-b11), and to enact substitutes therefor, and to amend Sections nineteen hundred five-b nine (1905-b9), nineteen hundred five-b ten (1905-b10) and nineteen hundred five-b fourteen (1905-b14), Code, 1935, relating to the examination and registration of architects and the fees to be charged therefor, and to the powers and duties of the board of architectural examiners, and to increase the penalty for violation of certain of the provisions of Chapter ninety-one-B one (91-B1), Code of 1935.

Read first and second times and referred to committee on judiciary 2.

Senate File 221, by Senator Bell of Des Moines, a bill for an act to amend Section one thousand nine hundred twenty-one-f sixteen (1921-f16), of the Code of 1935, relating to the control of intoxicating liquor by the Iowa liquor control commission.

Read first and second times and referred to committee on judiciary 2.

Senate File 222, by Senator Bell of Des Moines (Dodd), a bill for an act to amend Chapter four hundred thirty-seven (437) of the Code of 1935, relating to chattel mortgages and conditional sales of personal property.

Read first and second times and referred to committee on judiciary 1.

Senate File 223, by Senator Shaw (Lovrien), a bill for an act to amend Chapter two hundred ninety-three (293) of the Code of Iowa, 1935, relating to park commissioners and the levying of a tax for park purposes.

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

Senate File 224, by Senator Hopkins, a bill for an act to amend Sections forty-two hundred seventy-four-e one (4274-e1), forty-two hundred seventy-four-e three (4274-e3), forty-two hundred seventy-four-e five (4274-e5), and to repeal Section forty-two hundred seventy-four-e four (4274-e4), Code, 1935, relating to contracts for public school facilities between school boards.

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

Senate File 225, by Senator Gillespie, a bill for an act to amend Chapter three hundred fifty-one (351), Code, 1935, by adding a new section to be known as Section seventy-three hundred thirty-d one (7330-d1) relating to the compensation of inheritance tax appraisers, and relating to the mileage and expenses of such appraisers.

Read first and second times and referred to committee on judiciary 1.

Senate File 226, by Senator Guernsey, a bill for an act to legalize the action of the county board of supervisors of Appanoose county, Iowa, in making expenditures and approving claims against the general fund of said county; to make the expenditures and the approving of the claims by said board of supervisors legal, valid and binding obligations of said county; to authorize the county auditor of said county to issue anticipatory warrants in 1937 against the general fund, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1937 and belonging to the general fund of said county.

Read first and second times and referred to committee on judiciary 2.

Senate File 227, by Senator Levis, a bill for an act to make an emergency appropriation for the purpose of paying the expense of reporting fires, and for the inspection of state owned liquor stores.

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

Senator Beardsley moved that the rules be suspended and that the President appoint three members of the Senate to attend the funeral of Senator Hill's mother on Friday. The motion prevailed and the President appointed Senators Beardsley, Levis, and Guernsey.

DRISCOLL MEMORIAL RESOLUTION

MR. PRESIDENT: Your committee, named to draft resolutions of respect for the late Senator T. F. Driscoll, begs leave to submit the following:

Whereas, on the 23d day of February, A. D. 1937, our friend and colleague, the Honorable T. F. Driscoll, State Senator from the First District of Iowa, passed away, and

Whereas, we of the Senate knew him to be a true and faithful public servant, a loving father and a devoted husband, and

Whereas, we mourn and regret the loss to this body of an esteemed friend, now, therefore,

Be It Resolved by the Senate of Iowa: That we extend to the bereaved family and relatives of the late Honorable T. F. Driscoll our deep and profound sympathy in their sorrow and that a committee of three be appointed by the President of the Senate to represent this body at the funeral of the deceased.

Be It Further Resolved: That an original signed copy of this resolution be forwarded to Mrs. T. F. Driscoll, of Farmington, Iowa.

E. I. MASON.

H. L. IRWIN.

WM. S. BEARDSLEY.

The resolution was unanimously adopted.

The President appointed, under the provisions of the Resolution, Senators Mason, Bell of Des Moines, and Zeigler to represent the Senate at the funeral of Senator Driscoll Friday morning.

Senator Mason moved that the President appoint six members of the Senate to act as honorary pallbearers at the funeral of Senator Driscoll. The motion prevailed and the President appointed Senators Mason, Bell of Des Moines, Zeigler, Chrystal, Shaw, and Dewey.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled, House Files 7, 21 and 106.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 7, House File 21, and House File 106.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 11, memorializing Congress to amend the Federal Social Security Act to include full time teachers and employees in the public school systems in the United States.

Also: That the House has adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 12, memorializing Congress to enact such legislation as will tend toward a permanent solution of the agricultural problems.

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

House Joint Resolution 8, providing for the appointment of a committee to investigate the housing of state departments.

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

House File 52, a bill for an act relating to the power of cities and towns to levy annually special taxes.

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

Senate File 60, a bill for an act relating to the issue of stock or shares by the state building and loan associations.

Also: That the House has concurred in Senate amendments to House File 106, a bill for an act relating to the use of school busses by school districts to transport pupils.

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

House File 114, a bill for an act relative to improvements in parks and cemeteries.

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

House File 191, a bill for an act to authorize the executive council of the state of Iowa to deed certain real estate to the city of Des Moines.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 191, a bill for an act relating to administration of the unemployment insurance law. A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 11

Memorializing Congress to amend the Federal Social Security Act to include full time teachers and employees in the Public School Systems in the United States.

Whereas, full time teachers and employees of the Public School Systems of the United States are not included in the Federal Social Security Act, and

Whereas, they constitute a great class of employees who are not provided for under the aforesaid act or any other Social Security law, and

Whereas, their inclusion under this act would tend to keep the better type of teacher and employee in the Public Schools of the United States and efficiency would be greatly increased, therefore

Be It Resolved by the House of Representatives, the Senate Concurring: That the Forty-seventh General Assembly of the State of Iowa memorialize the Congress of the United States to amend said Federal Social Security Act, to include all full time teachers and employees of the Public School Systems of the United States.

Be It Further Resolved by the House of Representatives, the Senate Concurring: That a copy of this resolution be sent to the two United States Senators from Iowa and to the nine Congressmen from Iowa.

HOUSE CONCURRENT RESOLUTION 12

Whereas, It is the common opinion that the agriculture industry is a matter of general welfare and

Whereas, the efforts toward the solution of the agricultural problem have been directed toward existing emergencies due to immediate economic and climatic conditions and

Whereas, we feel that the time is at hand for the enactment of legislation which will point toward the permanent solution of the agricultural problem in an effort to bring parity prices to the agriculture industry as compared with other industries, therefore

Be It Resolved by the House of Representatives of the Forty-seventh General Assembly, the Senate Concurring: That the 75th Congress of the United States now in session be petitioned to enact such legislation as will tend toward a permanent solution of the agricultural problem in the form of commodity loans based on parity prices for agricultural products on the farm and adequate protection to the credit and integrity of the loaning agency.

C. L. RICE
GUSTAVE ALESCH
WM. J. DREESSEN

WILLIAM N. JUDD
E. W. SCOTT.

HOUSE AMENDMENTS TO SENATE FILE 191

Amend Section 1, line 47, by striking the figures "\$4500" and inserting in lieu thereof the figures "\$3000.00".

Add to Section 1 the following:

"Not more than sixty per cent of the employees of said commission shall be members of any one political party."

Add as Section 2 the following:

"That Section eleven-d (11-d) Senate File number one (1), acts of the Forty-sixth (46) General Assembly, Extraordinary Session, is amended by adding after the word "compensation" in line two (2) thereof the words, "but not to exceed twenty-four hundred dollars (\$2400.00) per year".

Further amend by re-numbering Section two (2) as Section three (3).

Amend the title to Senate File 191 by striking from the first line thereof the following:

"Sections 10 (a) and 10 (b) of".

HOUSE MESSAGES CONSIDERED

House File 52, a bill for an act to amend Section sixty-two hundred eleven (6211), Code, 1935, relating to the power of cities and towns to levy annually special taxes.

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

House File 191, a bill for an act to authorize the executive council of the State of Iowa to deed certain real estate to the city of Des Moines upon the city of Des Moines conveying certain real estate to the State of Iowa.

Read first and second times and referred to committee on judiciary 1.

House Joint Resolution 8, a joint resolution providing for the appointment of a committee composed of five (5) members from the Senate and five (5) members from the House for the purpose of investigating the situation in regard to the housing of state departments, and making an appropriation to defray the expenses thereof.

Read first and second times and referred to committee on public lands and buildings.

Senator Stevens asked and received unanimous consent to consider House amendments to Senate File 191 at this time.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens called up for consideration Senate File 191, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend Section 1, line 47, by striking the figures "\$4500" and inserting in lieu thereof the figures "\$3000.00".

Add to Section 1 the following: "Not more than sixty per cent of the employees of said commission shall be members of any one political party."

Add as Section 2 the following:

"That Section eleven-d (11-d) Senate File number one (1), Acts of the Forty-sixth (46th) General Assembly, Extraordinary Session, is amended by adding after the word "compensation" in line two (2) thereof the words, "but not to exceed twenty-four hundred dollars (\$2400.00) per year".

Further amend by renumbering Section two (2) as Section three (3).

Amend the title to Senate File 191 by striking from the first line thereof the following: "Sections 10 (a) and 10 (b) of".

On the question, "Shall the Senate refuse to concur?" the vote was:

Ayes, 42:

Augustine	Dewey	Hoeven	Moore
Beardsley	Donohue	Hopkins	Murray
Bell of Crawford	Doran	Husted	Parker
Bell of	Edwards	Irwin	Pelzer
Des Moines	Ellis	Kimberly	Smith
Berg	Evans	Kirketeg	Shaw
Billingsley	Geske	Levis	Stevens
Breen	Gillette	Mason	Stewart
Byers	Goetsch	Mighell	Whitehill
Chrystal	Grunewald	Miller	Zeigler
Corwin	Guernsey	Millhone	

Nays, none.

Absent or not voting, 7:

Baldwin	Elthon	Hill	Schadt
Dean	Gillespie	Lundy	

The Senate refused to concur in House amendments.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 136, a bill for an act to make an appropriation to reimburse the National Guard of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Senator Grunewald submitted the following report:

MR. PRESIDENT: Your committee on Greater Iowa to which was referred House File 147, a bill for an act authorizing county supervisors to purchase agricultural lime and resell same to farmers and to locate, purchase or acquire by condemnation for county use limestone quarries for the production of agricultural lime, and for the sale of such agricultural lime to the farmers, and the transportation of same; and levying of a special assessment tax against the farmer so benefited, the issuance of anticipatory warrants secured by such special assessment, payable in installments over a five year period, begs leave to report it has had the same under consideration and recommends the same do pass.

H. J. GRUNEWALD, *Chairman.*

Ordered passed on file.

Senator Millhone submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File 85, a bill for an act to declare the conditions under which primary roads, and extensions of primary roads in cities and towns may be relocated, begs leave to report it has had the same under consideration and recommends that the same be indefinitely postponed.

PAUL L. MILLHONE, *Chairman.*

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 219, a bill for an emergency act relating to contracts for the sale of real estate where the vendor retains legal title; providing for the continuance of actions brought upon said contracts, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 233, a bill for an act to declare that an emergency now exists; to provide for the increase of the statutory exemption from execution for residents who are heads of families, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 144, a bill for an act to amend Section 7839 of the 1935 Code of Iowa, relating to appeals from the assessment of damages made by condemnation commissioners, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 47, a bill for an act to repeal Sections 113 and 124, Code, 1935, and to enact substitutes therefor, relating to the auditing of financial records of counties, schools, townships, cities and towns, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 122, a bill for an act to amend sections 12195 and 12196, Code, 1935, relating to option on a replevin bond, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 198, a bill for an act to amend Section nineteen hundred twenty-one-f ninety-nine (1921-f99), Code, 1935, relating to the issuance of beer permits so as to forbid the future issuance of such permits to certain persons, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Senator Gillespie submitted the following report:

MR. PRESIDENT: Your committee on pharmacy, to which was referred Senate File 154, a bill for an act to repeal Sections 3151 to 3169 incl., Code, 1935, relating to narcotic drugs and the possession, sale and distribution thereof, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

J. J. GILLESPIE, *Chairman.*

Ordered passed on file.

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 168, a bill for an act to amend Sections 5296-f13 and 5296-f16, relating to old age assistance, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred Senate File 119, a bill for an act to amend Senate File 1 of the

46th General Assembly extraordinary session relating to social security, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

SENATE FILE 150 REREFERRED TO COMMITTEE

Senator Elthon moved that Senate File 150 be rereferred to the committee on agriculture, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Donohue, Senate File 133, a bill for an act to amend Section eleven thousand four hundred twenty-nine (11429), Code of 1935, allowing the court in its discretion to submit issues of fact in civil cases to be tried by a jury where the amount claimed is less than three hundred dollars (\$300.00), with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, the report of the committee adopted, and the bill indefinitely postponed.

On motion of Senator Shaw, Senate File 44, a bill for an act to amend Section thirteen thousand eight hundred and three (13803), Code, 1935, relating to the withdrawal of a plea of guilty, with report of committee recommending that the bill be indefinitely postponed, was taken up and considered.

Roll call was requested.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 5:

Byers	Irwin	Kirketeg	Zeigler
Doran			

Nays, 34:

Augustine	Dewey	Grunewald	Miller
Baldwin	Donohue	Guernsey	Millhone
Beardsley	Edwards	Hoeven	Murray
Bell of Crawford	Ellis	Hopkins	Parker
Billingsley	Elthon	Husted	Pelzer
Breen	Evans	Kimberly	Smith
Chrystal	Geske	Levis	Shaw
Corwin	Gillespie	Mighell	Stevens
Dean	Goetsch		

Absent or not voting, 10:

Bell of	Gillette	Mason	Stewart
Des Moines	Hill	Moore	Whitehill
Berg	Lundy	Schadt	

The committee report was not adopted.

Senator Breen moved that the rules be suspended and that Senate File 44 be considered at this time, which motion prevailed.

On motion of Senator Breen, Senate File 44, a bill for an act to amend Section thirteen thousand eight hundred and three (13803), Code, 1935, relating to the withdrawal of a plea of guilty, was taken up and considered.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dean	Goetsch	Mighell
Baldwin	Dewey	Grunewald	Miller
Beardsley	Donohue	Guernsey	Millhone
Bell of	Doran	Hoeven	Moore
Des Moines	Edwards	Hopkins	Murray
Berg	Ellis	Husted	Pelzer
Billingsley	Elthon	Kimberly	Smith
Breen	Geske	Kirketeg	Shaw
Byers	Gillespie	Levis	Stevens
Chrystal	Gillette	Lundy	Whitehill
Corwin			

Nays, 1:

Zeigler

Absent or not voting, 8:

Bell of	Crawford Hill	Mason	Schadt
Evans	Irwin	Parker	Stewart

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

Senator Breen moved that the vote by which Senate File 44 passed the Senate be reconsidered, and the motion to reconsider be laid on the table.

Roll call was requested.

On the question, "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 13:

Augustine	Dean	Hoeven	Millhone
Baldwin	Goetsch	Levis	Smith
Breen	Grunewald	Mighell	Whitehill
Chrystal			

Nays, 17:

Beardsley	Dewey	Hopkins	Parker
Berg	Donohue	Kirketeg	Pelzer
Billingsley	Doran	Lundy	Stevens
Byers	Edwards	Moore	Zeigler
Corwin			

Absent or not voting, 19:

Bell of Crawford	Evans	Hill	Miller
Bell of Des Moines	Geske	Husted	Murray
Ellis	Gillespie	Irwin	Schadt
Elthon	Gillette	Kimberly	Shaw
	Guernsey	Mason	Stewart

The motion was lost.

On motion of Senator Donohue, Senate File 122, a bill for an act to amend Sections twelve thousand one hundred ninety-five (12195), and twelve thousand one hundred ninety-six (12196), Code, 1935, relating to option on a replevin bond, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, the report of the committee adopted, and the bill indefinitely postponed.

On motion of Senator Donohue, House File 219, by the emergency legislation committee, a bill for an emergency act relating to contracts for the sale of real estate where the vendor retains legal title; providing for the continuance of actions brought upon said contracts; providing for the suspension of forfeiture proceedings; providing for the preservation of the rights and equities of the vendee or his heirs or assigns under said contracts; providing for possession of said real estate, and to the rents, income and profits therefrom and providing for the distribution thereof; and providing for the suspension of all acts or parts of acts in conflict with this act while same is in effect, with report of committee recommending that the bill be indefinitely postponed, was taken up and considered.

Senator Breen moved that action on House File 219 be deferred.

By unanimous consent, Senator Breen withdrew his motion.

Roll call was requested.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 30:

Baldwin	Donohue	Hoeven	Murray
Bell of	Doran	Hopkins	Parker
Des Moines	Edwards	Husted	Pelzer
Berg	Ellis	Irwin	Smith
Breen	Evans	Kimberly	Stewart
Byers	Geske	Levis	Whitehill
Chrystal	Grunewald	Lundy	Zeigler
Corwin	Guernsey	Millhone	

Nays, 17:

Augustine	Dewey	Goetsch	Miller
Beardsley	Elthon	Kirketeg	Moore
Bell of Crawford	Gillespie	Mason	Shaw
Billingsley	Gillette	Mighell	Stevens
Dean			

Absent or not voting, 2:

Hill	Schadt
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The committee report was adopted and the bill indefinitely postponed.

President pro tem Byers took the chair at 11:20 a. m.

On motion of Senator Donohue, House File 233, by the emergency legislation committee, a bill for an act to declare that an emergency now exists; to provide for the increase of the statutory exemption from execution for residents who are heads of families; to provide for the selection of such exempt property; to provide for exemptions heretofore set off; to provide for preservation of right to parties under Chapter one hundred seventy-seven (177), acts of the Forty-fifth General Assembly, and Chapter one hundred nine (109), acts of the Forty-sixth General Assembly, to provide for suspension of conflicting acts; and to provide that if any part of this act is held unconstitutional it shall not affect the remaining parts with report of committee recommending that the bill be indefinitely postponed, was taken up and considered.

Roll call was requested.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 18:

Baldwin	Corwin	Guernsey	Smith
Bell of	Donohue	Kimberly	Stevens
Des Moines	Evans	Levis	Stewart
Berg	Geske	Murray	Zeigler
Byers	Grunewald	Parker	

Nays, 26:

Augustine	Dewey	Goetsch	Miller
Beardsley	Doran	Hoeven	Millhone
Bell of Crawford	Edwards	Hopkins	Moore
Billingsley	Ellis	Kirketeg	Pelzer
Breen	Elthon	Lundy	Shaw
Chrystal	Gillespie	Mighell	Whitehill
Dean	Gillette		

Absent or not voting, 5:

Hill	Irwin	Mason	Schadt
Husted			

The report of the committee was not adopted.

President Valentine returned to the chair at 11:55 a. m.

On motion of Senator Donohue, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has receded from its amendments to Senate File 191, a bill for an act relating to administration of the unemployment insurance law.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File 191 and Senate File 60.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 191 and Senate File 60.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 25th day of February, 1937, sent to the Governor for his approval, Senate File 60 and Senate File 191.

FRANK PELZER, *Chairman.*

Passed on file.

Senator Baldwin asked and received unanimous consent to consider the following resolution at this time:

LANGE MEMORIAL RESOLUTION

Be It Resolved by the Senate: That the word of the death of Otto F. Lange of Dubuque, Iowa, who served in the Forty-second General Assembly and in the Special Session of said Assembly and who served in the Forty-third General Assembly, is received with deep regret on the part of the members of the Forty-seventh General Assembly;

That a committee of three be appointed to draft suitable resolutions expressing to Mrs. Lange, his widow, and the members of his family our sincere regret and express our sympathy in their great bereavement.

Senator Baldwin moved the adoption of the resolution which motion prevailed, and in accordance therewith, the President appointed Senators Baldwin, Geske and Kimberly.

Senator Breen moved that the rules be suspended and that the Senate consider House File 233 at this time. The motion did not prevail.

Senator Doran moved that the rules be suspended and that House File 233 be taken up for consideration at this time.

Senator Byers raised the point of order that the motion was out of order as the same motion had just been acted upon adversely by the Senate.

The President ruled that the point of order by Senator Byers was well taken.

Senator Doran moved that the Senate adjourn until 2:30 p. m.

Senator Donohue raised the point of order that the Senate could not adjourn under Senator Doran's motion, as reconvening would constitute another legislative day.

The President ruled that Senator Donohue's point of order was not well taken and that the motion to adjourn was in order.

Senator Byers asked unanimous consent to withdraw his point of order.

Senator Berg moved to amend the motion to adjourn, and that the Senate adjourn until 1:30 Monday.

Roll call was requested.

On the question, "Shall the amendment to the motion prevail?" the vote was:

Ayes, 19:

Baldwin	Dewey	Hoeven	Parker
Berg	Donohue	Kimberly	Smith
Byers	Evans	Levis	Stevens
Chrystal	Geske	Miller	Zeigler
Corwin	Guernsey	Murray	

Nays, 25:

Augustine	Edwards	Hopkins	Millhone
Beardsley	Elthon	Irwin	Moore
Bell of Crawford	Gillespie	Kirketeg	Pelzer
Billingsley	Gillette	Lundy	Shaw
Breen	Goetsch	Mason	Stewart
Dean	Grunewald	Mighell	Whitehill
Doran			

Absent or not voting, 5:

Bell of	Ellis	Husted	Schadt
Des Moines	Hill		

The motion was lost.

Senator Donohue moved as a substitute motion that the Senate adjourn until 2 p. m. Monday.

The President ruled that since it was after 2:30, the motion of Senator Doran and all substitutes were out of order.

Senator Donohue moved that the Senate adjourn until 2:00 p. m. Monday.

Senator Doran moved as a substitute motion that the Senate adjourn until 2:45 today.

Roll call was requested.

On the question, "Shall the substitute motion prevail?" the vote was:

Ayes, 19:

Augustine	Doran	Goetsch	Moore
Beardsley	Edwards	Irwin	Parker
Billingsley	Elthon	Lundy	Shaw
Breen	Gillespie	Mighell	Stewart
Dean	Gillette	Millhone	

Nays, 25:

Baldwin	Donohue	Hopkins	Murray
Bell of Crawford	Evans	Kimberly	Pelzer
Berg	Geske	Kirketeg	Smith
Byers	Grunewald	Levis	Stevens
Chrystal	Guernsey	Mason	Whitehill
Corwin	Hoeven	Miller	Zeigler
Dewey			

Absent or not voting, 5:

Bell of Des Moines	Ellis Hill	Husted	Schadt
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The substitute motion failed.

Senator Donohue asked and received unanimous consent to withdraw his motion to adjourn.

On motion of Senator Donohue, the Senate resolved itself into executive session.

The Senate arose from executive session, and resumed regular session.

Senator Elthon asked and received unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 228, by Senator Elthon, a bill for an act to amend Chapter one hundred twenty-four-C one (124-C1) of the 1935 Code of Iowa, by providing for a widow, heir, or any legal representative of a deceased embalmer to operate a funeral home for a stipulated period of time for the purpose of disposing of same.

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

On motion of Senator Donohue, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel.

Senator Breen moved that the rules be suspended and that House File 233 be considered at this time, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Breen, House File 233, a bill for an act to declare that an emergency now exists; to provide for the increase of the statutory exemption from execution for residents who are heads of families; to provide for the selection of such exempt property; to provide for exemptions heretofore set off; to provide for preservation of right to parties under Chapter one hundred seventy-seven (177), acts of the Forty-fifth General Assembly, and Chapter one hundred nine (109), acts of the Forty-sixth General Assembly, to provide for suspension of conflicting acts; and to provide that if any part of this act is held unconstitutional it shall not affect the remaining parts, was taken up and considered.

Senator Levis offered the following amendment and moved its adoption:

Amend House File 233 by inserting after the comma following the word "him" in line six (6) of Section two (2) the words "except money or security,".

On request, Senator Levis was permitted to withdraw his amendment.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29:

Augustine	Dewey	Hopkins	Mighell
Beardsley	Doran	Husted	Miller
Bell of	Edwards	Irwin	Millhone
Des Moines	Elthon	Kimberly	Moore
Billingsley	Gillespie	Kirketeg	Murray
Breen	Gillette	Lundy	Pelzer
Chrystal	Goetsch	Mason	Shaw
Dean	Hoeven		

Nays, 14:

Berg	Evans	Levis	Stewart
Byers	Geske	Parker	Whitehill
Corwin	Grunewald	Smith	Zeigler
Donohue	Guernsey		

Absent or not voting, 6:

Baldwin	Ellis	Schadt	Stevens
Bell of Crawford Hill			

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Breen asked and received unanimous consent to have House File 233 messaged to the House immediately.

EXTRA COPIES OF SENATE FILE 203

On request of Senator Breen, unanimous consent was given to have printed twelve hundred copies of Senate File 203, relating to regulation, licensing and taxing the business conducted by itinerant merchants.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House File 233.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 233.

Senator Stevens asked and received unanimous consent to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File 229, by Senator Stevens, a bill for an act to provide an optional form of city government creating a planning board, by an election of the people in any city having a population of five thousand (5000) or more, with powers to pass on expenditures over five hundred dollars (\$500), bond issues, tax levies, and duties as provided for by Chapter two hundred ninety-four-A-1 (294-A1), Code, 1935. This board is also vested with powers, responsibilities, and duties as provided for in Sections six thousand four hundred fifty-two (6452) to six thousand four hundred fifty-six (6456) inclusive of Chapter three hundred twenty-four

(324), Code, 1935, relating to zoning; also powers and duties as prescribed in Sections six thousand four hundred sixty-one (6461) to six thousand four hundred sixty-four (6464) inclusive, Code, 1935, Section sixty-four hundred seventy-one (6471), Chapter three hundred twenty-four (324), Code of 1935, Sections sixty-four hundred sixty-six (6466), sixty-four hundred seventy (6470) and sixty-two hundred seventeen (6217).

Read first and second times and referred to committee on state planning.

Senate File 230, by Senator Lundy, a bill for an act to amend the law as the same appears in Section one thousand four hundred fifty-nine (1459), Code, 1935, relating to service of notice on non-resident employers in workmen's compensation proceedings.

Read first and second times and referred to committee on judiciary 1.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 44 passed the Senate.

L. H. DORAN.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend the title to Senate File 174 by adding after the word "reconstruction" in line three thereof, and before the word "of" in line three thereof, the following " , improvement and maintenance".

PAUL L. MILLHONE.

MR. PRESIDENT: I move to amend Senate File 25, Section two, line fourteen, by inserting after the comma following the word "dealer" in line fourteen the word "manufacturer,".

HOWARD C. BALDWIN.

MR. PRESIDENT: I move to amend Senate File 44, by striking the title and inserting in lieu thereof the following:

"An Act to repeal Section thirteen thousand eight hundred and three (13803), Code, 1935, and to enact a substitute therefor, relating to the withdrawal of a plea of guilty before sentence."

Further amend as follows:

Strike from Section 1, all after the comma in line two (2) and all of line three (3) and substitute in lieu thereof the following: "be and the same is hereby repealed and the following enacted as a substitute therefor:".

L. H. DORAN.

The Journals of February 23rd and 24th were corrected and approved.

Senator Breen moved that, when the Senate adjourn, it be until 8:00 a. m. Saturday, which motion prevailed.

On motion of Senator Augustine, the Senate adjourned until 8:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 27, 1937.

The Senate met in regular session, Senator D. W. Kimberly presiding on appointment.

Prayer was offered by Ray Sheehan, of Dubuque.

Senator Parker moved that the Senate go into executive session, which motion prevailed.

The Senate arose from executive session and resumed regular session.

On motion of Senator Parker, the Senate adjourned until 1:30 p. m., Monday, March 1st.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 1, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Senator Ora E. Husted of Truro.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Millhone for the day, on request of Senator Kirketeg; Senator Mason for the day, on request of Senator Berg; Senator Mighell for the day, on request of Senator Evans; Senator Chrystal for the day, on request of Senator Parker; Senator Donohue for the day, on request of Senator Byers; Senator Ellis for the day, on request of Senator Guernsey; Senator Dewey for the day, on request of Senator Berg; Senator Levis for the day, on request of Senator Dean.

Senator Baldwin asked and received unanimous consent that all Senators, not previously excused, be excused for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hoeven, from citizens of Ashton, favoring enactment of House File 48. Public schools.

By Senator Hoeven, from citizens of Ashton, favoring legislation to raise the minimum wage of teachers. Public schools.

By Senator Hoeven, from citizens of Ashton, favoring enactment of House File 130. Public schools.

By Senator Baldwin, from citizens of Dubuque, favoring enactment of House File 130. Public schools.

By Senator Corwin, from citizens of Muscatine, favoring enactment of House File 130. Public schools.

By Senator Murray, from citizens of Sioux City, favoring enactment of House File 130. Public schools.

By Senator Goetsch, from the Travel Club of Decorah, favoring enactment of House File 130. Public schools.

By Senator Goetsch, from teachers of the Decorah public schools, favoring enactment of House File 130. Public schools.

By Senator Berg, from citizens of Black Hawk county, favoring enactment of House File 130. Public schools.

By Senator Guernsey, from citizens of Appanoose county, favoring enactment of House File 130. Public schools.

By Senator Hopkins, from the school faculty members at Alta, favoring enactment of House File 130. Public schools.

By Senator Schadt, from members of the Iowa City Fire Department and the Iowa Association of Fire Fighters, favoring the prohibition of sale and shooting of fireworks. Judiciary 2.

By Senator Parker, from citizens of Independence, opposing enactment of Senate File 188. Public health.

By Senator Elthon, from business men of Lake Mills, favoring the abolishment of the 2 per cent sales tax. Ways and means.

BILLS APPROVED BY THE GOVERNOR

Communications were received from the Governor, announcing that, on February 25, 1937, he had approved the following:

Senate File 60, relating to the issue of stock or shares by the state building and loan associations.

Senate File 191, relating to administration of the unemployment insurance.

INTRODUCTION OF BILLS

Senate File 231, by Senator Shaw, a bill for an act to amend Section four thousand one hundred eighty-two (4182) of the Code of 1935, relating to contracts between consolidated school districts and drivers of school busses for the transportation of school children, and providing that said school districts and said drivers in said school districts shall be liable for the negligent operation of such school busses, and requiring that said school districts shall insure the liability of said school districts, and of said drivers of school busses.

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

EXTRA COPIES OF SENATE FILE 177

On request of Senator Berg, three hundred extra copies of Senate File 177, relating to discrimination in price and service in the sale of certain commodities, were ordered printed.

Senators Augustine and Breen offered the following resolution:

SENATE RESOLUTION 6

Whereas, The Forty-fifth General Assembly in Extraordinary Session enacted into law the "Property Relief Act", now Chapter three hundred twenty-nine-F1 (329-F1) of the Code, 1935, incorporating within its provisions the income tax, the corporation tax, and the sales tax, and

Whereas, Said law is now approximately three (3) years old, and

Whereas, No major changes have been proposed in its machinery of operation by the State Board of Assessment and Review, and

Whereas, Three years' experience with the operation of this law must have uncovered certain defects unanticipated by the General Assembly at the time of the original enactment, and

Whereas, This experience might well be of invaluable assistance to the present Assembly in its consideration of any proposed changes in the present law, and

Whereas, If this information were made available, it might appear that the best interests of all the citizens of the state would be well served by certain changes in the law, and

Whereas, There are at the present time certain bills before the Senate and House proposing changes in said law, now therefore,

Be It Resolved by the Senate: That the President of the Senate appoint a special committee of five (5) members to investigate the operation of said law, to call before it the members of the State Board of Assessment and Review, and employees of said Board, and any other interested persons for the purpose of drafting remedial legislation, if as the result of said committee's investigation it determines that there be need for such legislation, and that such bills, if any, as are drafted by said committee, take their place upon the calendar as committee bills.

Senator Breen moved to amend Senate Resolution 6 by inserting in line 26 of the original resolution, after the word "the", the following: "rules be suspended and the".

The amendment was adopted.

Senator Breen moved the adoption of Senate Resolution 6, which motion prevailed, and the President appointed Senators

Berg, Breen, Levis, Gillette, and Shaw as the committee provided for in said resolution.

REPORTS OF COMMITTEES

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on banks and banking, to which was referred Senate File 153, a bill for an act relating to building and loan associations and investments therein, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Senator Bell of Crawford submitted the following report:

MR. PRESIDENT: Your committee on drainage, to which was referred House File 23, a bill for an act to amend Section 7714-g1, Code, 1935, relating to the composing and refunding of indebtedness of drainage districts, begs leave to report it has had the same under consideration and recommends the same do pass.

ANDREW BELL, *Chairman.*

Ordered passed on file.

Senator Bell of Des Moines submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings, to which was referred House Joint Resolution 8, providing for the appointment of a committee composed of five (5) members from the Senate and five (5) members from the House for the purpose of investigating the situation in regard to the housing of state departments, and making an appropriation to defray the expenses thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. By inserting, after the third paragraph of the preamble, the following:

“Whereas, the institutional buildings under the board of control are in dire need of repair, rebuilding, and enlarging, and”.

2. By striking all of Section 1, and inserting in lieu thereof the following:

“Section 1. A committee is hereby created to be composed of three members of the Senate, not more than two of whom shall be of the same political party, and three members of the House, not more than two of whom shall be of the same political party. Said committee shall organize and select a chairman and a secretary from its members and perfect such other organization as the members shall determine. The said committee shall have the authority to inquire into the conditions surrounding the housing of state departments, boards, bureaus, commissions, institutions and other state offices, and the possible future need for additional space and to inquire into the advisability of providing a permanent housing, repair and building program and make such preliminary report and

recommendations to the 47th General Assembly relative thereto as it may deem advisable.

The committee shall further investigate the possibilities of the state of Iowa availing itself of Federal funds now available and to become available to PWA and other Federal agencies in financing a building program. The committee shall also investigate the possibility of using building material such as stone, brick, cement, and other building materials produced and manufactured in Iowa."

3. By striking from Sec. 2 line three (3) the words and figures "five hundred (\$500.00)", and inserting in lieu thereof the words and figures "one thousand dollars (\$1000.00).", JAS M. BELL, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Gillespie, Senate File 127, a bill for an act to protect restrictions affecting real estate arising out of a deed or deeds in a chain of title to real estate and running with the land, limiting the use of property, the type, character and location of buildings, or restrictions against nuisances, and other similar restrictions, and providing that such restrictions shall be unaffected by the issuance of tax deeds, and that persons holding under such tax deeds shall take the property subject to said restrictions in force at date of such tax deed, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran offered the following amendments and moved their adoption:

Amend Senate File 127 by amending title thereto by inserting after the word "to" in line one thereof, the words "amend Section seven thousand two hundred eighty-six (7286), Code, 1935, to".

Further amend Senate File 127 by striking everything following the enacting clause and substituting in lieu thereof the following:

Section 1. Amend Section seven thousand two hundred eighty-six (7286), Code, 1935, by inserting after the comma (,) following the word "conveyed" in line ten thereof the words "subject to all restrictive covenants, resulting from prior conveyances in the chain of title to the former owner,".

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 newspapers of this State, as provided by law.

The amendments were adopted.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Byers	Grunewald	Murray
Baldwin	Corwin	Guernsey	Parker
Beardsley	Dean	Hill	Pelzer
Bell of Crawford	Doran	Hopkins	Schadt
Bell of	Edwards	Husted	Shaw
Des Moines	Elthon	Kimberly	Stevens
Berg	Evans	Kirketeg	Stewart
Billingsley	Gillespie	Lundy	Whitehill
Breen	Goetsch	Moore	Zeigler

Nays, none.

Absent or not voting, 14:

Chrystal	Geske	Levis	Miller
Dewey	Gillette	Mason	Millhone
Donohue	Hoeven	Mighell	Smith
Ellis	Irwin		

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

On motion of Senator Breen, Senate File 134, a bill for an act to amend Section seventy-six hundred thirty-six (7636), Code, 1935, relating to the relinquishment by boards of supervisors of their authority and control of drainage districts within the corporate limits of cities and towns to cities and towns, and providing for the transfer of funds therein to such cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Byers	Grunewald	Murray
Baldwin	Corwin	Guernsey	Parker
Beardsley	Dean	Hill	Pelzer
Bell of Crawford	Doran	Hopkins	Schadt
Bell of	Edwards	Husted	Shaw
Des Moines	Elthon	Kimberly	Stevens
Berg	Evans	Kirketeg	Stewart
Billingsley	Gillespie	Lundy	Whitehill
Breen	Goetsch	Moore	Zeigler

Nays, none.

Absent or not voting, 14:

Chrystal	Geske	Levis	Miller
Dewey	Gillette	Mason	Millhone
Donohue	Hoeven	Mighell	Smith
Ellis	Irwin		

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Kimberly asked and received unanimous consent to consider Senate File 129 at this time.

On motion of Senator Kimberly, Senate File 129, a bill for an act to amend Chapter three hundred twenty-nine (329), Code, 1935, making Chapter three hundred eight-A one (308-A1) and three hundred eight-D one (308-D1) applicable to certain special charter cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimberly moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Baldwin	Corwin	Guernsey	Parker
Beardsley	Dean	Hill	Pelzer
Bell of Crawford	Doran	Hopkins	Schadt
Bell of Des Moines	Edwards	Husted	Shaw
Berg	Elthon	Kimberly	Stevens
Billingsley	Evans	Kirketeg	Stewart
Breen	Gillespie	Moore	Whitehill
Byers	Goetsch	Murray	Zeigler
	Grunewald		

Nays, none.

Absent or not voting, 16:

Augustine	Ellis	Irwin	Mighell
Chrystal	Geske	Levis	Miller
Dewey	Gillette	Lundy	Millhone
Donohue	Hoeven	Mason	Smith

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

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hill asked and received unanimous consent to consider Senate File 114 at this time.

On motion of Senator Hill, Senate File 114, a bill for an act to repeal Section five thousand eight hundred sixty-nine (5869), Code, 1935, and to enact a substitute therefor, requiring the city treasurer to act as treasurer for the board of hospital trustees in cities, and prescribing his duties in such capacity, and the bonds to be given therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

1. Amend Section 1 by inserting after the word "form" in line 8 thereof, the words "and amount".
2. Further amend Section 1 by inserting after the word "board" in line 9 thereof, the words "in its discretion".

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Corwin	Guernsey	Parker
Baldwin	Dean	Hill	Pelzer
Beardsley	Doran	Hopkins	Schadt
Bell of	Edwards	Husted	Shaw
Des Moines	Elthon	Kimberly	Stevens
Berg	Evans	Kirketeg	Stewart
Billingsley	Gillespie	Lundy	Whitehill
Breen	Goetsch	Murray	Zeigler
Byers	Grunewald		

Nays, none.

Absent or not voting, 16:

Bell of Crawford	Ellis	Irwin	Miller
Chrystal	Geske	Levis	Millhone
Dewey	Gillette	Mason	Moore
Donohue	Hoeven	Mighell	Smith

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

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stewart, Senate File 185, 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, a committee bill, was taken up and considered.

Senator Augustine offered the following amendment and moved its adoption:

Insert in Section three (3) immediately following line eight (8) an additional subsection as follows:

“3. The Secretary of Agriculture of the State of Iowa.”

The amendment was adopted.

Senator Doran moved to defer action.

By unanimous consent, Senator Doran withdrew his motion.

Senator Stewart offered the following amendment and moved its adoption:

Amend Senate File 185 by striking all of Sec. 6 after the word “publication” in line 2 and inserting in lieu thereof the words “as provided by law.”

The amendment was adopted.

Senator Stewart moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?” the vote was:

Ayes, 34:

Augustine	Corwin	Guernsey	Murray
Baldwin	Dean	Hill	Parker
Beardsley	Doran	Hopkins	Pelzer
Bell of	Edwards	Husted	Schadt
Des Moines	Elthon	Irwin	Shaw
Berg	Evans	Kimberly	Stevens
Billingsley	Gillespie	Kirketeg	Stewart
Breen	Goetsch	Lundy	Whitehill
Byers	Grunewald	Moore	

Nays, 1:

Zeigler

Absent or not voting, 14:

Bell of Crawford	Ellis	Levis	Millhone
Chrystal	Geske	Mason	Smith
Dewey	Gillette	Mighell	
Donohue	Hoeven	Miller	

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

Senator Stewart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Beardsley moved that the Senate adjourn until 10:00 a. m. Tuesday.

By unanimous consent, Senator Beardsley withdrew his motion to adjourn.

Senator Baldwin asked and received unanimous consent to consider House File 25 at this time.

On motion of Senator Baldwin, House File 25, by Bulow, Judd, Rasmussen, and Currie, a bill for an act to amend Sections twenty-two hundred seventeen (2217) and twenty-five hundred twenty-two (2522), Code of 1935, providing penalties for the violation of the laws of Iowa and the rules of the department of health relating to the profession of barbering, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Baldwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Corwin	Guernsey	Murray
Baldwin	Dean	Hill	Parker
Beardsley	Doran	Hopkins	Pelzer
Bell of Crawford	Edwards	Husted	Schadt
Bell of	Elthon	Irwin	Shaw
Des Moines	Evans	Kimberly	Stevens
Berg	Gillespie	Kirketeg	Stewart
Billingsley	Goetsch	Lundy	Whitehill
Breen	Grunewald	Moore	Zeigler
Byers			

Nays, none.

Absent or not voting, 13:

Chrystal	Geske	Levis	Miller
Dewey	Gillette	Mason	Millhone
Donohue	Hoeven	Mighell	Smith
Ellis			

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

Senator Baldwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 97 WITHDRAWN

Senator Baldwin asked and received unanimous consent to withdraw Senate File 97, companion bill to House File 25, from the further consideration of the Senate.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 25 by striking all of Section four (4) and inserting in lieu thereof the following:

"Sec. 4. This act shall be in full force and effect from and after January 1, 1938."
A. E. AUGUSTINE.

MR. PRESIDENT: 1. Amend Section four (4) of Senate File one hundred eighty-one (181) by inserting after the word "Senate" in line three (3) the following, "in executive session".

2. Amend Section one hundred ninety-four (194) of Senate File one hundred eighty-one (181) by inserting after the word "chapter" in line three (3) the following: ", except printing and except expenditures of less than one hundred (100) dollars,".

3. Amend Section three hundred sixteen (316) of Senate File one hundred eighty-one (181) by placing a period after the word "vehicle" where it appears the second time in line fifteen (15) and by striking the remainder of the section.

4. Amend Section four hundred fifty-four (454) of Senate File one hundred eighty-one (181) by striking from line fifteen (15) the word "two" and substituting in lieu thereof the word "three";

Also by striking from lines sixteen (16) and seventeen (17) of said section the words, "when operated upon a highway at a speed in excess of twenty miles per hour", and substituting in lieu thereof the following: "and every trailer coach intended for use for human habitation";

Also by inserting in line twenty-two (22) of said section after the word "shall" the following:

" , after January 1, 1939,";

Also by striking from line twenty-seven (27) of said section the word "two" and substituting in lieu thereof the following: "three".

5. Amend Senate File one hundred eighty-one (181) by striking Section four hundred ninety (490) and substituting in lieu thereof the following: "Loading capacity. Every motor truck or trailer shall be registered at the maximum loading capacity which the owner intends to carry thereon. Said capacity shall not be less than the manufacturers rating for said vehicle. The owner having once registered his vehicle for any year may apply for an increased capacity registration by paying the difference between the annual fee for the higher capacity and the amount of the fee already paid. It shall be unlawful for any person to operate a motor truck or trailer on the public highways carrying a load of more than twenty-five per cent in excess of the loading capacity for which it was registered."

6. Amend Section 267 of Senate File 181 by inserting after the word

"hire" in line 26, the following: "and used principally in intracity operation".

7. Amend Section 339 of Senate File 181 by striking from line 4 the words, "one hundred fifty", and inserting in lieu thereof the following: "three hundred".

8. Amend Section 454 of Senate File 181, by adding after the word "applied." in line 22, the following: "Every semitrailer of a gross weight of three thousand pounds or more shall be equipped with a separate, auxiliary means of applying the brakes on the semitrailer from the cab of the towing vehicle."

9. Amend Section 455 of Senate File 181 by striking from lines 9 and 10, the following: "adequate to stop such vehicle or vehicles within a distance of fifty-five feet and said hand brake shall be".

10. Amend Section 472 of Senate File 181 by striking all of said section after the word "cause" in line 7 and insert in lieu thereof the following: "a lighted fusee to be immediately placed on the roadway at the traffic side of such vehicle; as soon thereafter as possible, and in any case within the burning period of the fusee, three lighted flares shall be placed on the roadway, one at a distance of not less than one hundred feet in advance of such vehicle, one at a distance of not less than one hundred feet to the rear of such vehicle and the third upon the traffic side of such vehicle; provided that if such vehicle is stopped within three hundred feet of a curve, crest of a hill, or other obstruction to view, the flare in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than one hundred feet from such vehicle. When such flares are taken up, during the times when lighted lamps must be displayed, a lighted fusee shall be placed at the traffic side of such vehicle.

In the event such vehicle is used in the transportation of flammable liquids or gases, whether loaded or empty, no open burning flares or fusees shall be used and red electric lanterns shall be used in lieu thereof.

During the times lighted lamps are not required, red flags shall be used in place of flares or electric lanterns, provided that if such parking continues into the period when lighted lamps are required, flares or electric lanterns shall be placed as above provided."

11. Amend Section 486 of Senate File 181 by inserting as a new paragraph at the end of said section, the following:

"The connection between a truck tractor and a semitrailer with a gross weight of three thousand pounds or more shall be of a type approved by the commissioner, and the commissioner is hereby given authority to approve or disapprove such types of connection submitted to him."

12. Amend Section 480 of Senate File 181 by striking from line 4 the word "thirty" and substituting in lieu thereof the following: "thirty-three";

Also by striking all of lines 10 to 22, inclusive, of said section.

13. Amend Section 317 of Senate File 181 by striking from line 4 the word "Thirty-five" and substituting in lieu thereof, the following: "Forty".

Committee on Motor Vehicles,

WM. S. BEARDSLEY, *Chairman.*

The Journal of February 27 was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 2, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Carl R. Frankhauser, pastor of the First Evangelical Church of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Billingsley for the day, on request of Senator Berg; Senator Chrystal for the day, on request of Senator Parker; Senator Ellis for the forenoon, on request of Senator Guernsey; Senator Dewey for the forenoon, on request of Senator Mason; Senator Bell of Crawford for the forenoon, on request of Senator Mason; Senator Miller for the day, on request of Senator Mason; Senator Mighell for the day, on request of Senator Evans.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Baldwin, from citizens of Dubuque, favoring enactment of House File 130. Public schools.

By Senator Hoeven, from teachers in Osceola county, favoring enactment of legislation to raise the minimum wage for teachers. Public schools.

By Senator Evans, from citizens of Montgomery county, favoring enactment of House File 130. Public schools.

By Senator Breen, from citizens of the Eighth District, favoring enactment of House File 130. Public schools.

By Senator Grunewald, from citizens of Oelwein, favoring enactment of Senate File 30, Senate File 84, and Senate File 87, relative to railroad equipment and employees. Railroads.

By Senator Hoeven, from citizens of Sioux county, favoring enactment of legislation to permit local option, relating to the sale of liquor. Judiciary 2.

By Senator Byers, from members of Central Park Church at Cedar Rapids, favoring enactment of legislation to prohibit the sale and use of fireworks. Judiciary 2.

By Senator Doran, from the Franklin Parent Teachers Association at Boone, favoring enactment of House File 48. Public schools.

By Senator Doran, from the Garfield Parent Teachers Association at Boone, favoring enactment of House File 130, Senate File 98, and Senate File 101, relative to public schools, retirement annuities for teachers, and educational equalization. Public schools.

The President introduced to the Senate an honored guest, the Honorable Oley Nelson of Slater, Past National Commander-in-Chief of the G. A. R., and now Sergeant-at-Arms of the House of Representatives, who addressed the Senate.

THIRD READING OF BILLS

On motion of Senator Beardsley, Senate File 181, a bill for an act to repeal Chapter two hundred fifty-one (251), and all amendments thereto, of the Code, 1935, and Sections forty-six hundred twenty-seven (4627), forty-six hundred eighty-six-c one (4686-c1), forty-six hundred eighty-six-c two (4686-c2), fifty-one hundred five-a thirty-two (5105-a32) to fifty-one hundred five-a thirty-five (5105-a35), inclusive, fifty-one hundred five-c eighteen (5105-c18) to fifty-one hundred five-c twenty-one (5105-c21), inclusive, sixty-seven hundred fifty-four-c one (6754-c1), sixty-seven hundred fifty-four-c two (6754-c2), twelve thousand two hundred twenty-two (12222) to twelve thousand two hundred twenty-eight (12228), inclusive, thirteen thousand eleven (13011) to thirteen thousand thirteen (13013), inclusive, thirteen thousand ninety-two (13092), thirteen thousand one hundred eighteen (13118), thirteen thousand one hundred nineteen (13119), thirteen thousand four hundred seventeen-a one (13417-a1), and thirteen thousand four hundred seventeen-a two (13417-a2) of said Code,

and to enact a substitute therefor, and to amend Sections two thousand ten (2010), two thousand eleven (2011), forty-seven hundred fifty-five-b seven (4755-b7), fifty-one hundred five-a forty-one (5105-a41), fifty-one hundred five-c seventeen (5105-c17), and thirteen thousand ninety-two-d one (13092-d1) of said Code, all relating to vehicles and traffic; to provide penalties and liabilities in relation thereto; and to provide a department of the State government for the administration and enforcement thereof, a committee bill, was taken up and considered.

Senator Beardsley offered the following committee amendment and moved its adoption:

Amend Section four (4) of Senate File one hundred eighty-one (181) by inserting after the word "Senate" in line three (3) the following, "in executive session".

The amendment was adopted.

Senator Elthon moved that the Senate recess until 1:00 p. m.

Senator Moore moved as a substitute for the motion of Senator Elthon that the Senate recess until 1:30 p. m.

The substitution was made, the motion prevailed, and the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CONSIDERATION OF SENATE FILE 181 RESUMED

Senator Murray offered the following amendment and moved its adoption:

Amend Senate File 181, Section 180, by adding at the end thereof, after the word "prescribe", the following: "Contracts for such blank books, blank forms, and supplies shall be awarded, by the State Printing Board to Iowa printers, not later than September 1 of each year."

Senator Murray asked and received unanimous consent to defer action on the pending amendment.

Senator Beardsley moved the adoption of the following committee amendment:

2. Amend Section one hundred ninety-four (194) of Senate File one hundred eighty-one (181) by inserting after the word "chapter" in line

three (3) the following: "except printing and except expenditures of less than one hundred (100) dollars,".

The amendment was adopted.

On motion of Senator Gillespie, the Senate resolved itself into executive session.

EXECUTIVE SESSION

Acting under a suspension of the rules, the Senate confirmed the following appointments:

Mr. Charles W. Gatschet, of Des Moines, Polk county, as a member of the Commission of Aeronautics for the term ending on the third Monday in January, 1941.

Mr. Claude Stanley, of Corning, Adams county, as a member of the Iowa Unemployment Compensation Commission, to represent employers, and to serve as a Republican member of the same, for the four year term ending on July 1, 1941.

Mr. Peter Kies, of Dubuque, Dubuque county, as a member of the Iowa Unemployment Compensation Commission, to represent the public generally, and to serve as a Democrat member of the same, for the six year term ending on July 1, 1943.

The Senate arose from executive session and resumed regular session.

INTRODUCTION OF BILLS

Senate File 232, by Senators Shaw and Doran, a bill for an act to amend Section seven thousand two hundred seventy-nine (7279), Code, 1935, providing for notice to mortgagee before tax deed shall be issued.

Read first and second times and referred to committee on judiciary 1.

Senate File 233, by Senators Breen, Elthon, Dean and Gillette, a bill for an act to promote community credit; to encourage thrift and savings; to provide for the organization and operation of community credit banks in towns and communities with a population of twenty-five hundred (2500) or less; to provide for the

sale of shares and the acquisition of surplus by said banks; to provide for the management and election of officers of said banks; and to provide for the manner of conducting the business of said banks, the scope of the business and the control and operation of the business of said banks.

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

Senate File 234, by Senator Corwin (Pine and Latchaw), a bill for an act to make an appropriation to Muscatine county, Iowa, and Louisa County, Iowa.

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

Senate File 235, by Senator Baldwin, a bill for an act to repeal Sections fifty-one hundred twenty-five (5125) and fifty-one hundred twenty-six (5126), Code, 1935, and to enact a substitute therefor, pertaining to compensation of supervisors and maximum session pay.

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

Senate File 236, by Senator Murray, a bill for an act to amend Section fifty-four hundred fifty-seven (5457), Code, 1935, relating to use of domestic animal fund.

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

REPORT OF COMMITTEE

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 195, a bill for an act to legalize action of the board of supervisors of Muscatine county, Iowa, in making expenditures from the Muscatine county insane fund to the poor relief fund, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman.*

Ordered passed on file.

HOUSE JOINT RESOLUTION 8 REFERRED TO COMMITTEE
ON APPROPRIATIONS

On motion of Senator Bell of Des Moines, chairman of the committee on public lands and buildings, the committee report on House Joint Resolution 8, providing for the appointment of a committee composed of five members from the Senate and five members from the House for the purpose of investigating the situation in regard to the housing of state departments, and making an appropriation to defray the expenses thereof, was adopted; and the President referred the resolution to the committee on appropriations.

SENATE FILE 149 WITHDRAWN FROM COMMITTEE

At the request of Senator Elthon, Senate File 149 was called from the committee and placed on the calendar, under Rule 35.

AN APPRECIATION

March 2, 1937.

TO THE MEMBERS OF THE SENATE: I wish to convey to each of you my sincere appreciation for your thoughtful remembrance and expression of sympathy occasioned by the loss of my mother.

Sincerely,

G. R. HILL.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 160 by striking all after the enacting clause and substituting in lieu thereof the following sections:

Section 1. That Section seventy-one hundred twenty-nine-e one (7129-e1), Code, 1935, be and the same is hereby amended by striking out the comma (,) following the word "review", in line four (4) of said section, and inserting the following: "to meet at the times provided in Section seventy-one hundred twenty-nine (7129), and", after said word "review".

Sec. 2. That Section seventy-one hundred twenty-nine-e one (7129-e1), Code, 1935, be and the same is hereby amended by striking out the period (.) following the word "thereof", in line eight (8) of said section, and inserting in lieu of said period a comma (,) and adding thereafter the following: "and any aggrieved tax payer may petition for a revaluation of his property, but no reduction or increase shall be made for prior years."

Sec. 3. That Section seventy-one hundred twenty-nine-e one (7129-e1), Code, 1935, be and the same is hereby amended by striking all of that portion of the last sentence thereof following the word "appeal", in line

twenty-two (22) of said section, and inserting in lieu of the portion so stricken the following: "to the district court within the same time and in the same manner as provided in Section seventy-one hundred thirty-three (7133)."

Sec. 4. That subparagraph one (1), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, be amended by striking all of said subparagraph and inserting in lieu thereof the following:

"To have and exercise general supervision over the administration of the assessment and tax laws of the state, over boards of supervisors and all other officers or boards of assessment and levy in the performance of their official duties, in all matters relating to assessments and taxation, to the end that all assessments of property and taxes levied thereon be made relatively just and uniform in substantial compliance with the law."

Sec. 5. That subparagraph six (6) of Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, be amended by striking all of said subparagraph and inserting in lieu thereof the following:

"To hold public hearing either at the Seat of Government or elsewhere in the state, and tax the costs thereof; to summon and compel witnesses to appear and give testimony, to administer oaths to said witnesses and to compel said witnesses to produce for examination records, books, papers, and documents relating to any matter which the board shall have the authority to investigate or determine. Provided, however, that no bank or loan and trust company or its officers or employees shall be required to divulge knowledge concerning the property of any person when such knowledge was obtained through information imparted as a part of a business transaction with or for such person and in the usual and ordinary course of business of said bank or loan and trust company, and was necessary and proper to the discharge of the duty of said bank or loan and trust company in relation to such business transaction. This proviso shall be additional to other provisions of the law relating to confidential and privileged communications."

Sec. 6. That subparagraph nine (9), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, be amended as follows:

By striking the following words in said subparagraph beginning after the comma (,) in line seventeen (17), "to raise or lower the valuation of any piece of property in any taxing district when, in their judgment, it is necessary."

By striking the first comma (,) in line twenty-two (22) in said subparagraph and inserting in lieu thereof a period (.) and by striking all of the remainder of said subparagraph.

By striking the words "board of" in line five (5) of said subparagraph, and the word, "review", in line six (6) and inserting in lieu thereof, "county board of equalization."

Sec. 7. That subparagraph nine-a (9a) of Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, be and the same is hereby repealed.

Sec. 8. This act being deemed of immediate importance shall be in force and effect from and after its passage and publication in The Fort

Dodge Messenger, a newspaper published in Fort Dodge, Iowa, and the Rockwell City Advocate, a newspaper published in Rockwell City, Iowa.

Amend the title to read as follows:

An Act to amend Section seventy-one hundred twenty-nine-e one (7129-e1), Code, 1935, relating to the revaluation and reassessment of real estate in other than real estate taxing years and providing for the regular meetings of the board of review and petitions for relief by any aggrieved taxpayer; and to amend subparagraph one (1), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27); and to amend subparagraph six (6), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27); and to amend subparagraph nine (9), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27); and to repeal subparagraph nine-a (9a), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935.

EDWARD BREEN.

MR. PRESIDENT: I move to amend House File 61 as amended and passed by the House as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section fifty-nine hundred four-c one (5904-c1), Code of 1935, is amended by striking lines 30 to 36 inclusive of said section of the Code, being the second paragraph of said section, and inserting in lieu thereof the following: 'No such franchise shall be granted, extended or renewed unless a majority of the legal electors voting thereon vote in favor of the same at a general, city or town, or special election called for that purpose.

The provisions of this Act shall be applicable to cities acting under special charter.'

Sec. 2. This Act being deemed of immediate importance shall be in full force and effect after its passage and publication in The Anchor, a newspaper published at Northwood, Iowa, and in the Cedar Rapids Tribune, a newspaper published at Cedar Rapids, Iowa."

Further amend House File 61 by amending the title as follows: By striking from line 6 of the title the following words: "a renewal or extension of" and inserting in lieu thereof the words "renewing or extending"; also, by striking all of line 9 after the word "election" and all of line 10, and by inserting a period after the word "election" in line 9 of the title.

FRANK C. BYERS.

MR. PRESIDENT: Amend Senate File 181, Section 399, by striking from subsection 1 in line four (4) the words "a lemon yellow color" and substituting in lieu thereof the words "in the national (red, white and blue) colors".

TOM E. MURRAY.

MR. PRESIDENT: Amend Senate File 181, Section 398, by striking from line three (3) the words "a lemon yellow" and substituting in lieu thereof the word "white".

TOM E. MURRAY.

MR. PRESIDENT: I move to amend Senate File 181 by inserting therein, following Sec. 314 at the bottom of page 121:

"Section 314a. Liability to guest. The owner or operator of a motor vehicle shall not be liable for any damages to any passenger or person

riding in said motor vehicle as a guest or by invitation and not for hire, unless damage is caused as a result of the driver of said motor vehicle being under the influence of intoxicating liquor or because of the reckless operation as heretofore defined by him of such motor vehicle." (1935 Code 5026-b1).

A. J. SHAW.

The Journal of March 1st was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 3, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. P. M. Thomas, pastor of the First Friends' Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hopkins, from directors of Monona Independent School District, favoring enactment of House File 48. Public schools.

By Senator Hopkins, from directors of Lincoln Township School District in Scott county, favoring enactment of legislation to provide for compensation for school directors. Public schools.

By Senator Millhone, from the Board of Supervisors of Fremont county, favoring enactment of legislation providing for exemption to counties from loss of school funds. Judiciary 1.

By Senator Millhone, from Zelma King of Lineville, favoring enactment of House File 48. Public schools.

By Senator Millhone, from Zelma King of Lineville, favoring enactment of House File 130. Public schools.

By Senator Levis, from citizens of Chariton, favoring enactment of legislation providing for state support for schools. Public schools.

By Senator Ellis, from citizens of Jackson county, favoring enactment of House File 48. Public schools.

By Senator Hopkins, from teachers at Muscatine, favoring enactment of House File 130. Public schools.

By Senator Hopkins, from teachers of Decorah public schools, favoring enactment of House File 130. Public schools.

By Senator Hopkins, from faculty members of the Coon Rapids public schools, favoring enactment of House File 130. Public schools.

By Senator Kimberly, from members of Our Lady of Lourdes Circle—Daughters of Isabella at Davenport, favoring enactment of House File 130. Public schools.

By Senator Kimberly, from the Men's Club at Davenport, favoring enactment of House File 130. Public schools.

By Senator Hopkins, from the Missionary Society of Menlo, opposing enactment of Senate File 100, relating to liquor control. Judiciary 2.

By Senator Kimberly, from the Jackson School Parent-Teacher Association of Davenport, favoring enactment of House File 130. Public schools.

By Senator Kimberly, from the Coordinating Council of Social Workers of Davenport, favoring enactment of House File 130. Public schools.

By Senator Kimberly, from the Taylor School P. T. A., favoring enactment of House File 130. Public schools.

By Senator Kimberly, from the Davenport Council of Parents and Teachers, favoring enactment of House File 130. Public schools.

By Senator Kimberly, from the Auxiliary to Street Railway Employees of Davenport, favoring enactment of House File 130. Public schools.

By Senator Kimberly, from the High School Women's Club of Davenport, favoring enactment of House File 130. Public schools.

By Senator Millhone, from teachers in the Sidney public schools, favoring enactment of House File 48. Public schools.

By Senator Millhone, from teachers in the Sidney public schools, favoring enactment of House File 130. Public schools.

By Senator Levis, from the teachers of Allerton public schools, favoring enactment of House File 130. Public schools.

By Senator Hill, from the Business and Professional Womens' Club at Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from the Heodnist Club of Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from the South Building and Washington Central Parent Teachers' Associations of Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from the Fifth Ward Parent and Teachers' Association, favoring enactment of House File 130. Public schools.

By Senator Shaw, from the Alta Consolidated School Faculty, favoring enactment of House File 130. Public schools.

By Senator Gillespie, from citizens of Mitchellville, opposing enactment of Senate File 39, relating to possession of gambling devices. Judiciary 1.

By Senator Parker, from citizens of Dundee, favoring enactment of Senate File 30, prohibiting abandonment of railway stations. Railroads and aeronautics.

By Senator Grunewald, from citizens of Marion, favoring enactment of House File 27, relating to railroad safety. Railroads and aeronautics.

By Senator Hill, from the Hawthorne Club of Eldora, favoring enactment of Senate File 188, relating to practice of Chiropractic. Public health.

By Senator Mason, from citizens of Keokuk county, favoring the repeal of that portion of Section 4277, School Laws, Code of Iowa, which deals with the transportation of non-resident high school pupils. Public schools.

By Senator Hill, from citizens of Jewell, favoring enactment of Senate File 100, relating to liquor control (referred to committee on judiciary 2), and opposing Senate File 101, providing for the appropriation of revenue, from the sale of beer or liquor, for any educational institutions (referred to committee on

schools), and Senate File 39, relating to the possession and operation of gambling devices (referred to committee on judiciary 1).

By Senator Whitehill, from citizens of Marshalltown, opposing the enactment of Senate File 100, relating to liquor control (referred to committee on judiciary 2); Senate File 101, relating to special funds to public school districts (referred to committee on public schools); House File 4, relating to the possession and operation of gambling devices (referred to committee on judiciary 2), and favoring the enactment of Senate File 197, relating to the privilege of local option (referred to committee on judiciary 2).

By Senator Corwin, from citizens of Oelwein, favoring enactment of legislation relating to railroads. Railroads and aeronautics.

INTRODUCTION OF BILLS

Senate File 237, by committee on printing, a bill for an act to provide for an emergency appropriation to the State Printing Board to pay for printing and supplies during the balance of the present biennium.

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

Senate File 238, by Senator Breen, a bill for an act relating to the licensing of plumbers, supervision and inspection of plumbing and adoption and enforcement of certain rules and regulations governing inspection, installation and supervision and authorizing the maintaining of uniform minimum standards; defining department and commissioner; to amend Section 4783, Code, 1935; to amend Section 2191, Code, 1935, relating to the powers of the department; to provide for examiners, their terms, duties and compensation; to amend Section 2195, Code, 1935, relating to the Plumbing Code Fund; to provide for the transfer of funds, and the issuance of temporary permits; to amend Section 5777, relating to rules and regulations covering water works or sewerage systems; to provide for a uniform license to be issued by the State instead of cities or towns; to permit cities or towns to require business permits and the furnishing of a bond to guarantee the payment of all fees; to amend Section 5786, Code, 1935, relating to reports and to provide certain rules and regulations therefor; to amend Section 5775, Code, 1935, relating to inspec-

tion fees for cities and towns and the appointment of plumbing inspectors; to amend Section 5781, Code, 1935, by providing for the licensing of master plumbers and journeyman plumbers by the State Board, providing for the responsibility of a licensed master plumber at installations; the issuance of licenses to individuals only and the conditions thereof; providing for examinations and applications for licenses; providing for license fees, expiration of licenses, and registration; to provide for reciprocity; to provide for the investigation, suspension of applications and licenses; to regulate the use of signs and the display of the title "master plumber"; to provide prohibitions and penalties for the violation of this act; and that all laws not in compliance therewith are repealed and that said act is severable and if any part thereof is declared invalid, it shall not affect the remainder.

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

Senate File 239, by Senator Bell of Crawford (Dreessen, Johannes, and Reilly), a bill for an act to provide for licensing of and regulating the use of amusement and skill machines; defining those machines; to provide license fee; to provide the means of enforcement and administration; to provide for forfeiture, punishment and penalties; to prohibit use of machines by minors and attaching a penalty for the violation thereof, and to provide ways and means for the collection of such license fee.

Read first and second times and referred to committee on judiciary 2.

Senate File 240, by Senators Doran, Millhone and Mason, a bill for an act to repeal Section four thousand five hundred five (4505), Code, 1935, relating to the obligation of the county to pay deficiencies on school fund loans.

Read first and second times and referred to committee on judiciary 1.

SENATE CONCURRENT RESOLUTION 13

Whereas, Iowa has now arrived at that point in its history where it is entering the era of centennial anniversaries; and

Whereas, The year 1938 will mark the one hundredth anniversary of Iowa's establishment as a separate territory; and

Whereas, By a well formulated program Iowa will:

1. Attain nationwide publicity for the benefit of Iowa.

2. Impress our citizens and prospective citizens with the growth and

progress of Iowa, making Iowa people more Iowa conscious, thus selling Iowa to Iowans, and

3. Cause Iowa people to travel over the state to see what Iowa has to offer, giving towns and cities the opportunity to build celebrations to attract visitors and to promote business, and

Whereas, The foregoing program may be achieved

1. By developing an historical celebration in every community in the state, marking historical spots in all sections of the state and by devoting books, maps, and other publications of the state in 1938 to historical information.

2. By developing a special course of study on Iowa history for the schools of Iowa and by inviting newspapers of the state to join in a statewide program by giving special emphasis to historical subjects relating to Iowa's first one hundred years.

3. By appealing to groups of various nationalities in the state to portray their particular role in the development of Iowa.

4. By adopting the slogan "See Iowa this year".

5. By listing Iowa's contributions to science, invention, literature, music, art, industry, exploration, education, and statesmanship, and by showing Iowa's important part in the growth of our nation.

6. By emphasizing the importance of the products grown, mined and manufactured in Iowa, and by requesting state, county and regional fairs to build their 1938 programs around the centennial theme, and

7. By staging pageants and plays, historical essay contests, family reunions and religious observances featuring Iowa history.

Be It Therefore Resolved by the Senate, the House Concurring:

1. That the Forty-seventh General Assembly authorize the Governor to appoint a statewide, non-salaried committee of at least twenty-five persons to be known as the Iowa Centennial Committee, which shall be charged with planning and promoting of statewide, regional and local observances in 1938 of the one hundredth anniversary of the Iowa territory;

2. That state and local organizations and institutions (such as local historical societies, old settlers associations, Daughters of the American Revolution, American Legion, women's clubs, Parent-Teacher Associations, chambers of commerce, county fair associations, schools and colleges, lodges and service clubs and others) be requested to cooperate with the Iowa Centennial Committee;

3. That the State Historical Society of Iowa and other state agencies be requested to cooperate with the Iowa Centennial Committee and with all state and local organizations and institutions contemplating the celebration of centennial anniversaries.

EARL DEAN.

PAUL P. STEWART.

A. E. AUGUSTINE.

RESIGNATION OF CLERK

MR. PRESIDENT: I wish to tender my resignation as clerk for Senator Moore, to be effective at once.

Respectfully,

BETTY JANE MOORE.

The resignation was accepted.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 207, a proposed bill for the legalization of acts of the board of supervisors of Jones County.

WALTER H. BEAM, *Secretary.*

SENATE FILES WITHDRAWN FROM COMMITTEES

On the request of Senator Breen, Senate File 24 was withdrawn from the committee and placed on the calendar under Rule 35.

On the request of Senator Doran, Senate File 87 was withdrawn from the committee and placed on the calendar, under Rule 35.

CONSIDERATION OF SENATE FILE 181 RESUMED

President pro tem Byers took the chair at 10:20.

Senator Beardsley offered the following committee amendment, and moved its adoption:

Amend Section 267 of Senate File 181 by inserting after the word "hire" in line 26, the following: "and used principally in intracity operation".

The amendment was adopted.

Senator Beardsley offered the following committee amendment and moved its adoption:

Amend Section three hundred sixteen (316) of Senate File one hundred eighty-one (181) by placing a period after the word "vehicle" where it appears the second time in line fifteen (15) and by striking the remainder of the section.

The amendment was adopted.

Senator Beardsley offered the following committee amendment, and moved its adoption:

Amend Section 317 of Senate File 181 by striking from line 4 the word "Thirty-five" and substituting in lieu thereof, the following: "Forty".

The amendment was adopted.

President Valentine returned to the chair at 10:45.

Senator Beardsley offered the following committee amendment, and moved its adoption:

Amend Section 339 of Senate File 181 by striking from line 4 the words, "one hundred fifty", and inserting in lieu thereof the following: "three hundred".

The amendment was adopted.

Senator Murray offered the following amendments and moved their adoption:

Amend Senate File 181, Section 398, by striking from line three (3) the words "a lemon yellow" and substituting in lieu thereof the word "white".

Amend Senate File 181, Section 399, by striking from subsection 1 in line four (4) the words "a lemon yellow color" and substituting in lieu thereof the words "in the national (red, white and blue) colors".

The amendments were adopted.

On motion of Senator Hoeven, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CONSIDERATION OF SENATE FILE 181 RESUMED

Senator Beardsley offered the following committee amendment, and moved its adoption:

Amend Section four hundred fifty-four (454) of Senate File one hundred eighty-one (181) by striking from line fifteen (15) the word "two" and substituting in lieu thereof the word "three";

Also by striking from lines sixteen (16) and seventeen (17) of said section the words, "when operated upon a highway at a speed in excess of twenty miles per hour", and substituting in lieu thereof the following: "and every trailer coach intended for use for human habitation";

Also by inserting in line twenty-two (22) of said section after the word "shall" the following:

" , after January 1, 1939, ";

Also by striking from line twenty-seven (27) of said section the word "two" and substituting in lieu thereof the following: "three".

The amendment was adopted.

Senator Beardsley offered the following committee amendment, and moved its adoption:

Amend Section 454 of Senate File 181 by adding after the word "applied." in line 22, the following: "Every semitrailer of a gross weight

of three thousand pounds or more shall be equipped with a separate, auxiliary means of applying the brakes on the semitrailer from the cab of the towing vehicle."

The amendment was adopted.

Senator Beardsley offered the following committee amendment, and moved its adoption :

Amend Section 455 of Senate File 181 by striking from lines 9 and 10, the following: "adequate to stop such vehicle or vehicles within a distance of fifty-five feet and said hand brake shall be".

The amendment was adopted.

Senator Beardsley offered the following committee amendment, and moved its adoption :

Amend Section 472 of Senate File 181 by striking all of said section after the word "cause" in line 7 and insert in lieu thereof the following: "a lighted fusee to be immediately placed on the roadway at the traffic side of such vehicle; as soon thereafter as possible, and in any case within the burning period of the fusee, three lighted flares shall be placed on the roadway, one at a distance of not less than one hundred feet in advance of such vehicle, one at a distance of not less than one hundred feet to the rear of such vehicle and the third upon the traffic side of such vehicle; provided that if such vehicle is stopped within three hundred feet of a curve, crest of a hill, or other obstruction to view, the flare in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than one hundred feet from such vehicle. When such flares are taken up, during the times when lighted lamps must be displayed, a lighted fusee shall be placed at the traffic side of such vehicle.

In the event such vehicle is used in the transportation of flammable liquids or gases, whether loaded or empty, no open burning flares or fusees shall be used and red electric lanterns shall be used in lieu thereof.

During the times lighted lamps are not required, red flags shall be used in place of flares or electric lanterns, provided that if such parking continues into the period when lighted lamps are required, flares or electric lanterns shall be placed as above provided."

The amendment was adopted.

Senator Beardsley offered the following committee amendment, and moved its adoption :

Amend Section 480 of Senate File 181 by striking from line 4 the word "thirty" and substituting in lieu thereof the following: "thirty-three"; Also by striking all of lines 10 to 22, inclusive, of said section.

The amendment was adopted.

Senator Beardsley offered the following committee amendment, and moved its adoption:

Amend Section 486 of Senate File 181 by inserting as a new paragraph at the end of said section, the following:

"The connection between a truck tractor and a semitrailer with a gross weight of three thousand pounds or more shall be of a type approved by the commissioner, and the commissioner is hereby given authority to approve or disapprove such types of connection submitted to him."

The amendment was adopted.

Senator Beardsley offered the following committee amendment, and moved its adoption:

Amend Senate File one hundred eighty-one (181) by striking Section four hundred ninety (490) and substituting in lieu thereof the following: "Loading capacity. Every motor truck or trailer shall be registered at the maximum loading capacity which the owner intends to carry thereon. Said capacity shall not be less than the manufacturers rating for said vehicle. The owner having once registered his vehicle for any year may apply for an increased capacity registration by paying the difference between the annual fee for the higher capacity and the amount of the fee already paid. It shall be unlawful for any person to operate a motor truck or trailer on the public highways carrying a load of more than twenty-five per cent in excess of the loading capacity for which it was registered."

The amendment was adopted.

On motion of Senator Moore, the Senate resolved itself into executive session.

EXECUTIVE SESSION

Under suspension of the rules, the Senate considered but failed to confirm the appointment of Mr. Walter F. Scholes of Council Bluffs, Pottawattamie county, as the labor representative on the Iowa Unemployment Compensation Commission.

The Senate arose from executive session and resumed regular session.

SENATE FILES WITHDRAWN

On request of Senator Mason, Senate Files 61 and 62 were withdrawn from the further consideration of the Senate.

SENATE FILE 39 WITHDRAWN FROM COMMITTEE

On request of Senator Edwards, Senate File 39 was withdrawn from the committee and placed on the calendar, under Rule 35.

REPORTS OF COMMITTEES

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 20, a bill for an act to amend Section 11626, Code, 1935, relating to the liability of successful party for costs in actions where judgments have been rendered, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

1. Amend Senate File 20 by striking all of Sections 1 and 2 of the bill.
2. Renumber the remaining section as Section 1.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 158, a bill for an act to exempt certain corporations from certain provisions of Chapter 93, Acts of the Forty-sixth General Assembly and to permit such exempted corporations to renew when renewal is unanimously voted by the stockholders, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 225, a bill for an act to amend Chapter 351, Code, 1935, by adding a new section to be known as Section 7330-d1 relating to the compensation of inheritance tax appraisers, and relating to the mileage and expenses of such appraisers, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking from line six (6) of Section 1 the word and figure "ten (10)" and inserting in lieu thereof the word and figure "five (5)".

A. J. SHAW, *Chairman.*

Ordered passed on file.

EXTRA COPIES OF SENATE FILES

On request of Senator Gillespie, six hundred extra copies of Senate File 154, relating to the possession, sale and distribution of narcotics, were ordered printed.

On request of Senator Gillespie, six hundred extra copies of Senate File 204, relating to a tax on chain stores, were ordered printed.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 87 by inserting after the word "train" in line three, Section 3, the following: "or mixed train".

Amend Senate File 87 by striking from line 2, Section 4, the word "fifty" and from line 3 the figures "(50)" and substituting in lieu thereof the following word and figures, "seventy", "(70)".

Amend Senate File 87 by striking out Section 5 and substituting in lieu thereof the following:

"Sec. 5. It shall be unlawful for any carrier to operate, or permit to be operated, any local freight train or mixed freight train consisting of fifty (50) cars or more doing any switching or unloading of any freight of any nature whatever, without a full crew of competent employes, which crew shall consist of not less than one (1) engineer, one (1) fireman, one (1) conductor and three (3) brakemen."

Amend Senate File 87 by striking from line 9, Section 7, following the period immediately following the word "helpers", the word "when" and also strike out balance of section.

EDWARD BREEN.

MR. PRESIDENT: We move to amend Senate File one hundred sixty-seven (167) by striking all after the enacting clause and substituting in lieu thereof the following:

Amend Chapter three hundred forty-eight (348), Code, 1935, by adding the following sections:

"Section 1. Delinquent taxes upon any parcel of real estate which, prior to the adoption of this act, have been bid in for and held by the county and not assigned by it, including subsequent taxes added to the tax sale record in the office of the County Auditor, may be composed into one item or amount for the entire amount of all such taxes and costs, excluding penalties and interest, as hereinafter provided.

The owner of any such property sold to the County under Section seventy-two hundred fifty-five-b1 (7255-b1) and not assigned by it, or any person to whom the right to pay taxes has been given by statute, mortgage or other agreement, may make and file with the County Auditor of the County wherein said property is located within six months from date of such sale or within six months from the effective date of this act, a written offer to pay the current taxes each year before they become delinquent, and to pay the amount of all such delinquent special and regular taxes and costs included in said sale, including all subsequent taxes added affecting the particular property sold appearing on the tax sale record in the office of the County Auditor, but excluding penalties and interest, as certified by the County Auditor, and shall thereby waive all irregularities in connection with the tax proceedings affecting such property and any defense or objection which he may have thereto, and shall thereby waive the requirement of any notice of default in the payment of any installment or interest to become due, and shall tender therewith one-tenth of the amount of all such delinquent taxes and costs, and agree therein to pay the balance in nine equal annual installments, with interest at the rate of four per cent (4%) per annum payable annually, on the installments unpaid from time to time, on or before the

anniversary date of such agreement, which offer shall be substantially as follows:

'To the County Auditor of.....County: I,....., owner of the following described property of real estate situated inCounty, Iowa, to wit: upon which there are delinquent taxes for the year and prior years, which said taxes have been bid in by the County and not assigned by it, including subsequent taxes added to the tax sale record by the County Auditor, as follows: (here insert year or years of delinquency and the total amount of delinquent taxes and costs, exclusive of penalties and interest); do hereby offer to pay the sum of \$..... including taxes for the year, which on the(day)(month) in, (year) was sold to the County for taxes for prior years, and including subsequent taxes for the year added to the tax sale records, and hereby waive all irregularities in the tax proceedings affecting such taxes and any defense or objections which I may have thereto and do hereby tender the sum of \$....., being one-tenth of the amount of said taxes and costs.

I agree to pay the balance of said principal amount in nine equal annual installments, with interest at the rate of four per cent (4%) per annum from date of filing of said agreement, payable annually, on the installments remaining unpaid from time to time, said installments and interest to be paid on or before the respective anniversary dates of said agreement and current taxes each year before they become delinquent, all installment payments to be made to the County Auditor. (Dated this(day),(month), in.....(year).
(Signature).....'

At the time of filing such offer he shall pay any subsequent delinquent taxes not already entered on the tax sale record in the office of the county auditor, with accrued interest, penalties and costs, and current taxes due, but not delinquent.

"Sec. 2. Upon the filing of said agreement, all the accrued penalties and interest on the taxes embraced within said agreement shall be waived and further proceedings shall be suspended as long as no default exists. Upon the payment in full of the amounts required to be paid under the said agreement, the county auditor shall issue the certificate of redemption provided for in Section seventy-two hundred seventy-six (7276), Code, 1935.

"Sec. 3. The county auditor's receipt issued for payment of a deferred installment, as herein provided for, shall not read for any specific year's taxes, but shall read for partial or full release of said agreement as the case may be and shall show the year that such agreement was entered into.

"Sec. 4. In the event of default occurring in the payments to be made, under any agreement entered pursuant hereto, the penalties and interest waived under the terms of Section two (2) of this Act shall be reinstated and the lands described in such agreement shall thereupon be subject to such action as might have been had thereon before the filing of said agreement, and if payment of the installment due is not made within sixty

(60) days after default, the county auditor shall forthwith serve notice of the termination of the right of redemption.

"Sec. 5. The filing of an agreement as described in Section one (1) of this Act shall suspend the running of the limitation imposed by Section seventy-two hundred seventy-one (7271), Code, 1935, as to the particular tax sales certificate involved in said agreement and such suspension shall continue so long as no default exists in the payments set forth in said agreement. Where payments are made during the sixty (60) day grace period provided for in Section four (4) of this Act, such a delinquency shall not be deemed a default within the terms of this section."

Sec. 6. This Act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa, and in Dyersville Commercial, a newspaper published at Dyersville, Iowa.

Amend the title to read as follows:

An Act to amend Chapter three hundred forty-eight (348), Code, 1935, by adding certain sections and to provide for the payment of certain taxes in installments upon the filing of an agreement with the county auditor where property has been sold to the county under the provisions of Section seventy-two hundred fifty-five-b1 (7255-b1) and not assigned by said county; and to provide for the suspension of the running of the limitation imposed by Section seventy-two hundred seventy-one (7271), Code, 1935, on any tax sale certificate affected by any such agreement.

EDWARD BREEN.

HOWARD BALDWIN.

MR. PRESIDENT: I move to amend Senate File 181 as follows: By inserting immediately following Section three hundred thirty-nine (339) a new section as follows, and by renumbering the remainder of the sections:

"Towing. No motor vehicle, except semi-trailers and trailers not designed or equipped to operate under their own power, shall be pulled or towed by means of another motor vehicle over any highway, outside the limits of any incorporated city or town, except in case of temporary movement for repair or other emergency."

E. P. DONOHUE.

The Journal of March 2d was corrected and approved.

On motion of Senator Kimberly, the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 4, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Frederick J. Weertz, pastor of St. John's Evangelical Lutheran Church, Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Billingsley, from the Lowell P. T. A. of Jasper county, favoring enactment of House File 130. Public schools.

By Senator Billingsley, from voters of Jasper county, favoring enactment of Senate File 101, providing for educational equalization. Public schools.

By Senator Smith, from citizens of Muscatine, favoring enactment of House File 130. Public schools.

By Senator Hopkins, from members of the Menlo Methodist Church and Sunday School, opposing enactment of Senate File 100, relating to liquor control. Judiciary 2.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 195, a proposed bill to legalize the action of the board of supervisors of Muscatine county.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 241, by Senator Berg (Christoffersen), a bill for an act to amend Section five thousand eight hundred thirty-five (5835), Code, 1935, to authorize the levy of an additional tax not to exceed one-half mill by certain cities for the purpose of maintaining an incorporated band for educational purposes.

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

Senate File 242, by Senator Berg (Christoffersen), a bill for an act to legalize and validate the acts and proceedings taken by the city council of the city of Cedar Falls, in Black Hawk county, Iowa, authorizing and providing for the issuance and delivery of refunding bonds of said city and making provision for the levy of taxes to pay the principal of said bonds, together with interest thereon.

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

Senate File 243, by Senator Kimberly, a bill for an act granting to the city of Davenport title to the bed and banks of the Mississippi River and islands and made lands therein, within stated boundaries.

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

Senate File 244, by Senator Levis, a bill for an act in relation to the civil liability of owners, lessees, licensees and operators of radio broadcasting stations and the agents and employees of any such owner, lessee, licensee or operator, for radio defamation.

Read first and second times and referred to committee on judiciary 2.

Senate File 245, by Senator Murray, a bill for an act to amend Section eighty-five hundred twenty-one (8521), Code, 1935, relating to the deposit of bonds or securities with the state auditor's office.

Read first and second times and referred to committee on judiciary 2.

Senate File 246, by Senator Millhone, a bill for an act prescribing allowable deductions on gross income, to be used in computing net income due the State of Iowa under Chapter three-hundred twenty-nine F-1 (329-F1) of the Code of Iowa, 1935.

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

Senate File 247, by Senator Gillespie, a bill for an act to amend Section fifty-six hundred ninety (5690) of Chapter two hundred eighty-nine (289), Code, 1935, relative to compensation for civil service commissioners of cities and towns.

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

Senate File 248, by Senator Gillespie, a bill for an act to legalize certain indebtedness and expenditures, and warrants issued in payment thereof, by the City of Des Moines, Iowa, on the General Fund of said corporation.

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

Senate File 249, by Senator Shaw, a bill for an act to amend Section four thousand two hundred seventy (4270), Code, 1935, relating to the right of the board to exclude pupils from school.

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

Senate File 250, by Committee on public health, a bill for an act to amend Section two thousand five hundred seventy-six (2576), subdivision three, and Section two thousand five hundred seventy-seven (2577), subdivision two, Code of 1935, relating to licensing and examination of applicants to practice optometry and the course of study necessary for an approved optometry school.

Read first and second times and placed on calendar.

Senate File 251, by Senator Mason, a bill for an act to provide for the taxation of the property of all colleges and schools, except such as is used for educational purposes, and in the conduct of the education program of the colleges and schools, and for the repeal of Division II of Section 6944.

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 94, a bill for an act relating to municipal bands.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 94, a bill for an act to amend Section fifty-eight hundred thirty-five (5835) of the Code, 1935, relating to municipal bands, and to provide for cities having a population of more than one hundred twenty-five thousand.

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

SENATE CONCURRENT RESOLUTION 14

Whereas, The noxious weed is one of the major menaces which in time will destroy a large part of the farming lands of the United States, which noxious weed is a perennial plant, propagated for the most part by an underground root system which, if left unchecked, literally takes possession of the soil in which it grows and chokes out the farmers' crops, and

Whereas, An exhaustive investigation was made of this problem in 1930 and it was concluded that noxious weeds were costing the United States three billion dollars every year and that this amount has been increasing ever since the foregoing figure was arrived at, and will double within the next few years, and

Whereas, Iowa, being a great agricultural state, has realized the growing menace of the noxious weed and is in sympathy with any organized effort to control it, and

Whereas, There has been introduced in the Congress of the United States, certain legislation to aid the various states in their fight on the noxious weed, now, therefore,

Be It Resolved by the Senate, the House Concurring: That the Congress of the United States and the Secretary of the Department of Agriculture have this important subject brought to their attention to the end that adequate federal legislation be provided to assist in eradicating the noxious weed in the several states so as to save the farms for the farmers of America and that a copy of this Resolution be sent to the Secretary of the Department of Agriculture, to each United States Senator and Representative from the State of Iowa, to the Speaker of the National House of Representatives, and to the President of the United States Senate.

CHARLES B. HOEVEN.
H. J. GRUNEWALD.
PAUL P. STEWART.
L. S. GILLETTE.

EARL DEAN.
K. A. EVANS.
LEO ELTHON.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred House Joint Resolution 8, a joint resolution providing for appointment of committee of five members from Senate and five members

from House for purpose of investigating situation in regard to housing of state departments, and making an appropriation to defray expenses thereof, begs leave to report it has had the same under consideration and recommends the same when amended as proposed by the committee on public lands and buildings do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 89, a bill for an act to amend Chapter 24, Code, 1935, known as the local budget law; to create a state board to review upon appeal certain budgets, proposed expenditure and tax levies; to provide for the organization of such state appeal board, and to prescribe its powers and specify its duties, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 218, a bill for an act to amend Section six thousand two hundred eleven (6211) of the Code of Iowa, 1935, by providing for the use of unexpended library funds, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 227, a bill for an act to make an emergency appropriation for the purpose of paying the expense of reporting fires, and for the inspection of state owned liquor stores, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Senator Edwards submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred Senate File 123, a bill for an act to amend Section seven thousand one hundred seventy-one (7171), Code, 1935, relative to annual levies, begs leave to report it has had the same under consideration and recommends the same do pass.

H. W. EDWARDS, *Chairman.*

Ordered passed on file.

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 132, a bill for an act authorizing the state department of health to receive a sum additional to the fee provided for in Chapter

one hundred fifteen (115), Code, 1935, for the annual renewal of licenses to practice the professions of embalming and optometry; also providing for its payment to the Iowa Funeral Directors' and Embalmers' Association and the Iowa Optometric Association, respectively, for the advancement of the arts and sciences of these professions, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. COLFAX SMITH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 228, a bill for an act to amend Chapter one hundred twenty-four-C one (124-C1) of the 1935 Code of Iowa, by providing for a widow, heir, or any legal representative of a deceased embalmer to operate a funeral home for a stipulated period of time for the purpose of disposing of same, begs leave to report it has had the same under consideration and recommends the same do pass.

C. COLFAX SMITH, *Chairman.*

Ordered passed on file.

CONSIDERATION OF SENATE FILE 181 RESUMED

Senator Beardsley offered the following amendment and moved its adoption:

Amend Senate File 181 by striking Section 28.

The amendment was adopted.

Senator Hill offered the following amendments and moved their adoption:

Amend Section 175 of Senate File 181 by inserting after the word "forfeitures," in line 2, the following: "and except operator's and chauffeur's license fees,".

Amend Section 223 of Senate File 181 by adding after the word "department" in lines 3 and 4 the following: "and segregate the same".

Amend Senate File 181 by adding a new section following Section 176, as follows:

"176-a1. No expenditures shall be made under the provisions of this chapter other than from the funds derived and collected as provided in this chapter."

The amendments were adopted.

Senator Augustine offered the following amendment and moved its adoption:

Amend Senate File 181 by striking paragraph three (3) of Section three hundred sixteen (316) and by substituting in lieu thereof the following:

"3. Under other conditions, between sunrise and sunset, every motor vehicle shall be limited to that speed which will permit the driver to bring

it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using the highway will observe the law;"

Senator Augustine asked and received unanimous consent to defer action on his amendment.

Senators Byers, Shaw and Donohue offered the following amendments:

Amend Senate File 181 as follows: 1. Amend the title by inserting after the word "thereto" in the second line thereof, the following: "except Sections five thousand nineteen (5019) to five thousand seventy-nine-d ten (5079-d10)"; also by striking from the title, the following: "forty-six hundred eighty-six-c one (4686-c1), forty-six hundred eighty-six-c two (4686-c2), fifty-one hundred five-a thirty-two (5105-a32) to fifty-one hundred five-a thirty-five (5105-a35), inclusive, fifty-one hundred five-c eighteen (5105-c18) to fifty-one hundred five-c twenty-one (5105-c21), inclusive, sixty-seven hundred fifty-four-c two (6754-c2)"; also by striking from the title, the following: "thirteen thousand one hundred eighteen (13118), thirteen thousand one hundred nineteen (13119)".

2. Strike from Senate File 181 the following sections: Sections 256, 257, 258, 259, Par. 8, Sec. 267, and 292 to 499, inclusive, and Sections 502 to 512, inclusive.

3. Amend Section 527 by inserting after the word "thereto" in line two (2), the following: "except Sections five thousand nineteen (5019) to five thousand seventy-nine-d ten (5079-d10), inclusive".

4. Strike the following sections: Sections 535 to 544, inclusive.

5. Wherever the words "Secretary of State" appear anywhere in Chapter two hundred fifty-one (251) and amendments thereto, the same shall be stricken and the words "Commissioner of Motor Vehicles" substituted and inserted in lieu thereof.

CALL OF THE SENATE

We, the undersigned Senators, desire a call of the Senate, for consideration of Senate File 181.

WM. S. BEARDSLEY.

PAUL P. STEWART.

E. P. CORWIN.

J. BERG.

PAUL L. MILLHONE.

GEO. L. PARKER.

B. C. WHITEHILL.

FRANK PELZER.

CHARLES B. HOEVEN.

E. P. DONOHUE.

K. A. EVANS.

SANFORD ZEIGLER, JR.

A. J. SHAW.

C. COLFAX SMITH.

A roll call disclosed that all Senators were present except Senators Bell of Crawford, Chrystal, and Lundy.

The President instructed the Sergeant-at-Arms to notify the absentees.

Senator Irwin moved that the absentees be excused from the call.

Senator Beardsley moved as a substitute motion that the three absent Senators be excused until a roll call was to be had.

The substitution was made.

Roll call was requested on the substitute motion.

On the question, "Shall the substitute motion prevail?" the vote was:

Ayes, 35:

Augustine	Edwards	Hoeven	Murray
Beardsley	Ellis	Hopkins	Pelzer
Bell of	Elthon	Husted	Schadt
Des Moines	Evans	Kimberly	Shaw
Berg	Gillespie	Kirketeg	Smith
Breen	Gillette	Mighell	Stevens
Dean	Goetsch	Miller	Stewart
Dewey	Grunewald	Millhone	Whitehill
Doran	Hill	Moore	Zeigler

Nays, 1:

Mason

Absent or not voting, 13:

Baldwin	Chrystal	Geske	Levis
Bell of Crawford	Corwin	Guernsey	Lundy
Billingsley	Donohue	Irwin	Parker
Byers			

The substitute motion prevailed and Senators Bell of Crawford, Chrystal, and Lundy were excused pending a roll call.

Senator Bell of Crawford appeared in the chamber.

Senator Lundy appeared in the chamber.

Senator Donohue asked unanimous consent to withdraw the amendments offered by Senators Byers, Shaw and Donohue and to substitute therefor the following amendments by Senators Byers, Shaw, and Donohue:

Amend Senate File 181 as follows: 1. Amend the title by inserting after the word "thereto" in the second line thereof, the following: "except Sections five thousand nineteen (5019) to five thousand seventy-nine-d ten (5079-d10), inclusive,";

Also by striking from the title, the following: "forty-six hundred eighty-six-c one (4686-c1), forty-six hundred eighty-six-c two (4686-c2), fifty-one hundred five-a thirty-two (5105-a32) to fifty-one hundred five-a thirty-five (5105-a35), inclusive, fifty-one hundred five-c eighteen (5105-c18) to fifty-one hundred five-c twenty-one (5105-c21), inclusive, sixty-

seven hundred fifty-four-c one (6754-c1) and sixty-seven hundred fifty-four-c two (6754-c2)";

Also by striking from the title, the following: "thirteen thousand one hundred eighteen (13118), thirteen thousand and one hundred nineteen (13119)".

2. Strike from Senate File 181 the following sections: Sections 256, 257, 258, 259, Par. 8 of Section 267, and 292 to 499, inclusive, and Sections 502 to 512, inclusive.

3. Amend Section 527 of Senate File 181 by inserting after the word "thereto" in line two (2) the following: "except Sections five thousand nineteen (5019) to five thousand seventy-nine-d ten (5079-d10), inclusive".

4. Strike the following sections: Sections 535 to 544, inclusive.

5. Strike Sections 545, 546, and 550.

6. Add as a new section the following: "Wherever the words 'Secretary of State' appear anywhere in Chapter two hundred fifty-one (251) of the Code, 1935, and amendments thereto, the same shall be stricken and the words 'Commissioner of Motor Vehicles' substituted and inserted in lieu thereof."

There were no objections, the amendments were substituted, and Senator Donohue moved their adoption.

Senator Elthon moved that the rules be suspended, and that the previous question be put on the amendments, and that the sponsor of the bill be given five minutes to close his argument as well as the five minutes given the sponsors of the amendments.

The point of order was raised that no other motion could be incorporated in that of the previous question.

The sponsors of the amendments and the sponsor of the bill waived their time.

The motion on the previous question prevailed.

A roll call was requested on the amendments.

Senator Beardsley moved that Senator Chrystal be excused from the roll call, which motion prevailed, and Senator Chrystal was excused.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 19:

Baldwin	Evans	Kirketeg	Parker
Billingsley	Gillette	Levis	Pelzer
Byers	Husted	Miller	Shaw
Corwin	Irwin	Millhone	Zeigler
Donohue	Kimberly	Moore	

Nays, 29:

Augustine	Dewey	Grunewald	Mighell
Beardsley	Doran	Guernsey	Murray
Bell of Crawford	Edwards	Hill	Schadt
Bell of	Ellis	Hoeven	Smith
Des Moines	Elthon	Hopkins	Stevens
Berg	Geske	Lundy	Stewart
Breen	Gillespie	Mason	Whitehill
Dean	Goetsch		

Absent or not voting, 1:

Chrystal

The amendments were not adopted.

On motion of Senator Beardsley, the Senate recessed until 1:30.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CONSIDERATION OF SENATE FILE 181 RESUMED

The roll was called and revealed the presence of all Senators except Senator Chrystal.

Senator Beardsley moved that Senator Chrystal be excused until a roll call was to be had, which motion prevailed, and Senator Chrystal was excused.

Senator Hopkins asked the unanimous consent of the Senate to take up House File 23.

Senator Hopkins withdrew his request to take up House File 23.

Senator Irwin moved that the call of the Senate be raised.

Roll call was requested.

On the question, "Shall the call be raised?" the vote was:

Ayes, 19:

Baldwin	Byers	Irwin	Miller
Bell of	Donohue	Kimberly	Moore
Des Moines	Evans	Kirketeg	Parker
Berg	Geske	Levis	Shaw
Billingsley	Hopkins	Mason	Zeigler

Nays, 23:

Augustine	Doran	Grunewald	Pelzer
Beardsley	Edwards	Guernsey	Schadt
Bell of Crawford	Ellis	Hill	Smith
Breen	Elthon	Hoeven	Stewart
Dean	Gillette	Millhone	Whitehill
Dewey	Goetsch	Murray	

Absent or not voting, 7:

Chrystal	Gillespie	Lundy	Stevens
Corwin	Husted	Mighell	

The motion did not prevail and the call was not raised.

Senator Augustine called up for consideration the following amendment, and moved its adoption:

Amend Senate File 181 by striking paragraph three (3) of Section three hundred sixteen (316) and by substituting in lieu thereof the following:

"3. Under other conditions, between sunrise and sunset, every motor vehicle shall be limited to that speed which will permit the driver to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using the highway will observe the law;"

Senator Moore moved that further consideration of Senate File 181 be deferred until 10:00 a. m., Monday, March 8th.

Senator Donohue moved, as a substitute motion, that further consideration of Senate File 181 be postponed until Thursday, March 11th, and that the President appoint a committee of five to study the bill in the meantime.

By unanimous consent, Senator Donohue withdrew his substitute motion.

Senator Donohue moved as a substitute motion, to defer further action on Senate File 181 until Thursday, March 11th.

Roll call was requested.

Senator Beardsley moved that Senator Chrystal be excused from the roll call, which motion prevailed, and Senator Chrystal was excused.

On the question, "Shall the substitute motion prevail?" the vote was:

Ayes, 25:

Baldwin	Dewey	Irwin	Moore
Bell of	Donohue	Kimberly	Parker
Des Moines	Evans	Kirketeg	Pelzer
Berg	Geske	Levis	Schadt
Billingsley	Hoeven	Mason	Shaw
Byers	Hopkins	Miller	Zeigler
Corwin	Husted		

Nays, 23:

Augustine	Edwards	Grunewald	Murray
Beardsley	Ellis	Guernsey	Smith
Bell of Crawford	Elthon	Hill	Stevens
Breen	Gillespie	Lundy	Stewart
Dean	Gillette	Mighell	Whitehill
Doran	Goetsch	Millhone	

Absent or not voting, 1:

Chrystal

The motion prevailed and the substitution was made.

Roll call was requested.

Senator Donohue moved that Senator Chrystal be excused from the roll call, which motion prevailed, and Senator Chrystal was excused.

On the question, "Shall the motion to defer action until March 11th prevail?" the vote was:

Ayes, 24:

Baldwin	Dewey	Irwin	Moore
Bell of	Donohue	Kimberly	Parker
Des Moines	Evans	Kirketeg	Pelzer
Berg	Geske	Levis	Schadt
Billingsley	Hoeven	Mason	Shaw
Byers	Husted	Miller	Zeigler
Corwin			

Nays, 24:

Augustine	Edwards	Grunewald	Millhone
Beardsley	Ellis	Guernsey	Murray
Bell of Crawford	Elthon	Hill	Smith
Breen	Gillespie	Hopkins	Stevens
Dean	Gillette	Lundy	Stewart
Doran	Goetsch	Mighell	Whitehill

Absent or not voting, 1:

Chrystal

The motion to defer failed.

Senator Augustine moved the adoption of his amendment.

Roll call was requested.

Senator Beardsley moved that Senator Chrystal be excused from the roll call, which motion prevailed, and Senator Chrystal was excused.

On the question, "Shall the amendment offered by Senator Augustine be adopted?" the vote was:

Ayes, 14:

Augustine	Gillette	Miller	Pelzer
Baldwin	Hopkins	Moore	Schadt
Billingsley	Kirketeg	Parker	Stevens
Byers	Mason		

Nays, 31

Beardsley	Doran	Guernsey	Millhone
Bell of Crawford	Edwards	Hill	Murray
Berg	Ellis	Hoeven	Shaw
Breen	Elthon	Irwin	Smith
Corwin	Evans	Kimberly	Stewart
Dean	Gillespie	Levis	Whitehill
Dewey	Goetsch	Lundy	Zeigler
Donohue	Grunewald	Mighell	

Absent or not voting, 4:

Bell of Des Moines	Chrystal	Geske	Husted
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The motion did not prevail and the amendment was lost.

Senator Murray offered the following amendment and moved its adoption:

Amend Senate File 181, Section 180, by adding at the end thereof, after the word "prescribe", the following: "Contracts for such blank books, blank forms, and supplies shall be awarded, by the State Printing Board to Iowa printers, not later than September 1 of each year."

Senator Baldwin offered the following amendment to the amendment and moved its adoption:

Amend the amendment offered by Senator Murray, found on page 431 of the Senate Journal, by striking all after the word "Board" in line four and inserting the following: "to persons, firms, partnerships or corporations engaged in the business of printing in Iowa unless, and through them, such persons, firms, partnerships or corporations cannot provide the required printing set forth in this section."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Donohue offered the following amendment:

Amend Senate File 181 as follows: By inserting immediately following Section three hundred thirty-nine (339) a new section as follows, and by renumbering the remainder of the sections:

"Towing. No motor vehicle, except semi-trailers and trailers not designed or equipped to operate under their own power, shall be pulled or towed by means of another motor vehicle over any highway, outside the limits of any incorporated city or town, except in case of temporary movement for repair or other emergency."

Senator Donohue asked and received unanimous consent to withdraw that part of his amendment reading as follows:

“, and by renumbering the remainder of the sections”.

Senator Donohue moved the adoption of his amendment.

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend Senate File 181, Section 31, by striking all following the word “patrol” in line 4 and inserting a period in lieu thereof.

The amendment was not adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Section 160 of Senate File 181 by adding the following as a part of the said section:

“Provided, however, no motor vehicle registered under this act shall be subject to a personal property tax.”

The amendment was adopted.

By unanimous consent, Senator Shaw withdrew the following amendment:

Amend Senate File 181 by inserting therein, following Section 314 at the bottom of page 121:

“Section 314a. Liability to guest. The owner or operator of a motor vehicle shall not be liable for any damages to any passenger or person riding in said motor vehicle as a guest or by invitation and not for hire, unless damage is caused as a result of the driver of said motor vehicle being under the influence of intoxicating liquor or because of the reckless operation as heretofore defined by him of such motor vehicle.” (1935 Code 5026-b1).

Senator Shaw then offered the following amendment, and moved its adoption:

Amend Senate File 181 by inserting as Section 512, the following:

“Sec. 512. Liability to Guests. The owner or operator of a motor vehicle shall not be liable for any damages to any passenger or person riding in said motor vehicle as a guest or by invitation and not for hire unless damage is caused as a result of the driver of said motor vehicle being under the influence of intoxicating liquor or because of the reckless operation by him of such motor vehicle.”

Senator Breen moved to amend the pending amendment as follows:

Change the period at the end of the amendment to a semi-colon and add the following: "however, the question of whether the driver was under the influence of intoxicating liquor or was guilty of reckless operation shall be and remain a fact question to be determined by the jury."

The amendment to the amendment was lost.

The amendment was adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 181 by striking Section 265 and substituting in lieu thereof the following:

"All horse-drawn and all other vehicles including bicycles, not otherwise provided for in this act, shall, during the period from one hour after sunset to one-half hour before sunrise, when on the highways of this state, display one or more white or tinted lights or red reflector or reflectors on said vehicle, and same shall be of sufficient illuminating power to be visible at a distance of two hundred (200) feet from the rear."

Senator Levis asked and received unanimous consent to defer action on his amendment.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Sec. 383, Senate File 181, by striking the words "fifteen feet of a" in line nine and inserting in lieu thereof the words "five feet either side of a".

By unanimous consent, Senator Baldwin withdrew his amendment.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 181, Section 383, by striking the word "fifteen" in line nine and inserting in lieu thereof the word "five".

The amendment was adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend Senate File 181, Section 316, by striking therefrom sub-section 3.

Further action was deferred.

RESIGNATION OF CLERK

March 3, 1937.

MR. PRESIDENT: I wish to tender my resignation as clerk for Lieutenant Governor Valentine, to be effective at once.

JESSIE CARTER.

The resignation was accepted.

Marjorie L. Corwin was sworn in March 3, 1937, as clerk to Senator Morris Moore, to take the place of Betty Jane Moore, resigned.

Margaret Caylor was sworn in as clerk to Lieutenant Governor Valentine, to take the place of Jessie Carter, resigned.

Senator Gillette asked to be assigned the seat occupied by the late Senator Driscoll.

There was no objection, and the President assigned Seat 38 to Senator Gillette.

EXTRA COPIES OF SENATE FILE 233

On request of Senator Breen, twelve hundred extra copies of Senate File 233, relating to the organization and operation of community credit banks, were ordered printed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 128, 173, and 25.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File 128, House File 173, and House File 25.

REPORTS OF COMMITTEES

Senator Husted submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred

Senate File 148, a bill for an act relating to the eradication and control of weeds, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend Section one as follows: 1. Amend proposed Section 4818 by striking all of the section after the word "station" in line three, and substituting in lieu thereof, the following: "whose duty shall be to cooperate in developing a constructive weed eradication program."

2. Amend proposed Section 4822 by inserting in line two after the word "directions", the following: "due notice having been given to the land owners ten days previous,".

3. Amend proposed Section 4829-a1 by inserting after the word "owners" in line four, the following sentence: "In cases where the cost appears likely to exceed twenty-five dollars, notice to property owners shall be by registered letters."

4. Amend proposed Section 4829-a5 by striking the last sentence.

5. Amend proposed Section 4829-a6, Section three, line ten, by striking all after the word "in" to the semicolon in line twelve, and substituting in lieu thereof, the following: "an official county newspaper;".

ORA E. HUSTED, *Chairman*.

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 224, a bill for an act to amend Sections forty-two hundred seventy-four-e one (4274-e1), forty-two hundred seventy-four-e three (4274-e3), forty-two hundred seventy-four-e five (4274-e5), and to repeal Section forty-two hundred seventy-four-e four (4274-e4), Code, 1935, relating to contracts for public school facilities between school boards, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. M. HOPKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 131, a bill for an act to protect the public schools of the state from undue solicitation and commercialization by private interests or their agents or by candidates for political office, and provide penalties therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 231, Section 1, as follows:

1. By striking from line four (4) the words: "maintaining a consolidated school" and inserting in lieu thereof the following words: "furnishing transportation for pupils to and from school".

2. Further amend Senate File 231 by striking from lines six (6) and eight (8) the word "district" and inserting in lieu thereof the word "corporation", striking from line ten (10) the word "district" and inserting in lieu thereof the word "corporation".

3. Amend Section two (2), Senate File 231, by striking from line one (1) the word "district" and inserting the word "corporation", by striking from line two (2), Section two (2), the word "district" and inserting the word "corporation", by striking from line four (4), Section two (2), the word "district" and inserting "corporation", and by striking from line five (5) the word "district" and inserting the word "corporation".

A. J. SHAW.

MR. PRESIDENT: I move to amend Senate File 100 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. That Chapter ninety-three-F one (93-F1), Code, 1935, be amended by adding thereto the following, to-wit:

Sec. 2. Licenses for wines and spirits. The commission may grant licenses for the sale of wines and spirits to be consumed on the premises where sold as hereinafter provided.

Sec. 3. Applicable to special charter cities. The provisions hereof shall be applicable to special charter cities.

Sec. 4. Classification of licenses. Licenses may be issued to hotels, restaurants and clubs as in this act defined, and to other persons not hotels, clubs or restaurants. Licenses to hotels, restaurants and clubs shall be called "A", "B" and "C" respectively, and the licenses to other persons shall be called "D" and so referred to, or as special licenses.

Sec. 5. Definitions. For the purpose of the act terms are used as defined in the act to which it is an amendment, as follows:

1. Licensee shall mean one holding license from the commission for sale of wines and spirits as herein provided. License shall mean a license hereunder for such sale.

(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 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 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, 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 1st of each year a list of the names and residences of its members, and a certificate that its aggregate annual membership fees or dues and other income, exclusive of any proceeds of the sale of wines and spirits, 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 thereon.

In towns or cities of five thousand (5,000) population or less, at the discretion of the governing body thereof and the approval of the commission, there may be issued not more than two (2) club licenses.

In cities of more than five thousand (5,000) population and not more than twenty-five thousand (25,000), at the discretion of the governing body thereof and the approval of the commission, there may be issued not more than five (5) club licenses.

In cities of more than twenty-five thousand (25,000) population, at the discretion of the governing body thereof and the approval of the commission, there may be issued not more than twelve (12) club licenses.

Sec. 6. Number of licenses. The commission may issue in each city or town of not more than two thousand (2,000) population two (2) licenses for the sale of spirits and wines to be consumed on the premises where sold.

The commission may issue in each city of not more than thirty-five hundred (3,500) population three (3) licenses for the sale of wines and spirits to be consumed on the premises where sold.

The commission may issue in each city of not more than five thousand (5,000) population four (4) licenses for the sale of wines and spirits to be consumed on the premises where sold, and in cities of more than five thousand (5,000) population one (1) additional for each two thousand (2,000) additional population up to and including cities of eleven thousand (11,000) population, and thereafter one (1) additional license for each additional three thousand (3,000) in the population of said city. Licenses issued to clubs shall not be counted in arriving at licenses authorized by act.

Sec. 7. Application for license. Every applicant for a license shall apply therefor in writing to the commission, and the commission is hereby required to prepare, and upon request, furnish such form. The application shall be verified by the oath of the applicant. If the applicant is a natural person, his application must show that he is a citizen of the United States and has been a resident of the state of Iowa for at least

two (2) years immediately preceding his application. If the applicant is a corporation the application must show that the corporation was created under and by virtue of the laws of the state of Iowa, or is legally entitled to transact business in the state of Iowa. The application shall be signed and verified by oath or affirmation by the owner or lessee or operator, if a natural person, or in the case of an association or partnership, the application shall set forth the names and addresses of the persons constituting the association, or the names and addresses of the partners and state the interest of each such partner or member therein; and if a corporation, the names and addresses of the principal officers thereof. No license may be issued to any partnership, association or corporation unless the manager thereof is a citizen of the state of Iowa. Local agents of railway companies, sleeping and dining car companies, shall be deemed to be managers, for the purpose of this act.

Sec. 8. Such license shall not issue to any person until the governing body of the municipality where such license is to be exercised shall have certified by resolution that the applicant is of good character and has the qualifications provided for in the preceding section and that a location in which the license is to be exercised is within the area limitations of this act.

Sec. 9. Area limitations. The commission shall not grant a license for the sale of wines and spirits to be exercised at any location which is at this time within three hundred (300) feet of a church in regular use or building used for school purposes, provided, however, such area limitations shall not apply to license for clubs, nor to hotels having accommodations for more than two hundred (200) guests, nor to places located within areas now or hereafter zoned as business districts.

Sec. 10. Before any license shall be issued, the applicant shall attach to his application, a copy of an ordinance of the municipality in which he seeks to do business, prescribing business districts therein; and each municipality shall, upon request therefor, enact such an ordinance. If the municipality fails or refuses to enact an ordinance zoning any part of the municipality as a business district, the applicant may attach to his application the affidavit of two (2) credible persons living in said municipality outlining the district therein commonly regarded as the business district.

Sec. 11. License fee. In cities and towns of not more than five thousand (5,000) population, the annual fee for the license provided for herein shall be :

"Class A" license.....	\$ 600.00
"Class B" license.....	600.00
"Class C" license.....	150.00
"Class D" license.....	600.00

In cities and towns of more than five thousand (5,000) population and not more than twenty-five thousand (25,000) population, the annual fee for the license provided for herein, shall be:

"Class A" license.....	\$ 900.00
"Class B" license.....	900.00
"Class C" license.....	250.00
"Class D" license.....	900.00

In cities and towns of more than twenty-five thousand (25,000) population, the annual fee for the license provided for herein shall be:

"Class A" license.....	\$1,500.00
"Class B" license.....	1,200.00
"Class C" license.....	500.00
"Class D" license.....	1,200.00

The amount of such annual fee shall belong to said municipality and be payable to the treasurer of said municipality at the time of the issuance of the license.

Sec. 12. Subject to the provisions of this chapter, any dining car company, sleeping car company, railroad company, or railway company, may make application to the commission for a special railway car permit and the commission 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, alcoholic liquor and wines, and, subject to the provisions of this chapter, and the regulations made thereunder, to sell the same by the drink to passengers only 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 commission. 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 wines and liquors are sold; and no further permit shall be required or tax levied for the privilege of selling same for consumption in such cars. As a condition precedent to the issuing of any permit hereunder, the applicant shall file with the commission a bond, payable to the state of Iowa, in the sum of three thousand (3,000) dollars, which bond shall be liable for and subject to all of the conditions required for bonds of permit holders under the provisions of this chapter. The annual permit fee for special railway car permits issued hereunder, shall be one hundred (100) dollars and three (3) dollars for each duplicate thereof, which fees shall be paid to the commission. The commission shall issue duplicates of such permits, from time to time, as applied for by such companies. The holders of such special railway car permits may, but shall not be required to, purchase wines and liquors from state liquor stores. Provided, however, that the holder of any railway car permit selling any wines and liquors not purchased from a state liquor store shall pay to the commission a tax of ten (10) per cent of the gross revenue received from the sale of any such wines and liquors. Such tax shall be paid quarterly to the commission on January 1st, April 1st, July 1st, and October 1st, of each year, and such permit holder shall account to the commission at the time of payment of such tax under such rules as the commission may prescribe.

Sec. 13. Whenever any license to sell spirits and wines is issued by the commission, it shall forthwith certify to the city treasurer of the city in which the license is to be exercised, the fact of its issuance and the description of the place where the business is to be carried on.

Sec. 14. No license for the sale of wines and spirits, as designated in

this act, shall be granted or issued to any licensee until the applicant therefor has filed with the clerk of the municipality a bond in terms and with sureties approved by it payable to the municipality where the licensee is located in the sum of three thousand (3,000) dollars, conditioned upon the strict compliance by the licensee, his employees, and agents, with the conditions and terms upon which said license is issued, and with the laws of the state of Iowa, relating to intoxicating liquors. The surety on said bond shall be a surety or guaranty company or corporation authorized to do business as such in the state of Iowa. Upon failure of licensee at all times to comply fully with the terms of said bond and with the law, relating to intoxicating liquors, such bond in the full principal or penal sum thereof shall be due and payable, and said breach of the conditions, on which said license was issued, or of the terms of said bond, or of the liquor laws of the state of Iowa, shall cause and effect a forfeiture to the municipality of said bond. Upon the failure or refusal of the principal and/or surety thereon to pay to the state the principal or penal sum of said bond upon the revocation of the license issued to the principal thereof, it shall be the duty of the county attorney of the county in which the municipality is located to institute legal action to collect the amount of said bond.

Sec. 15. Licensees shall buy wines and spirits only from the commission and dispense none except those so purchased.

Sec. 16. The commission is hereby authorized to sell and deliver to any such licensee for cash on delivery, as much spirits and wines as such licensee shall desire to purchase; and the commission is hereby authorized and required to sell such spirits and wines to such licensee at different and lower prices than such liquors are sold under permits to individuals, and shall not discriminate between such licensees in price.

Sec. 17. No spirits or wines shall be sold or delivered to any such licensees except upon a written order therefor made in duplicate and signed by such licensees. The commission shall preserve one copy of the order under such rules and regulations as it shall establish, and the licensee shall preserve one copy of such order and have the same at his place of business subject to the inspection of the commission so long as his license is in force.

Sec. 18. Conduct of places generally. No licensee shall sell, dispense, deliver or give in any manner any wines or spirits to any intoxicated or interdicted person, nor permit any person to consume in the place of business of the licensee any wines and spirits except those supplied to such persons by the licensee in accordance with the terms of this act, his license and any lawful rules or regulations for the enforcement thereof. No licensee, and no employee thereof, shall knowingly sell or deliver any wines or spirits to any person when such licensee or employee has reasonable grounds to believe that said person is a minor. Nor shall the licensee permit any persons reasonably appearing to be minors, to consume any wines or spirits in his licensed place. No more than one drink or portion of wines and spirits shall be delivered to any person at a time, nor in any package, receptacle or container, except the glass or container containing only the drink about to be consumed, excepting that wines may be served by the bottle. If beer or malt

liquors are sold as hereinafter provided the container may hold as much as one quart, which shall be a drink or portion of beer or malt liquors for the purpose of this act. No purchaser thereof shall remove such drink from the premises where purchased before drinking the same. The licensee shall conduct the place in a quiet, orderly manner, and see that his patrons are quiet and orderly and not permit any person to enter or remain therein while such person is intoxicated. No licensee operating under a Class D license as herein provided shall, by himself or by his employee, sell or deliver any wines or spirits on credit, and on proof of a violation of this provision the license of the offender shall be revoked.

Sec. 19. The commission shall prepare and the licensee shall cause to be printed and posted conspicuously in his place of business a placard setting forth the laws and rules governing the conduct of the place and the causes for revocation of the license.

Sec. 20. Wines or spirits shall not be sold under classes "A" and "B" licenses between the hours of 1:00 a. m. and 7:00 a. m. of any day. No licensee, attendant or employee shall be permitted back of the bar between the hours of 1:00 a. m. and 7:00 a. m. of any day.

Places conducted under "Class D" license shall not be open nor any sales be made earlier than 7:00 a. m. nor later than 10:00 p. m. of any day. Places conducted under "Class D" license shall be closed and the door locked by 10:00 p. m. of every day upon which they are authorized to make sales, and no licensee, or any employee, shall be permitted to remain in or enter the place of business for the purpose of making sales after 10:00 p. m. of any day until the hour of opening on the next authorized day for making sales.

No wines or spirits shall be sold under any license on the first day of the week, commonly called Sunday, nor on any election day, until the polls for said election have closed.

Sec. 21. Conduct of place under class "D" licenses. In places operating under class "D" licenses, the selling or keeping for sale of wines and spirits shall be carried on in a single room having but one entrance or exit, and that opening upon a public business street. The bar where wines and spirits are furnished shall be in plain view from the street, unobstructed by screens, blinds, or painted windows. There shall be no chairs, benches or any other furniture in front of the bar and only such behind the bar as is necessary for the attendants. A list of names of all persons employed about the place shall be filed with the clerk of the municipality. No persons shall be permitted behind the bar excepting those whose names are so listed; and no females shall be employed in the place. There shall be no gambling or gaming with cards, dice, billiards or any other device, nor any music, dancing or other form of amusement or entertainment nor any food prepared, sold, served or given away, either in the room where said business is carried on or in any adjacent room or building controlled by the person carrying on said business. There shall be no impure decorations, inscriptions, placards or any such thing in the place.

Sec. 22. Any licensee hereunder may also sell beer and malt liquors

by paying the fee or tax now or hereafter provided for the sale thereof at retail.

But such beer and malt liquors must be sold in the same manner as is provided for herein for the sale of wines and spirits, and the provisions of this act and regulations hereunder and none of the existing rules and regulations except for the payment of such license or tax shall be applicable to the licensee hereunder who shall sell beer or malt liquors as herein provided. Every licensee shall receive from the commission authority to sell beer and malt liquors as herein provided by paying the tax or fee now or hereafter provided for such sale at retail.

Sec. 23. Revocation of license. Whenever the commission shall discover or be in any wise informed that any license shall have been obtained by any material misrepresentation or that the licensee has been guilty of any violation of any law, rule or regulation concerning the manner in which the license shall be exercised, the commission shall direct such licensee to appear before it and upon such appearance shall inform the licensee of the charges against him and if it shall appear to the satisfaction of the commission that there has been any violation, the commission shall revoke the license. If the commission shall have abused its discretion in making such revocation, the licensee may have review of such question in a court of proper jurisdiction, but judicial review shall not extend beyond determining whether discretion has been abused, and no such proceeding nor any order thereof shall suspend the effect of the revocation during the pendency thereof, but such license shall be in no manner reinstated or effective after its revocation by the commission except for final judgment of such court that there was an abuse of discretion in revoking it.

Sec. 24. Any licensee whose license shall be revoked shall be ineligible to receive a license under this act for five (5) years from the date of such revocation and no license shall be issued to be exercised in the place where the violation which was the cause of such revocation occurred for the period of one year from the date of such revocation.

Sec. 25. Every licensee under this act shall give information to the commission of any person in the locality of such licensee suspected by him of being in the business of bootlegging, or of violating any law or license with respect to the sale of any liquor. It shall be the duty of the commission, immediately upon receiving any such information from any such licensee, to make an investigation of the truth thereof and to institute prosecution for violation of law or proceedings for revocation of license if such an investigation shall warrant or require the same.

Any communication of any licensee to the commission hereunder shall be absolutely privileged, and no licensee shall be impleaded, either civilly or criminally, upon any charge that the information so furnished was false or unfounded. The commission shall receive such information in confidence and not disclose to any person its origin nor the fact of its having been made, and such licensee shall not be called as a witness nor called to give testimony anywhere of the matter divulged by him in his communication to such commission.

Sec. 26. Penalties. The sale of wines or spirits except as in this act

provided is hereby prohibited and any person not a licensee who shall by himself, clerk, servant, employee or agent, for himself or any person else, directly or indirectly or upon any pretense or by any device, sell, exchange, barter, dispense, give in consideration of the purchase of any property or of any services or in evasion of the statute, or keep for sale any wines or spirits as herein defined, except as provided in this act, or own, keep or be in any way concerned, engaged, or employed in owning or keeping any wines or spirits with the intent to violate any provision of this act, or authorize or permit the same to be done, shall be punished as provided in the act to which this is an amendment, and may be proceeded against civilly as in said act provided.

Sec. 27. Any hotel, restaurant, vendor of beer and malt, under provisions of chapter thirty-seven (37) of the acts of the Forty-fifth General Assembly, or any other vendor of merchandise that shall knowingly permit any person to consume wines or spirits in his place of business, unless he is a licensee under the provisions of this act, shall be guilty of a misdemeanor and punished as under law provided.

Sec. 28. The penalty for any violation of this act by any licensee shall be a fine of not less than one thousand (1,000) dollars, nor more than five thousand (5,000) dollars and the revocation of the license as herebefore provided.

Sec. 29. No person under twenty-one (21) years of age shall be employed at any work in any place where wines and/or spirits, are sold or dispensed as contemplated by this act.

Sec. 30. Constitutionality. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional and/or 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 and/or invalid.

Further amend by striking the title and inserting in lieu thereof the following:

An act to suppress the evil of unlicensed and unregulated sales of wines and spirits by licensing and regulating the sale thereof by reputable persons under local option and high license, and punishing offenses against the act; and to amend chapter ninety-three-F one (93-F1), Code, 1935, relating to sale and control of liquor and for the promotion of temperance, and to provide for the issuance by the Iowa liquor control commission of licenses to sell wines and spirits by the drink to be consumed on the premises where sold, in cities and towns; for the sale of wines and spirits by the Iowa liquor control commission to licensed licensees; for prohibiting licensees from buying wines and spirits except from the commission; for licenses to hotels, clubs, restaurants and other persons, and defining hotels, clubs, restaurants and other persons, and the four classes of licenses, and the fees therefor, and the collection thereof for the hours of opening and closing and making sales; to provide the location of the places where such sales may be made; for regulating the man-

ner of sale and conduct of the place; providing for the issuance of special permits to dining car, sleeping car, railroad or railway companies authorizing the sale of wines and spirits, fixing the fee and tax for such permit and providing the conditions under which special permits shall be issued and the conditions under which wines and spirits shall be sold by such companies for licensees selling beer or malt liquor under conditions prescribed; for licensees giving bond and the amount and condition thereof defining offenses against the act and fixing penalties therefor.

HOWARD C. BALDWIN.

MORRIS MOORE.

MR. PRESIDENT: I move to amend Senate File 181, Section 316, line 12, by striking the words "forty-five" therefrom and inserting in lieu thereof the word "fifty".

L. S. GILLETTE.

MR. PRESIDENT: I move to amend Senate File 181, Section 316, by striking from sub-section three, the words "fifty-five" and inserting in lieu thereof the word "sixty".

L. S. GILLETTE.

MR. PRESIDENT: I move to amend Senate File 181 by striking lines 1, 2 and 3 of Section 316 and inserting in lieu thereof: "Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway, and of any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said highway, will observe the law."

L. H. DORAN.

MR. PRESIDENT: I move to amend Senate File 181, Sec. 268, by striking the period in line six and adding the words: "and shall be erected at the expense of such municipality."

HOWARD C. BALDWIN.

MR. PRESIDENT: I move to amend Senate File 181 by striking from line 2 of Section 4 the word "six" and substituting in lieu thereof the word "two".

I further move to amend Senate File 181 by striking the word "six" from Section 5 and substituting in lieu thereof the word "two".

I further move to amend Senate File 181 by striking the following words: "four thousand two hundred" from Section 7, and substituting in lieu thereof the words "three thousand seven hundred and fifty".

E. P. DONOHUE.

MR. PRESIDENT: I move to amend Senate File 181 as follows: 1. By inserting before the comma in line 5 of Section 55 the following: "not later than the 10th day of the month following their issuance."

2. By changing the period at the end of Section 183 to a semicolon and adding thereafter the following: "provided, however, that no such deduction shall be lawful unless the county treasurer has complied with the provisions of Section 55 and Section 184 of this Act."

WM. S. BEARDSLEY.

The Journal of March 3d was corrected and approved.

On motion of Senator Donohue, the Senate adjourned until 10:00 a. m., Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 5, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. George W. Robinson, pastor of the Corinthian Baptist Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Murray, from citizens of Sioux City, favoring the enactment of House File 130. Public schools.

By Senator Elthon, from the Board of Education of Scarville, opposing legislation providing for the payment of school tuition by a school board when the pupil attends school out of state. Public schools.

By Senator Elthon, from teachers of St. Ansgar public schools, favoring enactment of House File 130. Public schools.

By Senator Elthon, from teachers of Northwood, favoring enactment of House File 130. Public schools.

By Senator Elthon, from the Board of Education of Lake Mills, favoring enactment of House File 130. Public schools.

By Senator Whitehill, from the Marshalltown city council of parents and teachers, favoring enactment of House File 130. Public schools.

By Senator Whitehill, from citizens of Gilman, favoring enactment of Senate File 101, relating to special funds to school districts, but opposing legislation to provide that such revenue be taken from the sale of alcoholic beverages. Public schools.

By Senator Bell of Des Moines, from citizens of Des Moines county, favoring enactment of House File 130. Public schools.

By Senator Bell of Des Moines, from citizens of Des Moines county, favoring enactment of House File 48. Public schools.

By Senator Irwin, from citizens of Clinton county, favoring enactment of House File 130. Public schools.

By Senator Billingsley, from voters of Colfax, favoring enactment of House File 48. Public schools.

By Senator Doran, from the Louise Crawford Parent Teachers Association at Ames, favoring enactment of House File 130. Public schools.

By Senator Hill, from citizens of Wright county, opposing enactment of House File 100, relating to liquor control. Judiciary 2.

By Senator Whitehill, from citizens of Gilman, favoring enactment of House File 4, relating to gambling devices. Judiciary 2.

By Senator Whitehill, from citizens of Gilman, opposing enactment of Senate File 100, relating to the sale of liquor by the drink. Judiciary 2.

By Senator Whitehill, from citizens of Gilman, favoring enactment of Senate File 197, relating to local option in the sale of liquor. Judiciary 2.

By Senator Guernsey, from citizens of Appanoose county, opposing enactment of Senate File 203, relating to license fees for house-to-house peddlers. Manufacturing, commerce and trade.

By Senator Elthon, from county officers of Mitchell county, opposing the application of the homestead tax exemption to 1936 taxes payable in 1937. Cities and towns.

By Senator Goetsch, from Winneshiek and Howard county bankers, opposing enactment of Senate File 91, relating to checks on state banks. Banks and banking.

By Senator Bell of Des Moines, from citizens of Burlington, favoring enactment of Senate File 84, to prohibit abandonment or change of location of railroad shops or terminals. Railroads and aeronautics.

Senator Byers asked and received unanimous consent to take up and consider House Joint Resolution 8 at this time.

THIRD READING OF BILLS

On motion of Senator Byers, House Joint Resolution 8, a joint resolution providing for the appointment of a committee composed of five (5) members from the Senate and five (5) members from the House for the purpose of investigating the situation in regard to the housing of state departments, and making an appropriation to defray the expenses thereof, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments, filed by the committee on public lands and buildings, were adopted:

Amend House Joint Resolution 8 as follows:

1. By inserting, after the third paragraph of the preamble, the following:

"Whereas, the institutional buildings under the board of control are in dire need of repair, rebuilding and enlarging, and"

2. By striking all of Section 1, and inserting in lieu thereof the following:

"Section 1. A committee is hereby created to be composed of three members of the Senate, not more than two of whom shall be of the same political party, and three members of the House, not more than two of whom shall be of the same political party. Said committee shall organize and select a chairman and a secretary from its members and perfect such other organization as the members shall determine. The said committee shall have the authority to inquire into the conditions surrounding the housing of state departments, boards, bureaus, commissions, institutions and other state offices, and the possible future need for additional space and to inquire into the advisability of providing a permanent housing, repair and building program and make such preliminary report and recommendations to the Forty-seventh General Assembly relative thereto as it may deem advisable.

The committee shall further investigate the possibilities of the state of Iowa availing itself of Federal funds now available and to become available to PWA and other Federal agencies in financing a building program. The committee shall also investigate the possibility of using building material such as stone, brick, cement, and other building materials produced and manufactured in Iowa."

3. By striking from Sec. 2 line three (3) the words and figures "five hundred (\$500.00)", and inserting in lieu thereof the words and figures "one thousand dollars (\$1000.00)".

Senator Byers moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 42:

Augustine	Doran	Hoeven	Murray
Beardsley	Edwards	Hopkins	Parker
Bell of Crawford	Ellis	Husted	Pelzer
Berg	Elthon	Kimberly	Schadt
Breen	Evans	Kirketeg	Shaw
Byers	Geske	Levis	Smith
Chrystal	Gillette	Lundy	Stevens
Corwin	Goetsch	Mighell	Stewart
Dean	Grunewald	Miller	Whitehill
Dewey	Guernsey	Millhone	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 7:

Baldwin	Billingsley	Irwin	Moore
Bell of	Gillespie	Mason	
Des Moines			

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senators Kimberly, Parker, and Geske asked and received unanimous consent to withdraw their names as co-authors of Senate File 100.

Senator Husted asked and received unanimous consent to withdraw Senate File 186 from the further consideration of the Senate.

SENATE FILE 87 REREFERRED

Senator Donohue moved that Senate File 87, which was withdrawn from the committee on railroads and aeronautics, be referred to the committee on railroads and aeronautics.

The motion prevailed and the bill was rereferred.

INTRODUCTION OF BILLS

Senate File 252, by committee on agriculture, a bill for an act to amend Section six thousand nine hundred forty-three-f forty (6943-f40) of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935, relating to exemption of insecticides, fertilizers and agricultural limestone from the payment of sales tax when used for the purpose of producing commodities that will be later sold at retail.

Read first and second times and placed on calendar.

Senate File 253, by committee on military affairs, a bill for an

act to create a fund to be known as the World War Orphans' Educational Aid Fund and to authorize and empower the bonus board to administer said fund.

Read first and second times and placed on calendar.

Senate File 254, by Senator Breen, a bill for an act to repeal Sections three thousand seventy-one (3071) and three thousand seventy-two (3072), Code, 1935, and enact substitutes therefor, relating to license for sale of milk at retail or wholesale.

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

Senate File 255, by Senator Hopkins, a bill for an act to provide for the nomination of candidates for public offices by means other than by primary elections and to this end to repeal Chapters thirty-seven-A one (37-A1) and thirty-seven-A two (37-A2) and to enact a substitute therefor, to amend Sections five hundred twenty-eight (528), six hundred thirty-nine (639), six hundred seventy (670), six hundred seventy-five (675), and sixty-six hundred ninety-seven (6697), and to repeal Section six hundred forty-eight (648), all relating to said subject matter, and all of the Code, 1935.

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

Senate File 256, by committee on departmental affairs, a bill for an act to require certain public buildings, and additions thereto, hereafter erected, whether by the state or any subdivision or department thereof, to be of fireproof or semi-fireproof construction as defined herein, to require the stairways, elevators, fire towers, fire escapes, passageways, and exits in such buildings to conform to requirements prescribed by the state fire marshal, and to provide for the enforcement of such requirements.

Read first and second times and placed on calendar.

Senate File 257, by Senator Doran, a bill for an act to amend Section five thousand six hundred sixty-nine (5669), Code, 1935, relating to compensation of assessors and deputies in cities and towns, and to fix the compensation of assessors in cities of second class where the population is in excess of ten thousand (10,000).

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

Senate File 258, by Senators Gillette, Elthon, Hoeven, Shaw and Murray, a bill for an act to define penalty interest; to provide for the levying of an excise tax thereon, and to provide means for collecting the same.

Read first and second times and referred to committee on judiciary 2.

Senate File 259, by Senators Gillespie and Breen, a bill for an act to repeal Sections seven hundred eighteen-c one (718-cl), seven hundred thirty-one (731) to seven hundred thirty-three (733) inclusive, Code, 1935, and enacting a substitute therefor; to amend Sections five hundred sixty-eight (568), five hundred sixty-nine (569), five hundred seventy-four (574), five hundred seventy-five (575), five hundred seventy-seven (577), five hundred seventy-eight (578), seven hundred eighteen-b six (718-b6), seven hundred eighteen-b fourteen (718-b14), seven hundred thirty-four (734), seven hundred thirty-seven (737), eight hundred sixty-three (863), eight hundred eighty-seven (887), and eight hundred ninety-three (893), Code, 1935, all relating to method of conducting elections, nominations by primary elections and permanent registration; providing for the establishment of county election commissions and prescribing the powers and duties thereof.

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

Senate File 260, by Senators Gillespie, Dewey and Bell of Crawford, a bill for an act to prohibit the passing out, posting or distributing of campaign cards, folders, literature, bills or posters pertaining to the candidacy of any candidate for any political office, on the day of any general, primary, city or school election.

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

Senate File 261, by Senator Mighell, a bill for an act to repeal Section eighty-three hundred eight-f two (8308-f2), Code, 1935, relative to furnishing facilities to local exchanges.

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

Senate File 262, by Senator Breen, a bill for an act to require, in the prosecution of criminal cases, an enlarged use of trial informations as provided by Chapter six hundred thirty-four (634), Code, 1935, and to this end to repeal Sections thirteen thousand six hundred fifty (13650) and thirteen thousand six hundred fifty-one (13651), to amend Sections ten thousand seven hundred eighty-eight (10788), ten thousand eight hundred seventy-eight (10878), thirteen thousand six hundred forty-four (13644), thirteen thousand six hundred fifty-nine (13659), and thirteen thousand six hundred seventy-four (13674), and to repeal Sections ten thousand six hundred forty-five (10645), ten thousand eight hundred eighty-three (10883), and ten thousand eight hundred ninety (10890) and to enact substitutes for said last three named sections, all of said sections being of the Code, 1935.

Read first and second times and referred to committee on judiciary 1.

Senate File 263, by Senator Levis, a bill for an act to amend Chapter sixty-eight (68), Code of 1935, relating to the blasting of coal in coal mines, and prohibiting any blasting while persons other than the shot firer or firers are in said mine.

Read first and second times and referred to committee on mines and mining.

Senate File 264, by committee on boundary bridges, a bill for an act to provide for the purchase, construction and maintenance of bridges over streams on the boundary lines of the state of Iowa.

Read first and second times and placed on calendar.

Senate File 265, by Senator Corwin, a bill for an act to legalize the act of the board of supervisors of Muscatine county, Iowa, in making payment of the sum of two hundred fifty-two (\$252.00) dollars to Charles Leu for services rendered as the clerk of the grand jury of Muscatine county, Iowa.

Read first and second times and referred to committee on judiciary 1.

Senate File 266, by Senators Stevens and Millhone, a bill for an act to amend Chapter three hundred thirty-two (332), Code, 1935, by providing a penalty for the non listing of property or

for false statements regarding the listing of property as provided by this chapter.

Read first and second times and referred to committee on judiciary 2.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 49, a bill for an act relative to costs of contesting elections of county officers.

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

Senate File 127, a bill for an act to protect restrictions affecting real estate arising out of deed or deeds in a chain of title to real estate.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 49 and 127.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 49 and 127.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 5th day of March, 1937, sent to the Governor for his approval, Senate Files 49 and 127.

FRANK PELZER, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator Goetsch submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred House File 58, a bill for an act to provide a uniform procedure for certifying and paying claims of the state against counties, to coordinate and render harmonious various statutes with such uniform procedure, and to this end to repeal Sections thirty-four hundred seven, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

SAM D. GOETSCH, *Chairman.*

Ordered passed on file.

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 4, a bill for an act to repeal Sections seven hundred forty-nine (749) to seven hundred sixty (760), inclusive, Code, 1935, and to enact substitutes therefor; and to amend Section seven hundred seventy-five (775), Code, 1935, all relating to official ballots, begs leave to report it has had the some under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

In Section 12 place a circle before the words "Democratic Party" in line 7, and before the words "Republican Party" in line 8.

Also, place a bracket to the left of the blank lines left for the names of the Democratic candidates for president and vice president in said section, and to the left of such bracket place a single square. Likewise, place a bracket to the left of the blank lines left for the names of the Republican candidates for president and vice president in said section, and to the left of such bracket place a single square.

Also, place a square to the left of the blank line left for the name of each candidate for an office other than that of president or vice president in said section.

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 93, a bill for an act to amend Section seven hundred sixty (760), to repeal Section eight hundred nine (809), and to enact a substitute therefor, and to repeal Sections eight hundred eleven (811) to eight hundred fifteen (815), inclusive, all of the Code, 1935, and all relating to the form of the ballot and to the marking and counting of the same, at general elections, begs leave to report it has had the same under consideration and returns the bill without recommendation.

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

CONSIDERATION OF SENATE FILE 181 RESUMED

A roll call disclosed the presence of all the Senators except Senators Irwin and Mason.

Senator Beardsley moved that the absent Senators be temporarily excused, or until a roll call should be had, which motion prevailed and the Senators were excused.

Senator Irwin appeared in the chamber.

Senator Mason appeared in the chamber and the call was declared complete.

Senator Gillette called up the following amendment, which was pending when action was deferred yesterday:

Amend Senate File 181, Section 316, by striking therefrom sub-section 3.

Senator Berg moved the previous question on the amendment, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 29:

Augustine	Chrystal	Husted	Moore
Baldwin	Corwin	Kimberly	Murray
Bell of Crawford	Donohue	Kirketeg	Parker
Bell of	Evans	Levis	Pelzer
Des Moines	Geske	Mason	Shaw
Billingsley	Gillespie	Miller	Stevens
Breen	Gillette	Millhone	Zeigler
Byers	Hoeven		

Nays, 19:

Beardsley	Edwards	Hill	Schadt
Berg	Ellis	Hopkins	Smith
Dean	Elthon	Irwin	Stewart
Dewey	Goetsch	Lundy	Whitehill
Doran	Grunewald	Mighell	

Absent or not voting, 1:

Guernsey

The amendment was adopted.

Senator Miller moved that further consideration of Senate File 181 be postponed until 10:00 a. m., Friday, March 12th.

Roll call was requested.

Senator Stevens moved, as an amendment to the motion of Senator Miller, that further consideration of Senate File 181 be postponed until 10:00 a. m. Wednesday, March 10th.

The amendment to the motion was adopted.

On the question, "Shall the motion as amended prevail?" the vote was:

Ayes, 32:

Baldwin	Dewey	Husted	Millhone
Bell of Crawford	Donohue	Irwin	Moore
Bell of	Ellis	Kimberly	Murray
Des Moines	Evans	Kirketeg	Parker
Berg	Geske	Levis	Pelzer
Billingsley	Guernsey	Lundy	Shaw
Byers	Hoeven	Mason	Stevens
Chrystal	Hopkins	Miller	Zeigler
Corwin			

Nays, 17:

Augustine	Edwards	Goetsch	Schadt
Beardsley	Elthon	Grunewald	Smith
Breen	Gillespie	Hill	Stewart
Dean	Gillette	Mighell	Whitehill
Doran			

Absent or not voting, none.

The motion prevailed and further consideration of Senate File 181 was postponed until Wednesday, March 10th at 10:00 a. m.

Senator Miller moved that the rules be suspended and that the President appoint a committee of five to redraft Senate File 181.

Senator Beardsley moved as a substitute motion that the rules be suspended and the President appoint a committee of five to study Senate File 181 and all pending amendments.

The motion prevailed, and the substitution was made.

The substitute motion prevailed and the President appointed Senators Beardsley, Hill, Millhone, Stevens, and Gillette.

REPORT ON SENATE FILE 168 CONSIDERED

Senator Dewey asked and received unanimous consent to take up the committee report on Senate File 168 at this time.

THIRD READING OF BILLS

On motion of Senator Dewey, the report of the committee on Senate File 168, a bill for an act to amend Section five

thousand two hundred ninety-six-f thirteen (5296-f13), Code, 1935, relating to old age assistance property exclusions thereunder; and to amend Section five thousand two hundred ninety-six-f sixteen (5296-f16), Code, 1935, old age assistance, applying to transfer of property to state, recommending that the bill be indefinitely postponed, was taken up and considered.

Roll call was requested.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 14:

Baldwin	Doran	Guernsey	Stevens
Byers	Edwards	Millhone	Stewart
Chrystal	Ellis	Murray	Whitehill
Donohue	Geske		

Nays, 31:

Augustine	Dewey	Husted	Miller
Beardsley	Elthon	Irwin	Moore
Bell of Crawford	Evans	Kimberly	Pelzer
Berg	Goetsch	Kirketeg	Schadt
Billingsley	Grunewald	Levis	Shaw
Breen	Hill	Lundy	Smith
Corwin	Hoeven	Mason	Zeigler
Dean	Hopkins	Mighell	

Absent or not voting, 4:

Bell of Des Moines	Gillespie	Gillette	Parker
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The report of the committee was not adopted and Senate File 168 was placed on the calendar.

Senator Irwin asked and received unanimous consent to temporarily defer action on Senate File 28 at this time, the bill to retain its place on the calendar.

Senator Evans asked and received unanimous consent to defer action on Senate File 99, the bill to retain its place on the calendar.

On motion of Senator Gillespie, Senate File 164, a bill for an act to repeal Sections thirty-one seventy-four (3174) to thirty-one seventy-seven-b one (3177-b1), inclusive, of the Iowa Code, 1935, relating to the sale of poisons and the distribution thereof, and enacting a substitute for Sections thirty-one seventy-four (3174) to thirty-one seventy-seven-b one (3177-b1), inclusive, relating to the sale of certain poisons; the conditions under which they may be sold; to provide for the labeling of same; and to

provide certain exemptions, a committee bill, was taken up and considered.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 164 as follows:

1. Amend the title thereof by inserting after the second semicolon in line eight thereof the following: "to provide for licensing the sale of certain such poisons by persons not registered pharmacists;"

2. Renumber Section six (6) thereof as Section seven (7), and insert after Section five (5) thereof the following new section, which shall be Section six (6):

"Sec. 6. No person, not a registered pharmacist, shall sell or offer for sale any of the poisons described and enumerated in paragraphs three and four of Section five (5) hereof until he has procured a license from the secretary of the pharmacy examiners to so do.

"The secretary of the pharmacy examiners, upon receipt of an application in such form as shall be prescribed, and accompanied by a license fee of one (1) dollar shall issue to such applicant a license to sell and offer for sale the poisons described and enumerated in paragraphs three and four of Section five (5) of this act, which license shall require compliance by the holder with all the regulations prescribed in Section five (5) of this act.

"Such license shall be valid until January 1st following its issuance and may be renewed by paying to the secretary of the pharmacy examiners an annual renewal fee of one (1) dollar. The secretary of the pharmacy examiners shall immediately notify the secretary of the department of agriculture of the issuance or revocation of any license hereunder."

The amendment was adopted.

Senator Gillespie offered the following amendment and moved its adoption:

Amend Senate File 164, Section 1, by inserting after the parenthesis in line 4, the following: ", Code, 1935,".

The amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend Section 2 by striking from line 15 the word "drugs" and inserting in lieu thereof the word "poisons".

By unanimous consent, Senator Byers withdrew his amendment.

Senator Smith offered the following amendment and moved its adoption:

Amend Section 2 by striking from line 15 the word "drugs" and inserting in lieu thereof the following: "poisonous drugs and chemicals".

The amendment was adopted.

Senator Gillespie offered the following amendment and moved its adoption:

Amend Section 5 by inserting after the word "veterinarians" in line 8, the following: "or sales to another pharmacist or to hospitals".

The amendment was adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend Senate File 164, Section 2, line 11, by striking the words "and sodium".

The amendment was lost.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 164, Section 6, by inserting in line 9 after "(5)" the following: "and poisons in unbroken packages properly labeled as required by law and enumerated in Section 2".

Senator Donohue moved to defer action on Senate File 164.

By unanimous consent, Senator Donohue withdrew his motion.

Senator Beardsley moved that the Senate recess until 1:30 p. m.

Senator Donohue moved as a substitute motion that the Senate adjourn until 10:00 a. m. Monday.

By unanimous consent, Senator Donohue withdrew his motion.

On motion of Senator Beardsley, the Senate recessed until 1:30.

AFTERNOON SESSION.

The Senate reconvened, President Valentine presiding.

SENATE FILES MADE SPECIAL ORDERS

Senator Irwin moved that Senate File 28 be made a special order of business for Monday morning at 10:00 a. m. which motion prevailed.

Senator Donohue moved that Senate File 59 be made a special

order of business for Tuesday morning at 10:00 a. m. which motion prevailed.

Senator Donohue asked and received unanimous consent that the rules be suspended and that Senate Files 214, 215, 216 and 217, all legalizing acts, be taken up and considered at this time.

THIRD READING OF BILLS

On motion of Senator Donohue, Senate File 214, a bill for an act to legalize the corporate acts and the renewal of the Farmers Lumber Company, a committee bill, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27:

Bell of Crawford	Elthon	Hopkins	Schadt
Dean	Evans	Husted	Shaw
Dewey	Geske	Irwin	Smith
Donohue	Gillette	Mighell	Stevens
Doran	Goetsch	Miller	Stewart
Edwards	Grunewald	Parker	Zeigler
Ellis	Guernsey	Pelzer	

Nays, none.

Absent or not voting, 22:

Augustine	Billingsley	Hill	Mason
Baldwin	Breen	Hoeven	Millhone
Beardsley	Byers	Kimberly	Moore
Bell of	Chrystal	Kirketeg	Murray
Des Moines	Corwin	Levis	Whitehill
Berg	Gillespie	Lundy	

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

On motion of Senator Donohue, Senate File 215, a bill for an act to legalize the corporate acts and the renewal of the Greeley Mutual Fire Insurance Association, a committee bill, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33:

Baldwin	Evans	Irwin	Pelzer
Bell of Crawford	Geske	Levis	Schadt
Bell of	Goetsch	Mighell	Shaw
Des Moines	Grunewald	Miller	Smith
Dean	Guernsey	Millhone	Stevens
Dewey	Hill	Moore	Stewart
Donohue	Hoeven	Murray	Whitehill
Doran	Hopkins	Parker	Zeigler
Ellis	Husted		

Nays, none.

Absent or not voting, 16:

Augustine	Breen	Edwards	Kimberly
Beardsley	Byers	Elthon	Kirketeg
Berg	Chrystal	Gillespie	Lundy
Billingsley	Corwin	Gillette	Mason

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

On motion of Senator Donohue, Senate File 216, a bill for an act to legalize the corporate acts and the renewal of The Dukes-Law Company, a committee bill, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36:

Baldwin	Edwards	Hill	Murray
Bell of Crawford	Ellis	Hoeven	Parker
Berg	Elthon	Hopkins	Pelzer
Breen	Evans	Husted	Schadt
Byers	Geske	Irwin	Shaw
Corwin	Gillette	Levis	Smith
Dewey	Goetsch	Miller	Stewart
Donohue	Grunewald	Millhone	Whitehill
Doran	Guernsey	Moore	Zeigler

Nays, none.

Absent or not voting, 13:

Augustine	Billingsley	Kimberly	Mason
Beardsley	Chrystal	Kirketeg	Mighell
Bell of	Dean	Lundy	Stevens
Des Moines	Gillespie		

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

On motion of Senator Donohue, Senate File 217, a bill for an

act to legalize the corporate acts and the renewal of the Farmers Mutual Fire and Lightning Insurance Association, a committee bill, was taken up and considered.

The bill was read for information.

Senator Donohue moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36:

Baldwin	Doran	Hill	Millhone
Bell of Crawford	Edwards	Hoeven	Moore
Berg	Ellis	Hopkins	Murray
Breen	Elthon	Husted	Parker
Byers	Geske	Irwin	Pelzer
Corwin	Gillette	Levis	Schadt
Dean	Goetsch	Mason	Smith
Dewey	Grunewald	Mighell	Stewart
Donohue	Guernsey	Miller	Zeigler

Nays, none.

Absent or not voting, 13:

Augustine	Billingsley	Kimberly	Shaw
Beardsley	Chrystal	Kirketeg	Stevens
Bell of	Evans	Lundy	Whitehill
Des Moines	Gillespie		

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

Senator Elthon asked and received unanimous consent that the rules be suspended and that House Joint Resolution 8 be considered at this time.

Senator Elthon moved that the vote by which House Joint Resolution 8 passed the Senate be reconsidered.

On the question, "Shall the vote by which House Joint Resolution 8 passed the Senate be reconsidered?" the vote was:

Ayes, 41:

Augustine	Dean	Gillette	Kimberly
Baldwin	Dewey	Goetsch	Levis
Bell of Crawford	Donohue	Grunewald	Mason
Bell of	Edwards	Guernsey	Mighell
Des Moines	Ellis	Hill	Miller
Berg	Elthon	Hoeven	Millhone
Breen	Evans	Hopkins	Murray
Byers	Geske	Husted	Parker
Corwin	Gillespie	Irwin	Pelzer

Schadt Shaw	Smith Stewart	Whitehill	Zeigler
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Nays, none.

Absent or not voting, 8:

Beardsley Billingsley	Chrystal Doran	Kirketeg Lundy	Moore Stevens
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The motion prevailed and the Senate reconsidered the vote by which House Joint Resolution 8 passed the Senate.

Senator Elthon moved that the Senate reconsider the vote by which House Joint Resolution 8 passed to the third reading.

The motion prevailed.

On motion of Senator Elthon, House Joint Resolution 8, by Hickenlooper, Mercer, Dancer, Rice, Moore of Taylor, and Reilly, a joint resolution providing for the appointment of a committee composed of five (5) members from the Senate and five (5) members from the House for the purpose of investigating the situation in regard to the housing of state departments, and making an appropriation to defray the expenses thereof, was taken up and considered.

Senator Elthon offered the following amendment and moved its adoption:

Amend the title by striking from line 2 the word and figure "five (5)" in both places where it appears and inserting in lieu thereof the word and figure "three (3)".

The amendment was adopted.

Senator Elthon moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 41:

Augustine	Doran	Hoeven	Murray
Bell of Crawford	Edwards	Hopkins	Parker
Bell of Des Moines	Ellis	Husted	Pelzer
Berg	Elthon	Irwin	Schadt
Breen	Evans	Kimberly	Shaw
Byers	Geske	Levis	Smith
Corwin	Gillespie	Mason	Stevens
Dean	Gillette	Mighell	Stewart
Dewey	Grunewald	Miller	Whitehill
Donohue	Guernsey	Millhone	Zeigler
	Hill		

Nays, none.

Absent or not voting, 8:

Baldwin	Billingsley	Goetsch	Lundy
Beardsley	Chrystal	Kirketeg	Moore

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gillette asked and received unanimous consent that the rules be suspended and that Senate File 219 be considered at this time.

On motion of Senator Gillette, Senate File 219, a bill for an act to amend Section five thousand eight hundred fifty-eight (5858) of the Code of Iowa, 1935, by providing for the control of fines and rentals collected by public libraries, a committee bill, was taken up and considered.

The bill was read for information.

Senator Gillette moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Donohue	Grunewald	Moore
Baldwin	Doran	Guernsey	Murray
Bell of Crawford	Edwards	Hill	Schadt
Bell of	Ellis	Hoeven	Shaw
Des Moines	Elthon	Hopkins	Smith
Berg	Evans	Irwin	Stevens
Breen	Geske	Kimberly	Stewart
Chrystal	Gillespie	Levis	Whitehill
Corwin	Gillette	Mighell	Zeigler
Dewey	Goetsch		

Nays, none.

Absent or not voting, 12:

Beardsley	Dean	Lundy	Millhone
Billingsley	Husted	Mason	Parker
Byers	Kirketeg	Miller	Pelzer

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

CONSIDERATION OF SENATE FILE 164 RESUMED

By unanimous consent Senator Stevens withdrew his amendment.

Senator Gillespie moved that Senate File 164 be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Donohue	Hoeven	Moore
Baldwin	Doran	Hopkins	Murray
Beardsley	Edwards	Husted	Parker
Bell of Crawford	Ellis	Irwin	Pelzer
Berg	Elthon	Kimberly	Schadt
Breen	Geske	Levis	Shaw
Chrystal	Gillespie	Mason	Smith
Corwin	Goetsch	Mighell	Stewart
Dean	Grunewald	Miller	Whitehill
Dewey	Guernsey	Millhone	Zeigler

Nays, none.

Absent or not voting, 9:

Bell of	Byers	Hill	Lundy
Des Moines	Evans	Kirketeg	Stevens
Billingsley	Gillette		

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

Senator Gillespie moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF COMMITTEES

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 35, a bill for an act to amend Section 6143 of the Code of 1935 by adding thereto a prohibition precluding charge in excess of the maximum rates prescribed in the franchise ordinance; by adding thereto a provision authorizing cities and towns to fix a time and place for hearing on any proposed ordinance or resolution changing rates and prescribing a notice therefor; and by adding thereto a provision requiring gas and electric companies to annually file with the city or town council certain information pertaining to the company, and by providing a penalty for failure to file such information, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend Senate File 35 as follows:

By striking out sub-section 1 of Section 1 of said Senate File 35.

Further amend by striking lines 23 to 39 inclusive and inserting in lieu thereof the following: "Any city or town council may require gas and electric companies and persons engaged in the manufacture and sale or distribution of gas and electricity to furnish the report hereinafter de-

scribed. If any city or town council, by motion or resolution, require such a report, a written notice of its decision shall be given to the company or person manufacturing and selling or distributing gas or electricity in said city or town of its action and said company or person required to give such report shall, within ninety (90) days after receiving said notice, file such report with the city or town council covering the calendar year preceding said notice, or if the records of the company or person are kept on a fiscal year basis, then for the fiscal year preceding said notice, which report shall be prepared from the books and records of such company or person and shall show the following:"

Further amend said Senate File 35 by adding as subsection (e) following line 51 the following: "(e). Together with such other information as may reasonably be required by the city or town council for the determination or fixing of fair and reasonable rents, rates and charges."

Further amend said Senate File 35 by inserting after the comma in line 54 the following: "or within any additional time which may be granted by said city or town council." JOHN BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 161, a bill for an act to amend Section five thousand six hundred eighty-three (5683), Code, 1935, relating to powers of cities and towns, begs leave to report it has had the same under consideration and recommends that the same do pass. JOHN BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 179, a bill for an act to amend Section 6580, Code, 1935, to authorize cities under commission form of government by a two-thirds vote of its council, to lease any city property not needed for the immediate use of such city for a period of not to exceed twenty-five years in such cities, begs leave to report it has had the same under consideration and recommends that the same be amended as follows, and when so amended the bill do pass:

Amend Senate File 179 by adding the following section:

Sec. 2. Section six thousand five hundred eighty (6580), Code, 1935, is hereby made applicable to cities operating under special charter.

JOHN BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 242, a bill for an act to legalize and validate the acts and proceedings taken by the city council of the city of Cedar Falls, authorizing and providing for the issuance and delivery of refunding

bonds of said city and making provision for the levy of taxes to pay the principal on said bonds, together with interest thereon, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 167, a bill for an act to amend Chapter three hundred forty-seven (347), Code, 1935, by adding certain sections and to provide for confession of judgment for delinquent taxes and to provide for the payment of certain taxes in installments, where property has been sold to the county under the provisions of Section seventy-two hundred fifty-five-b1 (7255-b1) and not assigned by said county, begs leave to report it has had the same under consideration and recommends that the same do pass, as amended in Senate Journal, pages 449, 450 and 451, and recommends that the amendments offered by the authors be adopted as committee amendments.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Senator Hoeven submitted the following report:

MR. PRESIDENT: Your committee on railroads and aeronautics, to which was referred Senate File 30, a bill for an act to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matter, begs leave to report it has had the same under consideration and recommends that the same be amended as follows, and when so amended the bill do pass:

Amend Senate File 30 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That Chapter 368 of the Code of Iowa, 1935, be amended by adding thereto following Section 7877 the following:

"7877-a1. It shall be unlawful for any railroad company owning or operating, or which may hereafter own or operate, any railroad in whole or in part in this state, to abandon any station in any city, town or village on its line of railroad, within this state, or to remove the depot therefrom, or to withdraw agency service therefrom, unless it shall first have filed notice of its intention with the Board of Railroad Commissioners and otherwise complied with the provisions of this act. Upon the filing of such notice the board shall designate the place or places within such town or village where notice shall be posted and the railroad company shall thereupon, at its own expense, cause to be posted at the place or places so designated, fifteen (15) days' notice of intention to abandon or discontinue such station or agency, or remove such depot; and shall file proof of such posting with the board. The notice shall be in such form as prescribed by the board.

"7877-a2. Any person or persons directly affected by the proposed abandonment or discontinuance of any station or agency, or removal of

any depot, may file written objections thereto with the Board of Railroad Commissioners, stating the grounds for such objections within fifteen (15) days from the time of the posting of the notice as provided in the preceding section. Upon the filing of such objections the board shall fix

Also:

the time and place for hearing thereon, which hearing shall be held within sixty (60) days from the filing of such objections. Written notice of the time and place of such hearing shall be mailed by the board to the railroad company and the person or persons filing objections at least ten days prior to the date fixed for such hearing.

"7877-a3. Upon said hearing the Board of Railroad Commissioners may prohibit the abandonment or discontinuance of such station or agency, or the removal of the depot, or may make such other order as is warranted by the evidence produced at such hearing. But if no objections are filed as hereinbefore provided, the board shall make an order permitting the railroad company to proceed with such abandonment or discontinuance, or removal of the depot."

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Dows Reporter, a newspaper published at Dows, Iowa, and in the Belmont Independent, a newspaper published at Belmont, Iowa.

CHARLES B. HOEVEN, *Chairman.*

Ordered passed on file.

MR. PRESIDENT: Your committee on railroads and aeronautics, to which was referred Senate File 84, a bill for an act to prohibit any railroad company from abandoning or changing the location of any shop or terminal in this state without the consent of the board of railroad commissioners and prescribing the procedure for securing consent therefor and providing a penalty for the violation thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CHARLES B. HOEVEN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 181, Section 31, by striking the period (.) after the word "patrol" in line 5 and inserting a comma (,) and by adding the following: "and not more than sixty per cent of such employees shall at any time be members of the same political party."

HUGH W. LUNDY.

MR. PRESIDENT: I move to amend Senate File 181 by striking Section 316 and by substituting in lieu thereof, the following: "Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead, such driver having

the right to assume, however, that all persons using said highway will observe the law.”

H. V. LEVIS.

MR. PRESIDENT: I move to amend Senate File 181 as follows: By striking from lines three (3) and four (4) of Section three hundred sixty-six (366) the words, “a clearly visible electric or mechanical signal device gives warning” and substituting in lieu thereof the words, “warning is given by automatic signal or crossing gates or a flagman or otherwise”.

E. P. DONOHUE.

Senator Mason moved that the Senate adjourn until 7:45 a. m., Monday.

Senator Donohue moved as a substitute that the Senate adjourn until 6:00 a. m., Monday.

The substitution failed.

Roll call was demanded.

On the question, “Shall the Senate adjourn until 7:45 a. m., Monday?” the vote was:

Ayes, 22:

Beardsley	Geske	Kimberly	Smith
Bell of Crawford	Gillette	Mason	Shaw
Chrystal	Grunewald	Mighell	Stevens
Dean	Guernsey	Millhone	Whitehill
Edwards	Hill	Parker	Zeigler
Evans	Husted		

Nays, 22:

Augustine	Donohue	Hoeven	Moore
Baldwin	Doran	Hopkins	Murray
Berg	Ellis	Irwin	Pelzer
Breen	Elthon	Kirketeg	Schadt
Corwin	Gillespie	Miller	Stewart
Dewey	Goetsch		

Absent or not voting, 5:

Bell of	Billingsley	Levis	Lundy
Des Moines	Byers		

The motion did not prevail.

Senator Donohue moved that the Senate adjourn until 10:00 a. m., Monday.

The President ruled the motion out of order, as no business had been transacted since the previous motion.

Senator Elthon asked and received unanimous consent that the rules be suspended and that Senate File 149 be considered at this time.

Senator Hopkins moved that the Senate adjourn until 9:00 a. m., Monday.

The President ruled the motion out of order, as no business had been transacted since the previous motion had lost.

THIRD READING OF BILLS

On motion of Senator Elthon, Senate File 149, a bill for an act to regulate lobbying and to provide penalties for the violation thereof, with report of committee recommending passage, was taken up.

The bill was read for information.

The Journal of March 4th was corrected and approved.

On motion of Senator Hoeven, the Senate adjourned until 10:00 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 8, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Robert Boshen, pastor of the First Presbyterian Church of Bedford.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Billingsley, indefinitely, on request of Senator Beardsley.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Grunewald, from members of W. M. S., Van Horne Evangelical Church at Van Horne, favoring enactment of Senate File 197, relating to local option for the sale of alcoholic beverages. Judiciary 2.

By Senator Mighell, from the LeMars Women's Club, favoring enactment of House File 48, relating to educational equalization. Public schools.

By Senator Mighell, from the Cherokee County Schoolmasters Association, favoring enactment of House File 48. Public schools.

By Senator Mighell, from the Board of Education at Holstein, favoring enactment of House File 130, providing for retirement annuities for teachers. Public schools.

By Senator Hill, from the Tarry-a-While Club of Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from teachers at Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from members of the Ladies' Aide of the Methodist Church at Webster City, favoring enactment of House File 130. Public schools.

By Senator Hill, from members of the Kiwanis Club of Webster City, favoring enactment of House File 130. Public schools.

By Senator Kimberly, from members of the Davenport Kiwanis Club, favoring enactment of House File 130. Public schools.

By Senator Irwin, from citizens of Clinton, favoring enactment of House File 130. Public schools.

By Senator Byers, from citizens of Mount Vernon, favoring enactment of Senate File 197. Judiciary 2.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 242, a proposed bill to legalize proceedings of the City Council of Cedar Falls. WALTER H. BEAM, *Secretary*.

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 302, a proposed bill to legalize proceedings of the City Council of Cedar Rapids. WALTER H. BEAM, *Secretary*.

INTRODUCTION OF BILLS

Senate File 267, by Senators Bell of Crawford and Murray, a bill for an act prohibiting licensees from transporting or importing into this state, purchasing, receiving, possessing, and selling alcoholic liquor manufactured or bottled in any state, the laws, rules or regulations of which discriminate against the alcoholic liquor manufactured in this state or against those selling or dealing therein; defining discriminatory laws, and prescribing the duties of the Attorney General with respect to determining and certifying the existence of the discriminations and providing for an appeal from his finding; prescribing the duties of the Treasurer of State with respect to the enforcement of this act, and providing for the revocation of licenses for a violation of this act.

Read first and second times and referred to committee on judiciary 2.

Senate File 268, by Senator Shaw, a bill for an act to amend Section six thousand nine hundred forty-three-f twenty-three (6943-f23), Code, 1935, to empower the court to relieve the fiduciary from making an income tax report when it shall appear that no income tax is due or payable.

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

Senate File 269, by Senator Kimberly, a bill for an act granting to the city of Davenport all of the title and interest of the State of Iowa in and to certain tracts of land extending along the banks of the Mississippi River within the corporate limits of said city.

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

Senate File 270, by Senator Shaw, 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 referred to committee on insurance.

Senate File 271, by Senators Doran, Stevens, Shaw and Irwin, a bill for an act to amend Section five thousand four hundred thirteen (5413), Code, 1935, to provide for bounty on fox killed out of fur season; and to amend Section five thousand four hundred fourteen (5414), Code, 1935, to make mandatory the bounty provided for therein.

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

Senate File 272, by Senator Hopkins, a bill for an act to amend Sections four thousand one hundred twenty-three-g one (4123-g1) and four thousand one hundred thirty-three (4133), Code, 1935, relating to the limitation of the size of certain school districts.

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

Senate File 273, by Senator Baldwin, a bill for an act to legalize the establishment of a swimming pool in the city of Dubuque, without the formality of a special election.

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

Senate File 274, by Senator Doran, a bill for an act to amend Chapter four hundred eighty-three (483), Code, 1935, to amend

and revise the law relative to procedure, trial and evidence in disbarment proceedings against attorneys and counselors at law.

Read first and second times and referred to committee on judiciary 1.

Senate File 275, by Senator Doran, a bill for an act to authorize and provide for licensing the propagation, release, shooting, possession and use of upland game birds, and for the establishment of private shooting preserves, and the regulation thereof.

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

Senate File 276, by Senators Gillette and Doran, a bill for an act to authorize the Iowa State Board of Education to purchase certain real estate for an experimental farm in accordance with the provisions of the Act of Congress approved July 2, 1862 (12 Stat. L 503).

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

Senate File 277, by Senator Corwin (Latchaw), a bill for an act to amend Section six thousand nine hundred forty-three-c one (6943-c1), Code, 1935, Section six thousand nine hundred forty-three-c two (6943-c2), and six thousand nine hundred forty-three-c three (6943-c3), Code, 1935, relating to management of city owned public utilities in special charter cities by a coordinated board of trustees, the appointment of the members of said board and the filling of vacancies in said membership.

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

Senate File 278, by Senators Byers, Donohue, Gillette, Evans, Breen, Beardsley, and Chrystal, a bill for an act to provide for the construction of sewers and sewage disposal works in Dickinson county, Iowa, which will provide for the protection of the state waters, commonly known as the Iowa Great Lakes System in said county, and providing for the construction, maintenance and operation of said works and for an appropriation to the State Conservation Commission for said purpose in cooperation with Federal or other agencies.

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

Senate File 279, by Senator Kimberly, a bill for an act to amend Section six thousand seven hundred ninety-one (6791), Code, 1935, relating to the granting of franchises in cities acting under special charter, and to require the approval of the electors therefor.

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

Senate File 280, by Senator Shaw, a bill for an act to legalize and declare valid certain original notices of the commencement of actions in the district court.

Read first and second times and referred to committee on judiciary 2.

Senate File 281, by Senator Augustine, a bill for an act to repeal Chapter two hundred fifty-two-A one (252-A1) and Chapter two hundred fifty-two-C one (252-C1) of the Code of Iowa, 1935; to define common and contract carriers by motor vehicle; to provide for the supervision and regulation by the board of railroad commissioners of the state of Iowa of common and contract carriers by motor vehicle engaged in the transportation of passengers or property for hire upon the highways of this state; to provide that no common carrier of passengers or property by motor vehicle shall hereafter operate upon the highways of this state without first obtaining a certificate of public convenience and necessity from the board of railroad commissioners; to provide that no contract carrier of passengers or property by motor vehicle shall hereafter operate upon the highways of this state without first obtaining a permit from the board of railroad commissioners; to define terminals and to provide for the supervision, regulation and authorization for the establishment thereof; to provide for the furnishing of insurance or surety bonds by common and contract carriers by motor vehicle; to provide for hearings and for appeals from the decisions of the board of railroad commissioners; to provide for the administration and enforcement of the provisions of this act; to provide for a regulatory fee for the administration and enforcement of the provisions of this act and the disposition of monies collected hereunder; to provide for suspension, cancellation and transfer of certificates

and permits and for punishment for violations of the provisions of this act.

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

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 184, a bill for an act relating to homestead exemptions.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 184

Amend Section 2, line 9, by striking the word "apportioned" and substituting the word "appropriated".

Further amend Section 2, line 20, by striking the word "to" and substituting the word "throughout".

Amend Section 4, subsection 3, line 2, by inserting immediately following the word "credit" the words "not to exceed twenty-five mills".

Amend Section 4, by adding thereto as subsection 4 the following:

"In any county in which is located a special charter city, which levies and collects its own taxes separately from the county, all millage credits and the amount in dollars thereof on eligible homesteads situated in said city in excess of the consolidated state and county levy by the state and said county for the taxing district in which said city is located, but not in excess of the aggregate levy by said city, shall be certified by the county auditor to the treasurer of said city who shall in turn credit on said city tax lists against the taxes levied by said city on each eligible homestead in said city, said excess millage credits so certified to him in the same manner as herein required to be done by the county auditor on the county tax lists. The county treasurer shall pay to the city treasurer out of the funds apportioned to said county from the homestead credit fund, the amount of said funds so apportioned in excess of the state and county consolidated levy, which shall be applied upon the taxes on eligible homesteads in said city as herein provided. All funds so apportioned in excess of the combined city and consolidated state and county levies for said taxing district exclusive of special assessments shall be remitted to the State Board of Assessment and Review to be redeposited in the Homestead Credit Fund for re-allocation as provided in this act. The intention and purpose of this provision shall be to allot to each eligible homestead located in such city the same proportionate tax credits received by eligible homesteads in other cities and towns, but this provision shall not be construed in any way to allot to eligible homesteads in such city any greater benefits or credits than eligible homesteads in other cities and towns.

Amend Section 5, line 11, by striking the words "August 1" and substituting the words "June 1".

Amend Section 7, line 3, by striking the words "September 1" and substituting the words "July 1".

Amend Section 11, line 7, by striking the words "July 1" and substituting the words "June 1".

Amend Section 11, line 13, by inserting after the word "same" the following: "and establish the assessed value of the homestead where the same has been assessed with other real estate".

Amend Section 12, line 3, by striking the words "August 1" and substituting the words "July 1".

Amend Section 13, line 1, by striking the words "September 1" to "August 1".

Strike Section 15 and renumber the remaining sections.

Amend Section 19, line 38, by inserting after the word "paid" the following: "and which contract has been recorded in the office of the county recorder as provided in Section ten thousand seventy-six (10076), Code, 1935".

Further amend Section 19, line 41, by inserting after the comma the following: "or by legally adopted children,".

Further amend Section 19, line 43, by striking the period following the word "relatives" and inserting the following: ", or by legally adopted children."

Amend Section 20 by striking from lines 1, 2 and 3 the words: "who has resided in Iowa nine (9) months or more prior to the time for claiming said millage credit" and substituting in lieu thereof the following: ", a resident of the State of Iowa,".

Amend by adding as Section 24 the following:

"Sec. 24. If any portion of this act should be declared unconstitutional, such invalidity shall not be construed to affect any other portion of this act which can be given force and effect without said invalid portion."

Further amend by renumbering the following section.

Amend the title by inserting after the word "counties" in line 18 the following: "; and providing a method of allotting tax credits on homesteads in special charter cities".

Further amend the title by striking the word "limiting" in line 21 and substituting the words "to establish and limit".

THIRD READING OF BILLS

On motion of Senator Irwin, Senate File 28, a bill for an act to amend Chapter eighty-two (82) of the acts of the Forty-fifth General Assembly, Extra Session, relating to taxation, which was returned by the committee without recommendation, was taken up and considered.

By unanimous consent, Senator Irwin offered the following amendment and moved its adoption:

Amend Senate File 28 by striking out all that portion of Section one (1) commencing with the word "twelve", in line one (1), and ending

with the word "Session" in line three (3), and substituting in lieu thereof the following: "sixty-nine hundred forty-three-f twelve (6943-f12) of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935";

Further amend said file by striking out all that portion of Section two (2) commencing with the word "thirteen" in line one (1), and ending with the word "Session", line three (3), and substituting in lieu thereof the following: "sixty-nine hundred forty-three-f thirteen (6943-f13) of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935";

Further amend said file by striking out all that portion of Section two (2) commencing with the word "line" in line five (5), and ending with the word "two" in line six (6), and substituting in lieu thereof the following: "lines five (5) and six (6) thereof the";

And also further amend by striking from line eight (8) of said section the figure "10" and substituting in lieu thereof the following figure, "12";

And also further amend by striking from line eight (8) of said section the word and figure "thirteen (13)" and substituting in lieu thereof the following: "sixty-nine hundred forty-three-f thirteen (6943-f13)";

Further amend said file by striking out all that portion of Section three (3) commencing with the word "fourteen" in line one (1) and ending with the word "Session" in line three (3), and substituting in lieu thereof the following: "sixty-nine hundred forty-three-f fourteen (6943-f14) of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935";

Also further amend by striking out all that portion of Section three (3) commencing with the word "line" in line three (3) and ending with the word "words" in line five (5), and substituting in lieu thereof the following: "lines five (5) and six (6) of said section the words";

Also further amend by striking from line five (5) of said section the figure "6", and substituting in lieu thereof the following: "seven (7)";

Further amend said file by striking out all of Section four (4) thereof.

Further amend said file by striking all of the title thereof following the word "chapter" in the first line and substituting in lieu thereof the following: "three hundred twenty-nine-F one (329-F1), Code, 1935, relating to taxation".

The amendment was adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend Senate File 28 by striking lines 5 to 20 inclusive, Section 1, and substituting in lieu thereof the following:

"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, ten dollars.
- b. For husband and wife or head of a family, twenty 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 five dollars.
- d. For each actual dependent other than as specified in division (c) of this section, an additional five dollars.

COMMITTEE OF THE WHOLE

Senator Elthon moved that the Senate resolve itself into a committee of the whole and ask Mr. Clark of the Income Tax Division of the Board of Assessment and Review to give the Senate information on Senate File 28.

The motion prevailed and the Senate resolved itself into a committee of the whole.

Senator Elthon moved that President Valentine act as chairman of the committee of the whole, which motion prevailed.

Senator Elthon moved that the Secretary of the Senate act as secretary of the committee of the whole, which motion prevailed.

On motion of Senator Beardsley, the Senate arose from committee of the whole and resumed regular session.

Senator Mighell moved that a committee of three be appointed to confer with Mr. Clark of the Net Income Tax Division of the Board of Assessment and Review, to better determine the loss of revenue which would be occasioned by the adoption of these amendments and the advisability of an amendment to raise the levy in the higher brackets.

By unanimous consent, Senator Mighell withdrew his motion.

Senator Mighell moved that the special committee on tax revision be authorized to confer with Mr. Clark of the Net Income Tax Division of the Board of Assessment and Review, relative to the loss of revenue to be occasioned by the adoption of these amendments, and to report to the Senate on Friday.

The President ruled the motion out of order.

Senator Berg moved that Senate File 28 be referred to the special committee on tax revision.

Roll Call was requested.

On the question, "Shall Senate File 28 be referred to the special committee on tax revision?" the vote was:

Ayes, 8:

Berg
Dean

Dewey
Hill

Levis
Mighell

Schadt
Zeigler

Nays, 33:

Augustine	Edwards	Hoeven	Millhone
Baldwin	Ellis	Hopkins	Moore
Bell of	Elthon	Husted	Murray
Des Moines	Evans	Irwin	Parker
Byers	Geske	Kimberly	Pelzer
Chrystal	Gillespie	Kirketeg	Stevens
Corwin	Gillette	Mason	Stewart
Donohue	Goetsch	Miller	Whitehill
Doran	Grunewald		

Absent or not voting, 8:

Beardsley	Billingsley	Guernsey	Shaw
Bell of Crawford	Breen	Lundy	Smith

The motion did not prevail.

Roll call was requested.

On the question, "Shall the amendment offered by Senator Gillette be adopted?" the vote was:

Ayes, 30:

Augustine	Ellis	Hoeven	Pelzer
Beardsley	Elthon	Hopkins	Schadt
Berg	Gillespie	Levis	Shaw
Breen	Gillette	Lundy	Smith
Dean	Goetsch	Mason	Stewart
Dewey	Grunewald	Mighell	Whitehill
Donohue	Guernsey	Miller	Zeigler
Edwards	Hill		

Nays, 17:

Baldwin	Corwin	Irwin	Moore
Bell of	Doran	Kimberly	Murray
Des Moines	Evans	Kirketeg	Parker
Byers	Geske	Millhone	Stevens
Chrystal	Husted		

Absent or not voting, 2:

Bell of Crawford Billingsley

The amendment was adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend Senate File 28 by striking from Section 2 in line 7, the words "eighteen hundred" and substituting in lieu thereof the words "fifteen hundred"; also by striking from line 9 the words "eighteen hundred" and substituting in lieu thereof the words "fifteen hundred".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 28 by striking Section 6, the publication clause, and substituting in lieu thereof the following: "The provisions of this act shall apply only as to income accruing subsequent to January 1, 1937."

The amendment was adopted.

On motion of Senator Gillette, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

INTRODUCTION OF BILLS

Senate File 282, by Senators Augustine, Billingsley, Donohue, and Gillette, a bill for an act to amend Section six thousand nine hundred forty-three-g three (6943-g3), Code of Iowa, 1935, relating to exemptions from the chain store tax.

Read first and second times and referred to committee on manufacturing, commerce and trade.

Senate File 283, by Senator Hill, a bill for an act to amend subsection three (3) of Section five thousand two hundred ninety-six-f twelve (5296-f12), Code, 1935, relating to the eligibility of applicants for old age assistance.

Read first and second times and referred to committee on social security.

Senate File 284, by Senator Bell of Des Moines (Dodds), a bill for an act to legalize and validate proceedings taken by the Board of Directors of Concordia School District, Concordia township, Des Moines county, in connection with the certification of taxes for collection during the calendar year ending December 31, 1937, and the levy of taxes therefor.

Read first and second times and referred to committee on judiciary 1.

Senate File 285, by Senator Pelzer, a bill for an act providing for limiting the requirements of a merchantable title to real estate.

Read first and second times and referred to committee on judiciary 2.

Senate File 286, by Senator Schadt, a bill for an act to amend Section three thousand three hundred eighty-eight (3388), Code, 1935, relating to the salary of the superintendent at the state sanatorium.

Read first and second times and referred to committee on board of control and public welfare.

Senate File 287, by Senator Schadt (Mercer), a bill for an act to amend Chapter two hundred ninety-two (292), Code, 1935, to make applicable to all cities and towns Sections six thousand seven hundred thirty-four (6734), six thousand seven hundred thirty-five (6735), and six thousand seven hundred thirty-six (6736), Code, 1935, relating to actions for damages against municipal corporations and to a city or town acquiring real estate on execution sale to protect its lien thereon.

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

Senate File 288, by Senator Schadt (Mercer), a bill for an act to repeal Section six thousand four hundred seventy-three (6473) of the Code of Iowa, 1935, relating to restricted residence districts under the zoning law.

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

Senate File 289, by Senator Schadt (Mercer), a bill for an act to amend Section five thousand seven hundred forty-three (5743), Code, 1935, to authorize cities and towns to regulate and license electricians and the installation of oil burners and automatic heaters in buildings.

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

Senate File 290, by Senators Guernsey, Elthon, Murray, Evans, Beardsley, Gillespie, Doran, Stevens and Baldwin, a bill for an act creating and establishing the "Iowa State Teachers' Annuity System"; providing for the creation, maintenance, and administration of a statewide teachers' retirement annuity and pension system; providing for limiting and defining its membership and the benefits payable to its members; defining the terms used in the act; providing for the creation of a retirement board to man-

age and administer the system and prescribing their powers, duties, and mode of procedure; providing for the creation of a medical board, the manner and method of the selection of members thereof, and prescribing their powers, duties, and mode of procedure; providing for the determination, manner, and method of the collection, allocation, and disbursement of funds required to be contributed to the system by its members, employers, and by the state; providing for the creation and establishment of funds and reserves required to be maintained by the system and by the state; providing for appropriations by the state for the creation and establishment of the system and the payment of accrued benefits; providing that the payment of the benefits granted under the provisions of this act, the creation and maintenance of reserves in certain funds as provided for in this act be made obligations of the state; providing for the exemption of benefits from attachment, execution, garnishment, or other legal process, and for exemption of the funds and property of the system from taxation; providing penalties for fraud on the system; and providing for the manner and method of discontinuance, merger, or dissolution of local district pension systems.

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

Senate File 291, by Senators Bell of Crawford and Bell of Des Moines, a bill for an act to amend Section one thousand nine hundred twenty-one-f nine (1921-f9) and Section one thousand nine hundred twenty-one-f sixteen (1921-f16) of the Code, 1935, relating to the control of intoxicating liquor by the Iowa Liquor Control Commission.

Read first and second times and referred to committee on judiciary 2.

Senate File 292, by Senator Gillespie, a bill for an act to amend Section 5368-a5 of the Code, 1935, relating to authority of Board of Supervisors to contract for medical and dental service for the poor.

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

Senate File 293, by Senator Dewey, a bill for an act to authorize the board of supervisors of Henry county, Iowa, to transfer suffi-

cient funds from the county general fund to take care of the losses sustained in the burglarizing of the treasurer's office of Henry county, Iowa.

Read first and second times and referred to committee on judiciary 1.

Senate File 294, by Senators Stevens and Husted, a bill for an act to create a State Cosmetology Commission of five (5) appointive members; to fix the term of office, eligibility, qualification and manner of appointment of its employees, to fix the time, place and manner of the performance of its duties and the exercise of its authority; to provide for the manner in which to conduct examinations in cosmetology, necessary furniture, office supplies and assistants; to fix a license fee of five dollars (\$5.00) for the operation of a shop and one dollar (\$1.00) for each renewal, in which to carry on the practice of cosmetology, to create a trust fund out of ninety per cent of the total fees collected by the commission, to be used in the enforcement of laws relating to the teaching and practice of cosmetology and for the direct benefit of such profession; to repeal Chapter 124-B1, Title VIII, Code of 1935, to amend Sections twenty-four hundred thirty-nine (2439), twenty-four hundred forty-two (2442) and twenty-four hundred forty-nine (2449) of the Code of 1935, and to provide penalties for the violation of the act, and the lawful rules of the commission.

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

Senate File 295, by Senators Doran, Guernsey, Kirketeg, and Geske, a bill for an act to amend Section five thousand two hundred twenty-seven (5227), Code of Iowa, 1935, to provide for a minimum salary for chief deputy sheriffs.

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

Senate File 296, by Senators Stewart, Elthon, Evans, Augustine, and Gillette, a bill for an act to amend Section thirty-two hundred ninety-two (3292), Code, 1935, relating to executive officers, tenure and removal of Board of Control.

Read first and second times and referred to committee on board of control and public welfare.

Senate File 297, by Senator Hopkins, a bill for an act to amend Sections thirty-eight hundred eighty-one (3881), thirty-eight hundred eighty-three (3883), and thirty-nine hundred eight (3908), Code, 1935, relating to the fees for teachers' certificates.

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

Senate File 298, by Senator Gillespie, a bill for an act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works; providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract; providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials; providing for a forfeiture for each calendar day, or portion thereof, for any worker who is paid less than the said rate and for a stipulation to this effect in the contract; and providing other penalties for the violation of the provisions thereof.

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

Senate File 299, by Senator Moore (by request), a bill for an act to amend Section five thousand four hundred thirteen (5413), Code, 1935, relating to the bounty on wild animals.

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

Senate File 300, by Senator Baldwin, a bill for an act to amend Chapter two-ninety-two (292), Code, 1935, relating to pawnbrokers and junk dealers.

Read first and second times and referred to committee on judiciary 2.

Senate File 301, by Senator Kirketeg, a bill for an act to legalize the action of the county auditor and county board of supervisors of Taylor County, Iowa, in making expenditures and issuing warrants in 1929 and 1930 against the county general fund; to make said warrants the legal, valid, and binding obligations of said county and to authorize the county auditor and county

treasurer of said county to refund to the members of the board of supervisors and their bondsmen the amounts paid by them to reimburse said county out of the general fund of Taylor County, Iowa.

Read first and second times and referred to committee on judiciary 1.

Senate File 302, by committee on judiciary 2, a bill for an act to legalize and validate proceedings taken by the City Council of the City of Cedar Rapids, Iowa, authorizing and providing for the issuance of bonds for jail and police station purposes and making provisions for the levy of taxes to pay said bonds.

Read first and second times and placed on the calendar.

Senate File 303, by Senators Mighell and Mason, a bill for an act to amend Section sixty-nine hundred forty-three-f five (6943-f5), Code, 1935, relating to income tax.

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

Senate File 304, by Senator Schadt, a bill for an act to amend Section ninety-three hundred five-a nine (9305-a9), Code, 1935, relating to the election of officers of credit unions.

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

Senate File 305, by Senator Murray, a bill for an act to amend Section forty-two hundred thirty-three-e four (4233-e4), Code, 1935, relating to transportation of school children.

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

Senate File 306, by Senator Breen, a bill for an act to amend and revise the law relative to procedure, trial and evidence in disbarment proceedings against attorneys and counselors at law.

Read first and second times and referred to committee on judiciary 2.

Senate File 307, by Senators Breen and Bell of Crawford, a bill for an act to include occupational diseases under the provisions of the workmen's compensation act.

Read first and second times and referred to committee on judiciary 1.

Senate File 308, by Senators Husted, Hopkins, and Edwards, a bill for an act to amend Section 1921-f 106 Code 1935, relating to authority under Class B permits for the sale of beer and also to repeal Section 1921-f 113 relating to sales by hotels.

Read first and second times and referred to committee on judiciary 2.

REJECTION OF COMMITTEE REPORTS

Senator Dewey asked and received unanimous consent to take up the report of the committee, recommending indefinite postponement of Senate File 119, relating to social security.

Senator Stevens moved the adoption of the committee report, which motion did not prevail and the report of the committee was rejected.

Senate File 119 was placed on the calendar.

Senator Edwards asked and received unanimous consent to take up the report of the committee, recommending indefinite postponement of Senate File 132, relating to the collection of an additional fee for the annual renewal of licenses to practice the professions of embalming and optometry.

Senator Smith moved the adoption of the committee report.

A roll call was requested.

On the question, "Shall the report of the committee on Senate File 132 be adopted?" the vote was:

Ayes, 4:

Breen

Goetsch

Mighell

Moore

Nays, 35:

Augustine

Byers

Donohue

Evans

Baldwin

Corwin

Doran

Geske

Beardsley

Dean

Edwards

Grunewald

Berg

Dewey

Ellis

Guernsey

Hill	Kirketeg	Murray	Stevens
Hoeven	Levis	Parker	Stewart
Hopkins	Lundy	Pelzer	Whitehill
Husted	Mason	Schadt	Zeigler
Kimberly	Millhone	Shaw	

Absent or not voting, 10:

Bell of Crawford	Billingsley	Gillespie	Miller
Bell of Des Moines	Chrystal Elthon	Gillette Irwin	Smith

The committee report was rejected, and Senate File 132 was placed on the calendar.

CONSIDERATION OF SENATE FILE 28 RESUMED

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Baldwin	Ellis	Hoeven	Murray
Beardsley	Elthon	Husted	Parker
Bell of Des Moines	Evans	Irwin	Pelzer
Breen	Geske	Kimberly	Schadt
Chrystal	Gillespie	Kirketeg	Shaw
Corwin	Gillette	Mason	Stevens
Donohue	Goetsch	Mighell	Stewart
Doran	Grunewald	Millhone	Whitehill
Edwards	Hill	Moore	Zeigler

Nays, 7:

Augustine	Dewey	Hopkins	Smith
Dean	Guernsey	Levis	

Absent or not voting, 6:

Bell of Crawford	Billingsley	Lundy	Miller
Berg	Byers		

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION 14.

By unanimous consent, Senator Hoeven called up Senate Concurrent Resolution 14, relating to the eradication of noxious weeds and which appears on page 455 of the Senate Journal, and moved its adoption.

The resolution was adopted.

Senator Doran asked and received unanimous consent to take up his motion to reconsider the vote by which Senate File 44 passed the Senate.

Senator Doran moved that the Senate reconsider the vote by which Senate File 44 passed the Senate.

On the question, "Shall the Senate reconsider the vote by which Senate File 44 passed the Senate?" the vote was:

Ayes, 40:

Augustine	Donohue	Hill	Murray
Baldwin	Doran	Hoeven	Parker
Beardsley	Edwards	Hopkins	Pelzer
Berg	Ellis	Kirketeg	Schadt
Breen	Elthon	Levis	Shaw
Byers	Geske	Lundy	Smith
Chrystal	Gillette	Mason	Stevens
Corwin	Goetsch	Mighell	Stewart
Dean	Grunewald	Millhone	Whitehill
Dewey	Guernsey	Moore	Zeigler

Nays, none.

Absent or not voting, 9:

Bell of Crawford	Billingsley	Husted	Kimberly
Bell of	Evans	Irwin	Miller
Des Moines	Gillespie		

The motion prevailed and the Senate reconsidered the vote by which Senate File 44 passed the Senate.

Senator Doran moved that the Senate reconsider the vote by which Senate File 44 passed to its third reading, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Doran, Senate File 44, a bill for an act to amend Section thirteen thousand eight hundred and three (13803), Code, 1935, relating to the withdrawal of a plea of guilty, was taken up and considered.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 44, by striking the title and inserting in lieu thereof the following:

"An act to repeal Section thirteen thousand eight hundred and three (13803), Code, 1935, and to enact a substitute therefor, relating to the withdrawal of a plea of guilty before sentence."

Further amend as follows: Strike from Section 1, all after the comma in line two (2) and all of line three (3) and substitute in lieu thereof the

following: "be and the same is hereby repealed and the following enacted as a substitute therefor:".

The amendment was adopted.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Doran	Hoeven	Moore
Baldwin	Edwards	Hopkins	Murray
Beardsley	Ellis	Husted	Parker
Berg	Elthon	Irwin	Pelzer
Breen	Evans	Kimberly	Schadt
Byers	Geske	Kirketeg	Shaw
Chrystal	Gillette	Levis	Smith
Corwin	Goetsch	Lundy	Stevens
Dean	Grunewald	Mason	Stewart
Dewey	Guernsey	Mighell	Whitehill
Donohue	Hill	Millhone	Zeigler

Nays, none.

Absent or not voting, 5:

Bell of Crawford	Bell of Des Moines	Billingsley Gillespie	Miller
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 168 by striking all of Section one (1) thereof, and substituting in lieu thereof the following:

Amend Section five thousand two hundred ninety-six-f thirteen (5296-f13), Code, 1935, by adding, after the comma (,) following the words "real property" in line 3 thereof, the words: "inclusive of homestead and,"; also by striking out the words "two thousand" in line 4 thereof and inserting in lieu thereof, "two thousand five hundred".

Further amend said section by adding after the comma (,) following the word "spouse" in line 7 thereof, the words "inclusive of homestead,".

A. CLAIRE DEWEY.

MR. PRESIDENT: I move to amend Senate File 59 as follows: Strike all of Section two (2) thereof.

H. V. LEVIS.

MR. PRESIDENT: I move to amend Senate File 103 by striking the entire title and substituting in lieu thereof the following title:

"An act to repeal Code Section six hundred sixty-eight (668) of the 1935 Code of Iowa relating to the manner of election of district court judges, to amend Section six hundred sixty-one (661) of said Code relating to the election of supreme court judges, to amend Section seven hundred forty-eight (748) of said Code relating to the printing of the names of all candidates on one ballot, to amend Section seven hundred sixty (760) of said Code, relating to the form of official ballot, and to provide for the printing of the names of all the candidates for judge of the supreme court and district court on a separate ballot for use in the election of said judges."

Amend Senate File 103 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That Section six hundred sixty-one (661) of the 1935 Code of Iowa is hereby amended by striking out the second sentence thereof which commences with the word "Such" and ends with the word "result", and adding thereto the following: "The State Board of Canvassers shall canvass the returns and declare the result as to the election of judges of the supreme and district courts."

Sec. 2. That Section six hundred sixty-eight (668) of the said Code is hereby repealed.

Sec. 3. That Section seven hundred forty-eight (748) of said Code is hereby amended by inserting after the comma after the word "electors" in the third line thereof the following: "and judges of the supreme and district court."

Sec. 4. That the names of all the candidates nominated for the offices of judge of the supreme court and judge of the district court by the Democratic and Republican judicial conventions and also those nominated for such offices at the judicial conventions of any other political party that shall have polled thirty-five (35) per cent of the total vote for the first four state offices voted for on the ticket at the last previous general election, shall, at the general election in November, be placed upon a separate ballot headed "Official Judicial Ballot" and printed on light blue paper. The names of the candidates for judge of the supreme court shall be placed in one column in the first group and those for judge of the district court in the same column in the second group, with proper designation at the head of each group. The names of the candidates of each group shall be rotated on the ballot at the general election in the same method as is provided by Code Section five hundred fifty-six (556) of the Code of 1935. As many squares with blank lines shall be placed below the names of the nominated candidates in each group as there are places to fill at such general election. At the head of the names of the candidates of each group there shall be notation stating as to how many candidates the voter shall vote for and nothing shall be placed upon such ballot to show the party affiliation of any candidate. One of the judges of election shall give each voter one official judicial ballot on the back of which a judge of election shall endorse his initials in such manner that they may be seen when the ballot is properly folded, same to be given to the voter along with the regular official ballot. The judges of election shall see that such judicial ballot is returned by the voter and deposited in the ballot box together with the regular official ballot. No

candidate for the office of judge of the supreme court or district court shall be voted for on the regular official ballot at the general election.

Sec. 5. That Section seven hundred sixty (760) of said Code relating to the form of official ballot, be amended by striking therefrom all references to supreme and district court judges and adding thereto the following: "The official judicial ballot shall be printed in substantially the following form:

For Judge of the Supreme Court
(Vote for)

a..... b.....
of.....county

c..... d.....
of.....county

e..... f.....
of.....county

.....

.....

.....

For Judge of the District Court
(Vote for)

g..... h.....
of.....county

i..... j.....
of.....county

.....

.....

Sec. 6. In so far as applicable and not in conflict with the provisions of this act, the laws now in force relative to and governing the printing and folding of ballots, marking of ballots by the voter, giving of ballots to the voter and endorsing of initials thereon by the judges of election, canvassing of ballots, certifying returns; and the nomination and election of supreme and district court judges of the state, shall apply.

Sec. 7. All acts and parts of acts in conflict herewith are hereby repealed.

E. P. DONOHUE.

Senator Shaw moved that Rule 22 be suspended and that individual bills be introduced and received up to and including March 10th.

The motion prevailed.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 234, a bill for an act to make an appropriation to Muscatine County, Iowa, and Louisa County, Iowa, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend Senate File 234 by striking from lines two (2) and three (3) of Section two (2), the words and figures "nine hundred fifty dollars and ninety-two cents (\$950.92)," and inserting in lieu thereof the words and figures "one thousand five hundred forty-eight dollars and forty-two cents (\$1,548.42),".

Also amend Senate File 234 by striking the words "auditor of state" in line one (1) of Section three (3), and inserting in lieu thereof the words "state comptroller".

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 237, a bill for an act to provide for an emergency appropriation to the State Printing Board to pay for printing and supplies during the balance of the present biennium, begs leave to report it has had the same under consideration and recommends that the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Senator Berg submitted the following report :

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 193, a bill for an act to legalize the actions of the city council and the city auditor of the City of Dubuque, Iowa, in making expenditures and issuing warrants in the month of April, 1936, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman*.

Ordered passed on file.

Senator Donohue submitted the following report :

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 106, a bill for an act to amend Chapter 482 of the Code, 1935, and to permit limited partnerships to acquire, own, convey and encumber real estate or any interest therein and to prescribe a method of conveyance, and providing that a spouse of a partner shall have no contingent interest in partnership real estate, begs leave to report it has had the same under consideration and recommends that the same do pass.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary 2 to which was referred Senate File 121, a bill for an act to prohibit the harboring or concealing of persons charged with a crime, and to provide a penalty for the violation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred Senate File 207, a bill for an act to legalize warrants issued by the Board of Supervisors of Jones County, Iowa, issued against the county general fund, and to legalize the proceedings taken for the levy of taxes to pay said warrants, begs leave to report it has had the same under consideration and recommends the same do pass.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred House File 43, a bill for an act to amend Section 6944, Code, 1935, by repealing paragraph 5 thereof; and to amend Section 6953 of said Code so as to co-ordinate said latter section with the aforesaid repeal, all relating to the taxation of public securities, begs leave to report it has had the same under consideration and returns the bill without recommendation.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

The Journal of March 5th was corrected and approved.

On motion of Senator Elthon, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 9, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Frank Bean, pastor of the First Methodist Church of Boone.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Berg for the day, on request of Senator Beardsley.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Mighell, from the Merrill Parent Teachers Association, favoring enactment of House File 48. Public schools.

By Senator Mighell, from the Plymouth County Council for Better Education, favoring enactment of House File 48. Public schools.

By Senator Baldwin, from citizens of Dubuque, favoring enactment of House File 130. Public schools.

By Senator Guernsey, from citizens of Bloomfield, favoring enactment of House File 130. Public schools.

By Senator Hopkins, from citizens of Exira, favoring enactment of House File 130. Public schools.

By Senator Mighell, from the board of education at New Cherokee, favoring enactment of House File 130. Public schools.

By Senator Irwin, from citizens of Clinton county, favoring enactment of House File 130. Public schools.

By Senator Hoeven, from citizens of Hull, favoring enactment of Senate File 100, relating to local option in the sale of liquor. Judiciary 2.

By Senator Edwards, from residents of Mount Ayr, favoring enactment of Senate File 100. Judiciary 2.

By Senator Gillespie, from residents of Des Moines, favoring enactment of Senate File 100. Judiciary 2.

By Senator Gillespie, from citizens of Bondurant, opposing legislation to legalize gambling devices. Judiciary 1.

By Senator Doran, from citizens of Boone, opposing legislation to legalize gambling devices. Judiciary 1.

By Senator Doran, from citizens of Boone, favoring the enactment of legislation to provide for local option in the sale of liquor. Judiciary 2.

By Senator Dean, from citizens of Franklin county, favoring the repeal of the state sales tax. Judiciary 2.

By Senator Millhone, from citizens of Hamburg, opposing enactment of Senate File 203, relating to licensing and taxing itinerant merchants. Manufacturing, commerce and trade.

By Senator Whitehill, from citizens of Marshall county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Doran, from citizens of Story county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Corwin, from citizens of Morning Sun, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Mighell, from citizens of Cherokee county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 265, a proposed bill to legalize acts of the board of supervisors of Muscatine County.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 309, by Senator Bell of Crawford, a bill for an act to repeal the law as it appears in Section nineteen hundred twenty-

one-g six (1921-g6), Code, 1935, and to enact a substitute therefor prohibiting the sale of beer, other than draught beer, except in the original container; to prohibit the bottling of beer except by the brewer thereof.

Read first and second times and referred to committee on judiciary 2.

Senate File 310, by Senator Bell of Crawford, a bill for an act to repeal Section nineteen hundred twenty-one-f fifty-six (1921-f56), Code, 1935, and to enact a substitute therefor relating to native wines.

Read first and second times and referred to committee on judiciary 2.

Senate File 311, by committee on judiciary 2, a bill for an act to amend Chapter five hundred nine (509) of the Code of 1935, by adding thereto Section twelve thousand seventy-seven-a one (12077-a1), authorizing executors, administrators and trustees, under order of Court, to pay legacies, bequests, distributive shares or interests in trust funds belonging to minors, where the value of such legacy, bequest, share or interest does not exceed two hundred dollars, to the parents or natural guardian of such minor or to the person with whom such minor resides, and to accept the receipt of such person therefor, where no legal guardian has been appointed for such minor.

Read first and second times and placed on calendar.

Senate File 312, by committee on appropriations, a bill for an act making an appropriation for payment of compensation in state cases under the workmen's compensation law.

Read first and second times and placed on calendar.

Senate File 313, by Senator Breen, a bill for an act to prohibit, except as to peace officers and highway safety patrolmen, the installing of short wave length radio receiving sets in motor vehicles, and to prohibit the operation of vehicles so equipped unless permission is given by the chief of the bureau of investigation.

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

Senate File 314, by Senator Murray, a bill for an act to repeal

Sections thirty-eight hundred one (3801) to thirty-eight hundred four (3804) inclusive, Code, 1935, and to enact a substitute therefor, providing for the appointment of parole officers and prescribing their duties and compensations.

Read first and second times and referred to committee on judiciary 2.

Senate Joint Resolution 5, by Senator Baldwin, a joint resolution proposing an amendment to Article seven (VII) of the constitution of the state of Iowa by adding thereto Section (8) relating to the use of motor vehicle license fees, registration fees and other charges on account of the operation of motor vehicles and licenses and excise taxes on motor vehicle fuels.

Read first and second times and referred to committee on constitutional amendments.

Senate Joint Resolution 6, by Senators Shaw, Bell of Crawford, and Millhone, a joint resolution proposing to amend the constitution of the state of Iowa relating to the right of a person accused of a crime for which a sentence of death cannot be imposed to waive trial by jury.

Read first and second times and referred to committee on judiciary 1.

Senate Joint Resolution 5
By Baldwin

SENATE JOINT RESOLUTION

Joint Resolution proposing an amendment to article seven (VII) of the constitution of the state of Iowa by adding thereto section eight (8) relating to the use of motor vehicle license fees, registration fees and other charges on account of the operation of motor vehicles and licenses and excise taxes on motor vehicle fuels.

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

Section 1. That article seven (VII) of the constitution of the state of Iowa be amended by adding thereto, as section eight (8) thereof, the following:

"All motor vehicle license fees, registration fees and other charges on account of the operation of motor vehicles and all licenses and excise taxes on motor vehicle fuel, except cost of administration, shall be used exclusively for the construction, maintenance and supervision of the public highways or for the payment of bonds issued or to be issued for the construction of such public highways and the payment of interest on such bonds."

Sec. 2. Be it further resolved that the foregoing proposed amendment be, and the same is hereby referred to the general assembly to be chosen at the next general election and that the secretary of state cause the same to be published as provided by law.

Senate Joint Resolution 6
By Shaw, Bell of Crawford, Millhone.

SENATE JOINT RESOLUTION

Joint Resolution proposing to amend the constitution of the state of Iowa relating to the right of a person accused of a crime for which a sentence of death cannot be imposed to waive trial by jury.

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

Section 1. That section nine (9) of article I of the constitution of the state of Iowa is hereby amended by adding thereto the following: "Any person accused of the commission of a crime, not punishable by death, shall have the right to waive trial by jury and elect to be tried by the court."

Sec. 2. Be it further resolved, that the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next general assembly, and that the secretary of state cause the same to be published for three (3) months previous to the date of said election, as provided by law.

SENATE CONCURRENT RESOLUTION 13

Senator Dean called up Senate Concurrent Resolution 13, relating to celebration of Iowa's centennial, which resolution appears on page 442 of the Senate Journal; and moved its adoption.

The resolution was adopted.

SENATE FILE 59 DEFERRED

The time having arrived to take up Senate File 59, a special order, Senator Donohue moved that action be deferred, but that it remain a special order of business to follow immediately after consideration of Senate File 181 is completed.

The motion prevailed, and consideration of Senate File 59 was deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 193, a bill for an act relating to the registration of securi-

ties by qualification, the revocation of same, and the registration of dealers and salesmen, all under the Iowa Securities Act.

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

House File 203, a bill for an act to legalize action of the board of supervisors of Lucas County, Iowa, in transferring funds in amount of \$10,000 from state insane fund to county general fund in 1935.

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

House File 341, a bill for an act to amend Senate File 16, acts of the Forty-seventh General Assembly, relating to application for extension of right of redemption.

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

House File 342, a bill for an act to legalize and validate certain court orders entered by judges of the district court under the provisions of Senate File 16 of the Acts of the Forty-seventh General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

State of Iowa, Executive Office, Des Moines
March 9, 1937

NELSON G. KRASCHEL, *Governor.*

TO THE HONORABLE MEMBERS OF THE SENATE:

I feel compelled to call your attention to the present beer law, because there is danger during the closing days of this session of old legislation being neglected where corrections should be made.

I do not presume to dictate definite corrections, but may I suggest that consideration be given to limiting the number of licensees on a per capita basis to the point that all licensees will be able to operate a profitable business without resorting to many practices that are frowned upon by all good citizens, confining the issuance of licenses to more restricted districts of cities and towns, the elimination of dancing from taverns, and the establishment of uniform licenses for towns of the same population.

A reasonable adjustment of the foregoing items would undoubtedly improve the method now in force. Conditions surrounding some of our beer taverns are intolerable, and the people of the state expect this legislature to make necessary corrections in the law.

Respectfully submitted,
NELSON G. KRASCHEL.

BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on March 8, 1937, he had approved the following:

Senate File 127, an act to protect restrictions affecting real estate.

THIRD READING OF BILLS

On motion of Senator Elthon, Senate File 149, a bill for an act

to regulate lobbying and to provide penalties for the violation thereof, on which consideration was postponed Friday, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 149 by striking all of Section 7 following the period in line six (6).

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 149 by striking the word "article" from line 2 of Section 2; line 11 of Section 5; line 1 of Section 6; and line 3 of Section 7; and inserting in lieu thereof the word "act".

The amendment was adopted.

Senator Irwin offered the following amendment and moved its adoption:

Amend Senate File 149 by adding a new Section 8 to read as follows: "The provisions of this act shall affect and apply to all boards, bureaus, commissions and departments of the state."

Renumber the remaining sections.

Senator Hopkins moved to amend the pending amendment by adding thereto, "including federal commissions".

Senator Hopkins withdrew his amendment to the amendment.

Senator Irwin withdrew his amendment.

Senator Irwin offered the following amendment and moved its adoption:

Amend Senate File 149 by adding a new Section 8 to read as follows: "Sec. 8. The provisions of this act shall affect and apply to all boards, bureaus, commissions and departments of the state, including all representatives and agents of the Federal government."

Roll call was requested.

On the question, "Shall the amendment offered by Senator Irwin be adopted?" the vote was:

Ayes, 28:

Baldwin	Corwin	Ellis	Gillespie
Beardsley	Dean	Evans	Goetsch
Byers	Donohue	Geske	Grunewald

Guernsey	Husted	Levis	Parker
Hill	Irwin	Miller	Schadt
Hoeven	Kimberly	Millhone	Smith
Hopkins	Kirketeg	Murray	Zeigler

Nays, 10:

Breen	Doran	Mighell	Stewart
Chrystal	Elthon	Pelzer	Whitehill
Dewey	Mason		

Absent or not voting, 11:

Augustine	Berg	Gillette	Shaw
Bell of Crawford	Billingsley	Lundy	Stevens
Bell of Des Moines	Edwards	Moore	

The motion prevailed and the amendment was adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 24:

Beardsley	Elthon	Hopkins	Millhone
Chrystal	Gillespie	Husted	Pelzer
Dean	Goetsch	Irwin	Smith
Dewey	Grunewald	Lundy	Stevens
Edwards	Guernsey	Mason	Stewart
Ellis	Hill	Mighell	Whitehill

Nays, 20:

Augustine	Donohue	Hoeven	Moore
Baldwin	Doran	Kimberly	Murray
Breen	Evans	Kirketeg	Parker
Byers	Geske	Levis	Schadt
Corwin	Gillette	Miller	Zeigler

Absent or not voting, 5:

Bell of Crawford	Bell of Des Moines	Berg Billingsley	Shaw
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Gillette moved that House File 33 be withdrawn from the committee on judiciary 1 and placed on the calendar.

By unanimous consent, Senator Gillette withdrew his motion.

Senator Gillette asked unanimous consent that the rules be suspended and that Senate File 82 be considered at this time.

There were objections.

Senator Doran moved that Senate File 82 be rereferred to the committee on judiciary 1.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall Senate File 82 be rereferred to the committee on judiciary 1?" the vote was:

Ayes, 25:

Baldwin	Donohue	Kimberly	Millhone
Beardsley	Doran	Kirketeg	Moore
Bell of Des Moines	Ellis	Levis	Murray
Byers	Geske	Lundy	Pelzer
Corwin	Gillespie	Mighell	Whitehill
Dewey	Grunewald	Miller	Zeigler
	Husted		

Nays, 17:

Augustine	Evans	Hill	Schadt
Breen	Gillette	Hoeven	Smith
Dean	Goetsch	Hopkins	Stevens
Edwards	Guernsey	Irwin	Stewart
Elthon			

Absent or not voting, 7:

Bell of Crawford	Billingsley	Mason	Shaw
Berg	Chrystal	Parker	

The motion prevailed and Senate File 82 was rereferred to committee on judiciary 1.

Senator Breen asked unanimous consent that the rules be suspended and that Senate File 167, relating to scavenger tax sales, be considered at this time.

There were objections.

Senator Breen withdrew his request.

On motion of Senator Evans, Senate File 99, a bill for an act to amend Chapter two hundred ninety-three (293), Code, 1935, by adding a section authorizing the leasing of park property under certain conditions, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend by striking from Section 1, lines 6 and 7, the words "particular park or portion thereof," and inserting in lieu thereof the words "portion of any park".

The committee amendment was not adopted.

Senator Evans moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Ellis	Hopkins	Murray
Baldwin	Elthon	Husted	Parker
Beardsley	Evans	Irwin	Pelzer
Breen	Geske	Kimberly	Schadt
Byers	Gillespie	Kirketeg	Shaw
Corwin	Gillette	Levis	Smith
Dean	Goetsch	Lundy	Stevens
Dewey	Grunewald	Mason	Stewart
Donohue	Guernsey	Mighell	Whitehill
Doran	Hill	Millhone	Zeigler
Edwards	Hoeven	Moore	

Nays, none.

Absent or not voting, 6:

Bell of Crawford	Bell of	Berg	Chrystal
	Des Moines	Billingsley	Miller

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

Senator Evans moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Augustine, the Senate resolved itself into Executive Session.

EXECUTIVE SESSION

Under suspension of the rules, the Senate confirmed the appointment of Mr. D. L. Murrow of Corydon, Wayne County, as a member of the State Board of Assessment and Review, to serve as a Democratic member of the same for the term ending July 1, 1943.

Under suspension of the rules, the Senate confirmed the appointment of Mr. E. R. Moore of Cedar Rapids, Linn County, as a member of the Board of Parole, to serve as a Republican member of the same for the term ending July 1, 1943.

The Senate arose from executive session and resumed regular session.

EXTRA COPIES OF SENATE FILES

Unanimous consent was granted to Senator Augustine to have printed 600 extra copies of Senate File 281, relating to common and contract carriers by motor vehicles.

Unanimous consent was granted to Senator Levis to have printed 600 extra copies of Senate File 244, relating to liability of operators of radio broadcasting stations.

CONSIDERATION OF AMENDMENTS TO SENATE FILE 184

Senator Shaw asked unanimous consent to consider at this time the House amendments to Senate File 184, which appear on page 510 of the Senate Journal.

Senator Doran objected and moved that action be deferred until tomorrow. The motion prevailed and House amendments to Senate File 184 are an order of unfinished business for Wednesday.

Senator Mason invoked Rule 35 and asked that Senate File 188 be withdrawn from committee on public health and placed on the calendar. The point of order was raised that only 13 legislative days have elapsed since the bill was referred and the request was not granted.

On motion of Senator Beardsley, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

Senator Evans asked and received unanimous consent to have Senate File 99 messaged to the House immediately.

INTRODUCTION OF BILLS

Senate File 315, by Senator Berg, a bill for an act to amend Chapter three hundred thirty-one (331) and Chapter three hundred forty-six (346), Code, 1935, relating to the listing of property for taxation and the collection of taxes respectively, to authorize any county board of supervisors and any city or town council to direct the assessor to examine and value stocks of merchandise in certain cases, and to require merchants engaged in the sale of merchandise for less than a full year to give bond or security for the payment of taxes in certain cases, and to provide for the enforcement of this act by fine, imprisonment and/or injunction.

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

Senate File 316, by special committee on tax revision, a bill for an act to impose a tax on the gross receipts from retail sales as de-

fined herein; to provide for the collection of such taxes and the administration of said act; to fix fines and penalties for the violation of the provisions of this act; to provide for the apportionment of the revenues derived from said tax; to appropriate funds for the administration of this act; and to repeal all laws or parts of laws in conflict herewith.

Read first and second times and placed on calendar.

Senate File 317, by special committee on tax revision, a bill for an act to impose a tax on the use in this state of tangible personal property, as such terms are defined herein, including gas, electricity, and water; to provide for the collection of such tax and the administration of this act; to fix interest, fines and penalties for the violation of the provisions of this act; to provide for the apportionment of the revenues derived from said tax; to appropriate funds for the administration of this act; to exempt from the tax imposed by Senate File 316, acts of the Forty-seventh General Assembly, gross receipts from the sale of new motor vehicles; and to amend Section five thousand ninety-three-f twenty-nine (5093-f29), Code, 1935, relating to the refund of the motor vehicle fuel tax, to forbid such refund for fuel used in certain machinery for which the tax imposed by this act or by Senate File 316, acts of the Forty-seventh General Assembly, has not been paid.

Read first and second times and placed on calendar.

Senate File 318, by special committee on tax revision, a bill for an act to amend Section six thousand nine hundred forty-three-c twenty-seven (6943-c27) and Chapter four hundred seventy-seven (477), Code, 1935, to authorize the state board of assessment and review to prosecute actions in the courts of other states to collect taxes legally due this state or any subdivision thereof, and to extend the jurisdiction of the district court of this state to like actions brought by authorized officials of other states which extend a like comity to this state.

Read first and second times and placed on calendar.

Senate File 319, by Senators Gillespie and Shaw, a bill for an act to repeal Sections fifty-seven eighty-four (5784), fifty-seven eighty-five (5785) and fifty-seven eighty-six (5786), Code, 1935, relating to the power of city councils to compel abandonment and disuse of outside water closets, privies and privy vaults under certain conditions and providing means for the installa-

tion of sanitary toilets and toilet facilities and to enact a substitute therefor, giving cities and towns the power to compel the removal, abandonment and disuse of outside water closets, privies and privy vaults where there is a sanitary sewer and water main in the street or alley abutting upon said property and providing a means for installation and payment of sanitary toilets and toilet facilities to be installed and connected with the sanitary sewer and water main.

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

Senate File 320, by Senators Gillespie and Shaw, a bill for an act to amend Section six thousand twenty (6020), Code, 1935, relating to the power of city and town councils to exempt certain persons from any charge or claim on account of special assessments for certain purposes by giving city and town councils power to exempt the homesteads of any person from such special assessment.

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

Senate File 321, by Senators Augustine, Elthon, Gillespie and Parker, a bill for an act to amend Chapter two hundred fifty-one-F one (251-F1), Code of Iowa, 1935, by amending Section five thousand ninety-three-f four (5093-f4) and Section five thousand ninety-three-f thirty-one (5093-f31) of such chapter; to provide for the posting of prices of motor vehicle fuel and fuel oil by every distributor and person selling motor vehicle fuel or fuel oil; making it unlawful for any distributor or person selling motor vehicle fuel or fuel oil to deviate from such posted prices by means of rebates, discounts, premiums or otherwise; to provide that price placards may not be changed for a period of twenty-four hours after posting thereof; and to provide that the deviation from the posted price shall constitute a misdemeanor; and to provide a penalty therefor.

Read first and second times and referred to committee on manufacturing, commerce and trade.

Senate File 322, by Senator Corwin (Mercer and Pine), a bill for an act to amend Section five thousand ninety-three-f twenty-nine (5093-f29), Code, 1935, relating to fuel oil tax refund on construction and maintenance work paid for from public funds.

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

Senate File 323, by Senators Millhone, Husted, Gillette, Shaw, Hill, Stevens, Hoeven (Curtis, Hoegh, Frizzell, Kuester, Scott of Fayette, McEnaney, Johannes, Moore of Taylor, Dressen, Blue, Riddle, Sours, Shifflett), a bill for an act to amend Section six thousand nine hundred forty-three-f five (6943-f5), Code, 1935, and to amend Section six thousand nine hundred forty-three-f fifteen (6943-f15), sub-section one (1), Code, 1935, to tax income at its source.

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

Senate File 324, by Senator Hopkins, a bill for an act to provide that any person, firm, or corporation, who shall contract with school boards for hire to provide transportation for pupils enrolled in the public schools as provided in Chapters two hundred nine (209) and two hundred fifteen (215), Code, 1935, and the operator of the vehicle, shall be subject to liability for tortious acts committed while engaged in such transportation, and to provide for the furnishing of liability insurance or a surety bond by such persons, firms, corporations, and operators.

Read first and second times and referred to committee on judiciary 2.

Senate File 325, by Senator Augustine, a bill for an act to repeal Section five thousand two hundred twenty-four (5224), Code, 1935, and to enact a substitute therefor, relating to the salary of county recorders.

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

Senate File 326, by Senator Augustine, a bill for an act to amend Sections ten thousand twenty-four (10024), ten thousand twenty-eight (10028), ten thousand twenty-nine (10029), ten thousand thirty-one (10031), ten thousand thirty-two (10032), Code, 1935, and by adding a new section relating to chattel mortgages, fees for recording, limiting the time for releasing same and providing penalty for failure to comply with the terms of this act.

Read first and second times and referred to committee on judiciary 2.

HOUSE MESSAGES CONSIDERED

House File 341, a bill for an act to amend Senate File 16, Acts of the Forty-seventh General Assembly, relating to application for extension of right of redemption.

Read first and second times and referred to committee on judiciary 1.

House File 342, an bill for an act to legalize and validate certain court orders entered by judges of the district court under the provisions of Senate File 16 of the Acts of the Forty-seventh General Assembly.

Read first and second times and referred to committee on judiciary 1.

REPORTS OF COMMITTEES

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred Senate File 188, a bill for an act to amend and revise Chapter 119 relating to practice of chiropractors; to authorize chiropractors to employ and practice physical therapy and to provide for endorsements on chiropractors' licenses authorizing practice of physical therapy and to provide for renewal of chiropractors, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. COLFAX SMITH, *Chairman*.

Ordered passed on file.

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 183, a bill for an act to amend Senate File fifteen (15), passed by the Forty-seventh General Assembly, by clarifying Section eight (8) of said act as to what original notices shall contain, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 205, a bill for an act relating to the limitation of tax, begs leave to report it has had the same under consideration and returns the bill without recommendation.

A. J. SHAW, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred

Senate File 230, a bill for an act to amend the law as the same appears in Section one thousand four hundred fifty-nine (1459), Code, 1935, relating to service of notice on non-resident employers in workmen's compensation proceedings, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 341, a bill for an act to amend Senate File sixteen (16) of the Acts of the Forty-seventh General Assembly of the State of Iowa, and providing for jurisdiction of the judge of the district court either in term or in vacation to make an order fixing time and place of hearing and manner of service of notice, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 342, a bill for an act to legalize and validate certain court orders entered by judges of the district court of Iowa under the provisions of Senate File 16 of the Acts of the Forty-seventh General Assembly of the state of Iowa and prescribing what may constitute constructive and actual notice, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman.*

Ordered passed on file.

State of Iowa, Executive Office, Des Moines
March 9, 1937

NELSON G. KRASCHEL, Governor

TO THE HONORABLE, THE MEMBERS OF THE SENATE OF THE FORTY-SEVENTH
GENERAL ASSEMBLY OF IOWA:

I am returning, herewith, Senate File No. 49 without my signature. I am in hearty accord with the intent of any legislation that will bring about worthwhile election reforms, and I appreciate that the intent of this particular Act was to prevent election contests that are without foundation. However, I cannot overlook the fact that a contestant would be placed at a disadvantage under the provisions of this Act, and that the incumbent by unnecessarily increasing the expense of a contest, for which he would in no event be liable, could force a contestant to abandon a contest.

By far, the greater number of contests arise from the honest belief on the part of a candidate that there was an error in the official count, and it would seem to me that no exemption from liability for costs should be given any candidate.

So in the interest of simple justice, I cannot approve this Act.

Respectfully submitted,

(Signed) NELSON G. KRASCHEL.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 82 was committed to the committee on judiciary 1. FRANK E. ELLIS.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File one hundred eighty-eight (188) by striking all after the enacting clause and inserting in lieu thereof, the following:

Section 1. That Chapter one hundred nineteen (119) of the Code of 1935 is hereby amended as follows:

Sec. 2. Chapter one hundred nineteen (119), Code, 1935, is hereby amended by inserting after Section twenty-five hundred fifty-five (2555), the following section:

"2555-a1. Scope of Practice. One licensed as a Chiropractor may practice Chiropractic as defined in Section twenty-five hundred fifty-five (2555) and may also employ the use of the natural forces of water, heat, infra red light, air, and exercise in the treatment of disease."

Sec. 3. That Section twenty-five hundred fifty-eight (2558), Chapter one hundred nineteen (119) of the Code of 1935, be amended by striking the word "three" in line eight (8) thereof and the word "four".

EDWARD BREEN.

MR. PRESIDENT: 1. Amend Section 1, paragraph 30, of Senate File 181, by striking from line 137 the words, "of this state" and by inserting in lieu thereof, the following: "under the secretary of state";

Also amend paragraph 31 of said section by striking from lines 138 and 139 the words, "of this state" and by inserting in lieu thereof, the following: "under the secretary of state".

2. Amend Senate File 181 by striking all of Section 2 and inserting in lieu thereof, the following:

"Sec. 2. Motor vehicle department. A division of the office of secretary of state is hereby created to be known as the 'motor vehicle department'."

3. Amend Section 3 of Senate File 181 by inserting at the end of said section, the following: "Said officer shall be appointed and serve at the will and pleasure of the secretary of state."

4. Amend Senate File 181 by striking all of Sections 4, 5, 6, and 7.

5. Amend Section 15 of Senate File 181 by inserting at the end of said section, the following: "All of said appointees shall be subject to the approval of the secretary of state."

6. Amend Section 16 of Senate File 181 by striking from line 1 the word, "The" and inserting in lieu thereof, the following: "Subject to the approval of the secretary of state the".

7. Amend Section 17 of Senate File 181 by striking from line 1 the word, "The" and inserting in lieu thereof, the following: "Subject to the approval of the secretary of state the".

8. Amend Section 19 of Senate File 181 by striking from line 1 the word, "commissioner" and inserting in lieu thereof, the following: "secretary of state".

9. Amend Senate File 181, Section 31, by striking the period after the word "patrol" in line 5 and inserting a comma, and by adding the following: "and not more than sixty per cent of such employees shall at any time be members of the same political party."

10. Amend Section 122 of Senate File 181 by striking from line 3 the words, "county treasurer" and by inserting in lieu thereof, the following: "treasurer of state, of the county, or of the municipality, under which authority the vehicle was seized and sold";

Also amend Section 123 of Senate File 181 by striking all of lines 4 and 5 of said section and by inserting in lieu thereof, the following: "to the executive council, board of supervisors, or municipal governing authority having control of such motor vehicle, the said council, board, or authority may direct the drawing of a".

11. Amend Section 219 of Senate File 181 by striking from lines 2 and 3 the words, "within this state to act for the defendant" and by inserting in lieu thereof the following: "from the highway patrol".

12. Amend Section 227 of Senate File 181 by striking all of said section after the word, "that" in line 5 and by inserting in lieu thereof, the following: "persons holding licenses previously issued and upon which no notation appears of a traffic violation or from which no stub has been detached for any reason may, unless the department specifically requires an examination, make application for renewal, without examination, to the county sheriff and the sheriff is hereby directed to forward such application to the department together with the required fee."

13. Amend Section 302 of Senate File 181 by striking from line 4 the word, "may" and by inserting in lieu thereof the word, "shall".

14. Amend Senate File 181 by striking all of Section 319 and by inserting in lieu thereof, the following:

"Sec. 319. Control of vehicle. The person operating a motor vehicle or motorcycle shall have the same under control and shall reduce the speed to a reasonable and proper rate:

1. When approaching and passing a person walking in the traveled portion of the public highway.

2. When approaching and passing an animal which is being led, ridden, or driven upon a public highway.

3. When approaching and traversing a crossing or intersections of public highways, or a bridge, or a sharp turn, or a curve, or a steep descent, in a public highway."

15. Amend Section 324 of Senate File 181 by striking from lines 6 and 7 the words, "there are no intersections or between widely spaced intersections" and by inserting in lieu thereof, the following: "stop signs have been erected at the entrances thereto".

16. Amend Senate File 181 by striking all of Section 328 and by inserting in lieu thereof the following:

"Sec. 328. Traveling on right-hand side. The operator of a motor vehicle, in cities and towns, shall at all times travel on the right-hand side of the center of the street."

17. Amend Senate File 181 by striking all of Section 329 and by inserting in lieu thereof, the following:

"Sec. 329. Meeting and turning to right. Persons on horseback, or in vehicles, including motor vehicles, meeting each other on the public highway, shall give one-half of the traveled way thereof by turning to the right."

18. Amend Section 341 of Senate File 181 by inserting after the word "grade" in line 4, the following: "or hill".

19. Amend Section 356 of Senate File 181 by striking from lines 9 and 10 the words, "Between adjacent intersections at which traffic control signals are in operation" and by inserting in lieu thereof the following: "Where traffic-control signals are in operation at any place not an intersection".

20. Amend Section 357 of Senate File 181 by striking from line 5 the words, "proper precaution" and by inserting in lieu thereof the words, "due care".

21. Amend Senate File 181 by striking all of Section 385 and by inserting in lieu thereof the following:

"Sec. 385. Theaters, hotels and auditoriums. A space of twenty-five feet is hereby reserved at the side of the street in front of any theater, auditorium, hotel having more than twenty-five sleeping rooms, or other buildings where large assemblages of people are being held, within which space, when clearly marked as such, no motor vehicle shall be left standing, parked, or stopped except in taking on or discharging passengers or freight, and then only for such length of time as is necessary for such purpose."

22. Amend Section 389 of Senate File 181 by striking all of lines 3 and 4 and by striking the word "possible" in line 5, and by inserting in lieu thereof the following: "approaching the crest of a hill or grade shall have such motor vehicle under control and on the right-hand side of the roadway".

WM. S. BEARDSLEY.

PAUL L. MILLHONE.

G. R. HILL.

ROY E. STEVENS.

LESTER S. GILLETTE.

H. V. LEVIS.

CHARLES B. HOEVEN.

The Journal of March 8th was corrected and approved.

On motion of Senator Millhone, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 10, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. L. D. Stubbs, of the Methodist Church, Cedar Rapids.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Doran, from citizens of McCallsburg, favoring enactment of Senate File 233, providing for the organization of community banks. Banks and banking.

By Senator Augustine, from citizens of Mahaska county, favoring enactment of Senate file 100, relating to liquor control. Judiciary 2.

By Senator Berg, from members of the Calvary Baptist Church, favoring enactment of Senate File 197, relating to local self government for cities and towns, and providing for local option. Judiciary 2.

By Senator Berg, from citizens of Cedar Falls, favoring enactment of Senate File 197. Judiciary 2.

By Senator Dean, from citizens of Mason City, favoring enactment of House File 238. Judiciary 2.

By Senator Moore, from citizens of Oakland, favoring enactment of Senate File 197. Judiciary 2.

By Senator Moore, from citizens of Pottawattamie county, opposing enactment of Senate File 203, relating to itinerant merchants. Manufacturing, commerce and trade.

By Senator Doran, from citizens of Boone county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Doran, from citizens of Story county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Corwin, from citizens of Muscatine and Fruitland, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Dean, from citizens of Hampton, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Ellis, from citizens of Maquoketa, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Gillespie, from citizens of Polk county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Lundy, from citizens of Marion county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Mighell, from citizens of Cherokee, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Schadt, from citizens of Solon, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Schadt, from citizens of Iowa county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Whitehill, from citizens of Marshall county, opposing enactment of Senate File 203. Manufacturing commerce and trade.

By Senator Augustine, from the Grant School P. T. A., at Oskaloosa, favoring enactment of House File 130. Public schools.

By Senator Augustine, from the Lincoln P. T. A., at Oskaloosa, favoring enactment of House File 130. Public schools.

By Senator Moore, from citizens of Pottawattamie county, favoring enactment of House File 130. Public schools.

By Senator Moore, from teachers of Keg Creek township, Pottawattamie county, favoring enactment of House File 48 and House File 130. Public schools.

By Senator Moore, from teachers of Layton township, Pottawattamie county, favoring enactment of House File 48 and House File 130. Public schools.

By Senator Moore, from the Walnut Grove Parent Teachers Association at Council Bluffs, favoring enactment of House File 48 and House File 130. Public schools.

By Senator Baldwin, from citizens of Dubuque county, favoring enactment of House File 130. Public schools.

By Senator Baldwin, from the Townsend Club No. 1 of Dubuque, petitioning the Forty-seventh General Assembly to memorialize Congress, relative to the so-called Townsend Recovery Plan. Social security.

INTRODUCTION OF BILLS

Senate File 327, by Senator Chrystal, a bill for an act to amend Section four thousand seven hundred fifty-five-b twenty-six (4755-b26), Chapter two hundred forty-one-B one (241-B1), Code of Iowa, 1935, relating to continuation of primary roads within cities and towns and providing for a continuation of the primary road system in state road districts under the jurisdiction of the state conservation commission.

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

Senate File 328, by Senator Chrystal, a bill for an act to repeal Sections seventeen hundred three-g one, seventeen hundred three-g two and seventeen hundred three-g three (1703-g1, 1703-g2, 1703-g3), Chapter eighty-five-D one (85-D1), Code, 1935, relating to the state conservation commission, and to provide for the appointment of a state conservation commission consisting of five (5) members.

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

Senate File 329, by Senator Chrystal, a bill for an act to amend Section four thousand seven hundred fifty-five-b four (4755-b4), Chapter two hundred forty-one-B one (241-B1), Code of 1931, relating to disbursement of primary road fund.

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

Senate File 330, by Senator Hopkins, a bill for an act to amend Section forty-two hundred twenty-eight (4228), Code, 1935, relating to the employment of teachers in the public schools.

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

Senate File 331, by Senator Hill (by request), a bill for an act to amend Chapter seventy-five (75) of the 1935 Code of Iowa, by amending Sections fifteen hundred eighteen (1518) and fifteen hundred twenty (1520), to give the labor commissioner authority to make investigations and to adopt rules and regulations relating to prevention of accidents, means of escape from buildings and the prevention of industrial or occupational diseases and providing a penalty for the violation thereof.

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

Senate File 332, by committee on livestock and dairying, a bill for an act to repeal sub-sections four (4), five (5), and six (6) of Section thirty fifty-eight (3058) as it appears in the Code of Iowa, 1935, relating to the definition of cheese and to enact substitutes therefor defining the several varieties of cheese; also to amend Chapter 148 by adding a section, prohibiting the manufacture or offering for sale or exchange of excess moisture cheese unless certain conditions are complied with; and to prohibit the removal of milk fat from milk used in the manufacture of cheese.

Read first and second times and placed on the calendar.

Senate File 333, by Senator Miller, a bill for an act to make an appropriation to pay the officers and employees of the Men's Reformatory at Anamosa that portion of their salaries of which they were deprived by reason of Chapter 89, acts of the Forty-fifth General Assembly, subsequently held unconstitutional.

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

Senate File 334, by Senator Augustine, a bill for an act to repeal Section ten thousand thirty-two (10032) of the Code, 1935,

and to enact in lieu thereof a provision requiring a uniform type, distinctiveness and size on description of chattels in a mortgage and providing limitations for noncompliance.

Read first and second times and referred to committee on judiciary 2.

Senate File 335, by Senator Mason, a bill for an act to amend Section forty-six hundred twenty-six (4626), Chapter two hundred thirty-eight (238), Code, 1935, relating to duties of the state highway commission.

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

Senate File 336, by Senator Gillespie, a bill for an act to amend Section 5322, Code, 1935, relating to form and condition of relief.

Read first and second times and referred to committee on social security.

Senate File 337, by Senator Gillespie (by request), a bill for an act providing for the appointment and removal of an assessor in cities having a population of over ten thousand (10,000).

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

Senate File 338, by Senator Shaw, a bill for an act to amend the law as it appears in Section ten thousand two hundred sixty-one (10261), of the Code of Iowa, 1935, relating to landlord's lien.

Read first and second times and referred to committee on judiciary 1.

Senate File 339, by Senators Gillette and Corwin, a bill for an act to repeal Chapter two hundred fifty-two-A two (252-A2), Code of Iowa, 1935, and to amend Chapter two hundred fifty-one (251), of the Code of Iowa, 1935, relating to the licensing and taxation of motor vehicles for the use of the highway and to enact a substitute therefor.

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 143, a bill for an act relating to a farm-to-market road system and providing funds therefor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 40, a bill for an act relating to the interest on the permanent school fund.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 143

Amend by striking all after the enacting clause and substituting therefor the following:

Section 1. As used in this act, the following words, terms or phrases shall be construed or defined as follows:

(a) "Secondary road" shall mean any public highway except primary roads, state roads, and highways within cities and towns.

(b) "Farm-to-market roads" shall mean any secondary road designated for improvement under this act.

(c) "County's allotment of motor vehicle fuel license fees" or "allotment of motor vehicle fuel license fees" shall mean that part or portion of the motor vehicle fuel license fees which are or may be allotted to any county under the provisions of Section five thousand ninety-three-fifty-five (5093-f35), Code of 1935, or as said section may be amended, to be credited to the secondary road fund of said county.

(d) "Federal aid" or "federal aid secondary road fund" shall mean funds allotted to the state of Iowa by the federal government to aid in the construction of secondary roads and which funds must be matched with funds under the control of the state highway commission.

Sec. 2. The county board of supervisors of any county is empowered, on behalf of the county, to enter into any arrangement or agreement with or required by the duly constituted federal or state authorities in order to secure the full cooperation of the government of the United States and of the state of Iowa, and the benefit of all present and future federal or state allotments in aid of secondary road construction, reconstruction or improvement.

Sec. 3. There is hereby created a fund which shall be known as the farm-to-market road fund which shall be made up as follows:

1. All federal aid secondary road fund received by the state.

2. Four per cent (4%) of all primary road funds of the state.

3. All other funds which may, under the provisions of this act or any other law, be credited or appropriated for the use of the farm-to-market road fund.

Sec. 4. Said farm-to-market road fund is hereby appropriated for and shall be used in the establishment, construction, reconstruction or im-

provement of the farm-to-market road system, including the drainage, grading, surfacing, construction of bridges, and culverts, the elimination, protection, or improvement of railroad crossings, the acquiring of additional right of way, and all other expenses incurred in the construction, reconstruction or improvement of said farm-to-market road system under this act.

Sec. 5. The state highway commission shall allot among all the counties of the state that portion of the farm-to-market road fund which comes from any source except the counties' portion of the motor vehicle fuel license fees. Said allotment to each county shall be in the ratio that the area of the county bears to the total area of the state. Each county's allotment of the farm-to-market road fund shall be used, as in this act provided, for the construction, reconstruction and improvement of the farm-to-market roads of that county.

Sec. 6. The state highway commission shall keep accounts in relation to the farm-to-market road fund and each county's allotment thereof, crediting each fund with all amounts by law creditable thereto, and charging each with all duly and finally approved vouchers for claims properly chargeable thereto.

Sec. 7. The account of the farm-to-market road fund, kept by the state comptroller and the state treasurer, shall deal with said fund as a single fund and shall show the amount of the farm-to-market road fund with all credits thereto and disbursements therefrom. The treasurer of state shall, each month, certify to the state highway commission the amount or amounts which he has received and credited to the farm-to-market road fund from (a) the federal government as federal secondary road aid, (b) the motor vehicle fuel tax fund allotted to any county, and (c) any other source.

Sec. 8. The state highway commission shall, quarterly, advise each county engineer of the condition of said county's allotment of the farm-to-market road fund. Said statement shall show the balance in said county's allotment at the beginning of said period, the amount or amounts allotted to said county during said period, the amount disbursed from said county's allotment during said period, and the balance in said county's allotment at the end of said period. Said statement shall also show the estimated outstanding obligations against the said county's allotment at the date of said statement.

Sec. 9. Before any project shall be approved by the state highway commission for farm-to-market road construction in any county under this act, the commission shall satisfy itself that said county is financially able and suitably equipped and organized to properly maintain said road, and that the county engineer's office in said county is suitably organized, equipped and financed to discharge to the satisfaction of the commission, the duties herein required; and said county, through its board of supervisors, shall recommend a system of secondary roads (not exceeding fifteen per cent (15%) of the total secondary road mileage of the county) on which projects constructed under this act shall be located. Provided, that if in any county more than fifteen per cent (15%) of the secondary

road mileage has already been built to finished grade, bridged and surfaced with gravel or other suitable surfacing, then the board may recommend a secondary road mileage which includes any or all the secondary roads of said county which have been built to finished grade, bridged and surfaced with gravel or other suitable surfacing, plus an additional mileage which is not more than fifteen per cent (15%) of the secondary road mileage of the county.

Sec. 10. The state highway commission shall have authority to approve in whole or in part or to modify the system of secondary roads recommended by the board of supervisors of any county. In considering said system the commission shall take into account the relative amount of the present traffic on the various secondary roads of the county, and the probable future traffic on such roads.

The system of roads as finally designated shall be known as the farm-to-market road system.

Said road system may, subject to the consent of the board of supervisors, be changed or modified by the state highway commission from time to time to meet unforeseen or better understood conditions. Whenever it may appear that all the roads included in said farm-to-market road system in any county have been built to proper grade, drained, bridged and surfaced in a manner suited to the traffic on said roads, additional roads may be added to said system in the manner herein provided for the original designation of said road system.

Sec. 11. Any county having complied with the provisions of this act and desiring to avail itself of the benefits thereof, may, by its board of supervisors, submit to the state highway commission project statements for the construction, reconstruction or improvement of farm-to-market roads in said county. Should the board of supervisors of any county elect to submit no project statement to the state highway commission under this act, then none of said counties allotment of gasoline tax funds shall be taken or used under the provision of this act.

Sec. 12. The state highway commission may approve projects submitted by the board of supervisors prior to the approval of the farm-to-market road system herein provided for, if it may reasonably anticipate that the roads on which such projects are located, will become a part of such system.

Sec. 13. If the state highway commission approves a project submitted by the board of supervisors, the county engineer shall proceed to make or cause to be made, the surveys, plans, estimates for said project, and submit the same to the board of supervisors and the highway commission for approval. The construction work on said project shall be done in accordance with said approved plans, except insofar as the same may be modified to meet unforeseen or better understood conditions, and no such modification shall be deemed an invalidating matter.

Sec. 14. When the approved plans and specifications for any farm-to-market road project are filed with the state highway commission, it shall, if the estimated cost exceeds one thousand dollars, proceed to advertise for bids and make recommended award of contract. Said recommended

award of contract shall be submitted to the board of supervisors of the county in which said project is located for its concurrence. Upon receiving the concurrence of the county board on said recommended contract award, the state highway commission shall take final action awarding said contract. No contract shall be let to any state official, elective or appointive, nor to any relative within the third degree of consanguinity or affinity, nor a member of the state highway commission, nor to any partnership or corporation in which a member of the state highway commission, or any other state officer or employee, is financially interested. The letting of a contract in violation of the foregoing provisions shall invalidate the contract, and such violation shall be a complete defense to any action to recover any consideration due or earned under the contract, at the time of its termination.

Sec. 15. In the award of contracts, due consideration shall be given not only to prices bid, but also the mechanical or other equipment and the financial responsibility of the bidder, and his ability and experience in the performance of like or similar contracts. The commission may reject any or all bids and may readvertise for bids, or may let a private contract, at a cost not to exceed the lowest bid received, or if the estimated cost of the work does not exceed the sum of five thousand dollars, may proceed to the construction of the work by day labor. All contracts shall be in writing and shall be secured by a bond for the faithful performance thereof as provided by law.

Sec. 16. All claims for improving farm-to-market roads hereunder shall be paid from the farm-to-market road fund and charged to the allotment of said fund for the county in which said project is located.

Sec. 17. All claims shall be itemized on voucher forms prepared for that purpose, sworn to by the claimants, certified to by the engineer in charge, approved by the board of supervisors and then forwarded to the state highway commission for final audit and approval. Upon approval by the state highway commission, of vouchers which are payable from the farm-to-market road fund, such vouchers shall be forwarded to the state comptroller, who shall draw warrants therefor, and said warrants shall be paid by the treasurer of state from the farm-to-market road fund.

Sec. 18. Partial payments may be made on the work during the progress thereof, but no such partial payment shall be deemed final acceptance of the work nor a waiver of any defect therein. The approval of any claims by the board of supervisors or by the state highway commission may be evidenced by the signature of the chairman of said board or commission, or a majority of the members of the board or commission, on the individual claims or on the abstract of a number of claims with the individual claims attached to said abstract.

Sec. 19. The county engineer is charged with the duty of supervision, inspection and direction of the work of construction of farm-to-market road projects under this act. In such capacity, the county engineer shall be under the supervision of the commission. The highway commission shall make general inspection of the work during the progress thereof and may refuse to approve claims for any work which does not conform to the plans and specifications.

Sec. 20. Any county may, in any year, by resolution of its board of supervisors, make available for improvement, construction and maintenance of farm-to-market roads within the county an amount of not to exceed twenty-five per cent (25%) of its allotment of motor fuel license fees. Upon certification of such a resolution, the state treasurer shall place in the county's allotment of the farm-to-market road fund the amount authorized by such resolution.

Sec. 21. A farm-to-market road project under this act may, subject to the approval of the council, include the purchase or condemnation of right-of-way therefor, and grading, draining, bridging, elimination of danger at railroad crossings, the graveling or hard surfacing of any road or street which is a continuation of the farm-to-market road system and which is (1) within any town, or (2) within any city, including cities under special charter having a population of less than twenty-five hundred, or (3) within that part of any city including cities acting under special charter, where the houses or business houses average not less than two hundred feet apart.

The phrase "subject to the approval of the council" as it appears in this section, shall be construed as authorizing the council to consider said proposed improvement only in its relationship to municipal improvements such as sewers, water lines, establishing grades, change of established street grades, sidewalks and other public improvements. The locations of such farm-to-market road extensions shall be determined by the board of supervisors.

Sec. 22. Right-of-way for farm-to-market road projects under this act shall be acquired by the county. Provided, that the county board may request the state highway commission to acquire such right-of-way. In either event such right-of-way may be paid for out of the said county's allotment of the farm-to-market road fund.

Sec. 23. In the maintenance, relocation, establishment or improvement of secondary roads, including extension of secondary roads within cities and towns, the state highway commission shall have authority to purchase or to institute and maintain proceedings for the condemnation of the necessary right-of-way therefor and for the condemnation of land, including a sufficient roadway to such land by the most reasonable route for the purpose of obtaining gravel or other suitable material with which to improve such roads.

All the provisions of the law relating to the condemnation of land for public state purposes, shall apply to the provisions hereof.

The provisions of Chapter two hundred thirty-seven (237), of the Code of 1935, shall not apply to the establishment, vacation, alteration or improvement of secondary roads under this section.

No such roads shall be established through any cemetery or burying ground without the consent of all the parties affected by the same.

Sec. 24. Upon the completion of a farm-to-market road project under this act, the county engineer shall file with the auditor and with the recorder of the county a complete right-of-way map of said project. Said right-of-way maps shall be filed by the auditor and recorder and shall become a part of the permanent record of such offices.

Sec. 25. Whenever any public highway located along the corporate line of any town or any city, including cities under special charter, is an extension of the farm-to-market road system, it may be included in said farm-to-market road system, and may be improved as a part of the said road system under this act.

Sec. 26. Should the completed cost of any farm-to-market road project under this act be greater than the estimate on which the county's contribution to said project was based, the state treasurer shall, on certificate of such excess cost by the state highway commission, credit one-half of excess amount to the farm-to-market road fund from the said county's allotment of the motor vehicle fuel license fees.

Should the completed cost of any farm-to-market road project under this act be less than the estimate on which the county's contribution to the said project was based, the state highway commission shall take said fact into account when computing the county's contribution to the next project approved under this act for construction in said county. Said county's contribution to the said succeeding project shall be reduced in an amount equal to the unexpended portion of said county's contribution to the former project.

Sec. 27. The farm-to-market road fund allotted to any county as provided in this act, shall remain available for expenditure in said county for one year after the close of the calendar year during which said sums respectively were allocated. Any sum remaining unexpended at the end of the period during which it is available for expenditure, shall be reapportioned among all the counties as provided in Section five (5) of this act for original allocations.

For the purposes of this section, any sums of the farm-to-market road fund allotted to any county shall be presumed to have been "expended" when a contract shall have been let by the state highway commission obligating said sums.

Sec. 28. Engineering, inspection and administration expense in connection with any farm-to-market road projects may be paid from said county's allotment of the farm-to-market road fund. Any such expense incurred by the state highway commission may in the first instance be advanced out of the commission's support fund or out of the primary road fund, said amounts later being reimbursed to said funds out of the farm-to-market road fund.

Provided, that no part of the salary or expense of the county engineer, any member of the county board of supervisors, any member of the state highway commission, the chief engineer, or any department head or district engineer of the commission shall be paid out of the farm-to-market road fund.

Sec. 29. Any farm-to-market road constructed under the provisions of this act shall be maintained by the county in a manner satisfactory to the federal authorities and to the state highway commission. Should any county fail to so maintain any such road, the state highway commission shall give the board of supervisors notice of that fact. If within

sixty days after receipt of such notice the said highway has not been placed in proper condition of maintenance the commission shall proceed immediately to have such highway placed in proper condition of maintenance and charge the cost thereof against said county's allotment of the farm-to-market road fund.

Sec. 30. The use of any county's allotment of the motor vehicle fuel license fees, or any portion thereof, for the purpose of this act, shall, subject to the approval of the county board of supervisors, take precedence over any other use of said funds specified by law.

HOUSE AMENDMENTS TO SENATE FILE 40

Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. Section forty-four hundred eighty-eight (4488), Code, 1935, is hereby amended by striking from line four (4) thereof the word "five" and by inserting in lieu thereof the words "three and one-half".

Sec. 2. Section forty-five hundred six (4506), Code, 1935, is hereby amended by striking from line eleven (11) thereof the words "four and one-half" and inserting in lieu thereof the word "three".

Sec. 3. Section forty-five hundred seven (4507), Code, 1935, is hereby amended by striking from line five (5) thereof the words "four and one-half" and inserting in lieu thereof the word "three", and by striking all of said Section forty-five hundred seven (4507) following the period in line ten (10).

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Hampton Chronicle, a newspaper published at Hampton, Iowa, and the Sheffield Press, a newspaper published at Sheffield, Iowa.

THIRD READING OF BILLS

The time having arrived for further consideration of Senate File 181, a special order of business, on motion of Senator Beardsley, Senate File 181, a bill for an act to repeal Chapter two hundred fifty-one (251), and all amendments thereto, of the Code, 1935, and Sections forty-six hundred twenty-seven (4627), forty-six hundred eighty-six-c one (4686-c1), forty-six hundred eighty-six-c two (4686-c2), fifty-one hundred five-a thirty-two (5105-a32) to fifty-one hundred five-a thirty-five (5105-a35), inclusive, fifty-one hundred five-c eighteen (5105-c18) to fifty-one hundred five-c twenty-one (5105-c21), inclusive, sixty-seven hundred fifty-four-c one (6754-c1), sixty-seven hundred fifty-four-c two (6754-c2), twelve thousand two hundred twenty-two (12222) to twelve thousand two hundred twenty-eight (12228), inclusive, thirteen thou-

sand eleven (13011) to thirteen thousand thirteen (13013), inclusive, thirteen thousand ninety-two (13092), thirteen thousand one hundred eighteen (13118), thirteen thousand one hundred nineteen (13119), thirteen thousand four hundred seventeen-a one (13417-a1), and thirteen thousand four hundred seventeen-a two (13417-a2) of said Code, and to enact a substitute therefor, and to amend Sections two thousand ten (2010), two thousand eleven (2011), forty-seven hundred fifty-five-b seven (4755-b7), fifty-one hundred five-a forty-one (5105-a41), fifty-one hundred five-c seventeen (5105-c17), and thirteen thousand ninety-two-d one (13092-d1) of said Code, all relating to vehicles and traffic; to provide penalties and liabilities in relation thereto; and to provide a department of the state government for the administration and enforcement thereof, was taken up and considered.

By unanimous consent, Senator Levis withdrew the following amendment, on which action had been deferred:

Amend Senate File 181 by striking Section 265 and substituting in lieu thereof the following:

"All horse-drawn and all other vehicles including bicycles, not otherwise provided for in this act, shall, during the period from one hour after sunset to one-half hour before sunrise, when on the highways of this state, display one or more white or tinted lights or red reflector or reflectors on said vehicle, and same shall be of sufficient illuminating power to be visible at a distance of two hundred (200) feet from the rear."

Senator Gillette offered the following amendment and moved its adoption:

Amend Senate File 181, Section 316, line 12, by striking the words "forty-five" therefrom and inserting in lieu thereof the word "fifty".

Senator Levis offered as a substitute for the pending amendment, the following amendment, and moved its adoption:

Amend Senate File 181 by striking all of Section 316 and substituting in lieu thereof the following:

"Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said highway will observe the law.

The following shall be the maximum speed except as hereinbefore or

hereinafter specified, and any speed in excess thereof shall be unlawful:

1. Twenty miles (20) per hour in any business or school district.
2. Twenty-five (25) miles per hour in any residence district.
3. Thirty-five (35) miles per hour for any motor vehicle drawing another vehicle."

Senator Irwin moved the previous question on the substitution, which motion prevailed.

Roll call was requested.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 24:

Baldwin	Geske	Kimberly	Moore
Berg	Goetsch	Kirketeg	Murray
Breen	Guernsey	Levis	Parker
Byers	Hoeven	Mason	Pelzer
Corwin	Husted	Miller	Stevens
Evans	Irwin	Millhone	Zeigler

Nays, 21:

Augustine	Dewey	Grunewald	Schadt
Beardsley	Doran	Hill	Shaw
Bell of Crawford	Edwards	Hopkins	Smith
Bell of	Ellis	Lundy	Stewart
Des Moines	Elthon	Mighell	Whitehill
Dean	Gillette		

Absent or not voting, 4:

Billingsley	Chrystal	Donohue	Gillespie
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The motion prevailed and the substitution was made.

The substitute amendment was adopted.

By unanimous consent, Senator Gillette withdrew the following amendment.

Amend Senate File 181, Section 316, by striking from sub-section three, the words "fifty-five" and inserting in lieu thereof the word "sixty".

By unanimous consent, Senator Doran withdrew the following amendment:

Amend Senate File 181 by striking lines 1, 2 and 3 of Section 316 and inserting in lieu thereof: "Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway, and of any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear

distance ahead, such driver having the right to assume, however, that all persons using said highway, will observe the law."

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 181, Sec. 268, by striking the period in line six and adding the words: "and shall be erected at the expense of such municipality."

The amendment was adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Senate File 181 as follows: 1. By inserting before the comma in line 5 of Section 55 the following: "not later than the 10th day of the month following their issuance."

2. By changing the period at the end of Section 183 to a semicolon and adding thereafter the following: "provided, however, that no such deduction shall be lawful unless the county treasurer has complied with the provisions of Section 55 and Section 184 of this act."

The amendment was adopted.

By unanimous consent, Senator Levis withdrew the following amendment:

Amend Senate File 181 by striking Section 316 and by substituting in lieu thereof, the following: "Any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said highway will observe the law."

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 181, Section 31, by striking the period (.) after the word "patrol" in line 5 and inserting a comma (,) and by adding the following: "and not more than sixty per cent of such employees shall at any time be members of the same political party."

The amendment was adopted.

Senator Beardsley, as chairman of the special committee, offered the following amendments and moved their adoption:

1. Amend Section 1, paragraph 30, of Senate File 181, by striking from line 137 the words, "of this state" and by inserting in lieu thereof, the following: "under the secretary of state";

Also amend paragraph 31 of said section by striking from lines 138 and 139 the words, "of this state" and by inserting in lieu thereof, the following: "under the secretary of state".

2. Amend Senate File 181 by striking all of Section 2 and inserting in lieu thereof, the following:

"Sec. 2. Motor vehicle department. A division of the office of secretary of state is hereby created to be known as the 'motor vehicle department'."

3. Amend Section 3 of Senate File 181 by inserting at the end of said section, the following: "Said officer shall be appointed and serve at the will and pleasure of the secretary of state."

4. Amend Senate File 181 by striking all of Sections 4, 5, 6, and 7.

5. Amend Section 15 of Senate File 181 by inserting at the end of said section, the following: "All of said appointees shall be subject to the approval of the secretary of state."

6. Amend Section 16 of Senate File 181 by striking from line 1 the word, "The" and inserting in lieu thereof, the following: "Subject to the approval of the secretary of state the".

7. Amend Section 17 of Senate File 181 by striking from line 1 the word, "The" and inserting in lieu thereof, the following: "Subject to the approval of the secretary of state the".

8. Amend Section 19 of Senate File 181 by striking from line 1 the word, "commissioner" and inserting in lieu thereof, the following: "secretary of state".

Senator Beardsley asked and received unanimous consent to correct the third committee amendment by inserting, after the word "appointed", the word "by".

Senator Stewart moved the previous question on the first eight amendments, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 37:

Beardsley	Geske	Kimberly	Parker
Berg	Gillette	Kirketeg	Pelzer
Byers	Goetsch	Levis	Schadt
Corwin	Grunewald	Lundy	Shaw
Dewey	Guernsey	Mason	Smith
Doran	Hill	Miller	Stevens
Edwards	Hoeven	Millhone	Stewart
Ellis	Hopkins	Moore	Whitchill
Elthon	Husted	Murray	Zeigler
Evans			

Nays, 7:

Augustine	Bell of Crawford	Breen	Mighell
Baldwin	Bell of	Dean	
	Des Moines		

Absent or not voting, 5:

Billingsley
Chrystal

Donohue

Gillespie

Irwin

The motion prevailed and the amendments were adopted.

By unanimous consent, Senator Beardsley withdrew the following special committee amendment:

9. Amend Senate File 181, Section 31, by striking the period after the word "patrol" in line 5 and inserting a comma, and by adding the following: "and not more than sixty per cent of such employees shall at any time be members of the same political party."

Senator Beardsley offered the following special committee amendment:

10. Amend Section 122 of Senate File 181 by striking from line 3 the words, "county treasurer" and by inserting in lieu thereof, the following: "treasurer of state, of the county or of the municipality, under which authority the vehicle was seized and sold";

Also amend Section 123 of Senate File 181 by striking all of lines 4 and 5 of said section and by inserting in lieu thereof, the following: "to the executive council, board of supervisors, or municipal governing authority having control of such motor vehicle, the said council, board, or authority may direct the drawing of a".

Senator Beardsley offered the following amendment and moved its substitution for the pending special committee amendment:

10. Amend Section 122 of Senate File 181 by striking from line 3 the words, "county treasurer" and by inserting in lieu thereof, the following: "treasurer of state, of the county, or of the municipality, under which authority the vehicle was seized and sold";

Also amend Section 123 of Senate File 181 by striking all of lines 4 and 5 of said section and by inserting in lieu thereof, the following: "to the executive council, board of supervisors, or municipal governing authority having control of said fund that he is the owner of such motor vehicle, then said council, board, or authority may direct the drawing of a".

The motion prevailed and the substitution was made.

Senator Beardsley moved the adoption of the substitute amendment. The substitute amendment was adopted.

Senator Beardsley, as chairman of the special committee, offered the following amendments:

11. Amend Section 219 of Senate File 181 by striking from lines 2 and 3 the words, "within this state to act for the defendant" and by inserting in lieu thereof the following: "from the highway patrol".

12. Amend Section 227 of Senate File 181 by striking all of said section after the word, "that" in line 5 and by inserting in lieu thereof, the following: "persons holding licenses previously issued and upon which no notation appears of a traffic violation or from which no stub has been detached for any reason may, unless the department specifically requires an examination, make application for renewal, without examination, to the county sheriff and the sheriff is hereby directed to forward such application to the department together with the required fee."

Senator Beardsley asked and received unanimous consent to correct the eleventh amendment by striking from line 3 the word "defendant", and inserting in lieu thereof the word "department".

Senator Gillette moved the adoption of the pending amendments.

The amendments were adopted.

Senator Beardsley offered the following committee amendments:

13. Amend Section 302 of Senate File 181 by striking from line 4 the word, "may" and by inserting in lieu thereof the word "shall".

14. Amend Senate File 181 by striking all of Section 319 and by inserting in lieu thereof, the following:

"Sec. 319. Control of vehicle. The person operating a motor vehicle or motorcycle shall have the same under control and shall reduce the speed to a reasonable and proper rate:

1. When approaching and passing a person walking in the traveled portion of the public highway.

2. When approaching and passing an animal which is being led, ridden, or driven upon a public highway.

3. When approaching and traversing a crossing or intersections of public highways, or a bridge, or a sharp turn, or a curve, or a steep descent, in a public highway."

15. Amend Section 324 of Senate File 181 by striking from lines 6 and 7 the words, "there are no intersections or between widely spaced intersections" and by inserting in lieu thereof the following: "stop signs have been erected at the entrances thereto".

16. Amend Senate File 181 by striking all of Section 328 and by inserting in lieu thereof the following:

"Sec. 328. Traveling on right-hand side. The operator of a motor vehicle, in cities and towns, shall at all times travel on the right-hand side of the center of the street."

17. Amend Senate File 181 by striking all of Section 329 and by inserting in lieu thereof the following:

"Sec. 329. Meeting and turning to right. Persons on horseback, or in vehicles, including motor vehicles, meeting each other on the public highway, shall give one-half of the traveled way thereof by turning to the right."

18. Amend Section 341 of Senate File 181 by inserting after the word "grade" in line 4, the following: "or hill".

19. Amend Section 356 of Senate File 181 by striking from lines 9 and 10 the words, "Between adjacent intersections at which traffic control signals are in operation" and by inserting in lieu thereof the following: "Where traffic-control signals are in operation at any place not an intersection".

20. Amend Section 357 of Senate File 181 by striking from line 5 the words, "proper precaution" and by inserting in lieu thereof the words "due care".

22. Amend Section 389 of Senate File 181 by striking all of lines 3 and 4 and by striking the word "possible" in line 5, and by inserting in lieu thereof the following: "approaching the crest of a hill or grade shall have such motor vehicle under control and on the right-hand side of the roadway".

Senator Hill moved the adoption of the pending amendments.

The amendments were adopted.

On motion of Senator Dewey, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Evans for the remainder of the day, on request of Senator Gillette; Senator Mighell for the remainder of the day, on request of Senator Mason; Senator Irwin for the remainder of the day, on request of Senator Kimberly.

CONSIDERATION OF SENATE FILE 181 RESUMED

Senator Beardsley, as chairman of the special committee, offered the following amendment and moved its adoption:

21. Amend Senate File 181 by striking all of Section 385 and by inserting in lieu thereof the following:

"Sec. 385. Theaters, hotels and auditoriums. A space of twenty-five feet is hereby reserved at the side of the street in front of any theater, auditorium, hotel having more than twenty-five sleeping rooms, or other buildings where large assemblages of people are being held, within which space, when clearly marked as such, no motor vehicle shall be left standing, parked, or stopped except in taking on or discharging passengers or freight, and then only for such length of time as is necessary for such purpose."

The amendment was adopted.

Senator Hoeven offered the following amendment and moved its adoption:

Amend Senate File 181 by adding to Section 464, the following:

"No pneumatic tire shall be used on a motor vehicle when such tire is worn to the extent that more than two layers of fabric or cords are exposed on the entire traction surface."

The amendment was adopted.

Senator Mason offered the following amendment, and moved its adoption:

Amend Senate File 181 by inserting as a new section, the following:

"Sec. 484-a1. Every motor vehicle or trailer, of a capacity of more than two thousand (2,000) pounds, operated or transported on the public highways shall be equipped with a metal bumper, of not less than two and one-half (2½) inches in width and one-fourth (¼) of an inch in thickness, on the rear of such motor vehicle or such trailer, and shall be of such length as to protect the whole of the rear of such motor vehicle or such trailer, and shall be so attached to such motor vehicle or such trailer that the bottom of said bumper shall be not more than fifteen (15) inches from the level of the roadway over which any such motor vehicle or such trailer is being operated. Said bumper shall extend back of all appurtenances to such motor vehicle or such trailer, including trailer hitches."

The amendment was adopted.

By unanimous consent, Senator Donohue withdrew the following amendment:

Amend Senate File 181 by striking from line 2 of Section 4 the word "six" and substituting in lieu thereof the word "two".

Amend Senate File 181 by striking the word "six" from Section 6 and substituting in lieu thereof the word "two".

Amend Senate File 181 by striking the following words: "four thousand two hundred" from Section 7, and substituting in lieu thereof the words "three thousand seven hundred and fifty".

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 181 as follows: By striking from lines three (3) and four (4) of Section three hundred sixty-six (366) the words, "a clearly visible electric or mechanical signal device gives warning" and substituting in lieu thereof the words, "warning is given by automatic signal or crossing gates or a flagman or otherwise".

The amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 181, Sec. 383, line nineteen, by striking the semi-colon and adding the following: "except when parked parallel with such rail and not exhibiting a red light;"

The amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 181, Sec. 326, line sixteen, by striking the words "one hundred" and inserting in lieu thereof the words "two hundred".

The amendment was adopted.

Senator Shaw and Smith offered the following amendments:

Amend Section 41 of Senate File 181 as follows:

1. Strike the figures "\$300.00" in line four (4) and insert in lieu thereof the figures "\$250.00".
2. Strike figures "\$200.00" in line five (5) and insert in its place "\$175.00".

Senator Shaw moved the adoption of the pending amendments.

Senator Beardsley moved the previous question, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 33:

Bell of Crawford	Goetsch	Levis	Pelzer
Byers	Grunewald	Lundy	Schadt
Corwin	Guernsey	Mason	Shaw
Dewey	Hill	Miller	Smith
Donohue	Hoeven	Millhone	Stevens
Ellis	Husted	Moore	Stewart
Elthon	Kimberly	Murray	Whitehill
Evans	Kirketeg	Parker	Zeigler
Gillette			

Nays, 10:

Augustine	Berg	Doran	Gillespie
Baldwin	Chrystal	Edwards	Hopkins
Beardsley	Dean		

Absent or not voting, 6:

Bell of	Billingsley	Geske	Mighell
Des Moines	Breen	Irwin	

The motion prevailed and the amendments were adopted.

Senators Shaw and Smith offered the following amendments:

Amend Section 41 as follows:

3. Add in line seven (7) after the word "Patrolmen" the following: "after the first year of service".

4. Add following line seven (7); "patrolmen with less than one year's service \$100.00 per month."

5. Strike the word "first" in line eight (8) and insert in place thereof the word "second".

Senator Shaw moved their adoption.

Senator Beardsley moved the previous question, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 36:

Beardsley	Elthon	Husted	Parker
Berg	Evans	Kimberly	Pelzer
Breen	Geske	Kirketeg	Schadt
Byers	Gillette	Levis	Smith
Chrystal	Goetsch	Lundy	Shaw
Corwin	Grunewald	Mason	Stevens
Dewey	Guernsey	Miller	Stewart
Edwards	Hill	Millhone	Whitehill
Ellis	Hoeven	Murray	Zeigler

Nays, 4:

Augustine	Baldwin	Doran	Moore
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Absent or not voting, 9:

Bell of Crawford	Billingsley	Gillespie	Irwin
Bell of	Dean	Hopkins	Mighell
Des Moines	Donohue		

The amendments were adopted.

Senator Beardsley offered the following amendments and moved their adoption:

Amend Senate File 181 by striking from line 2, Section 236, the word "revoked", and inserting in lieu thereof the word "revoke".

Amend Senate File 181 by striking from line 1 of paragraph 2 of Section 259 the word "section", and inserting in lieu thereof the word "sections".

The amendments were adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend the title of Senate File 181 by striking from the next to the last line thereof the words: "a department of state government".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 181 by striking from Section 297 all of said section following the period in line 8, and inserting in lieu thereof the following: "The said peace officers, to whom an accident is reported, shall immediately report the same to the department."

Senator Breen offered as a substitute amendment the following:

Amend Senate File 181, Section 297, by striking the word "Said" following the period in line 8, and inserting in lieu thereof the word "A".

Further amend by inserting after the word "be" in line 8 the following: "made by the peace officer to whom the report of an accident is made."

Further amend by striking from line 10 the words "the local", and inserting in lieu thereof the words "said peace".

The substitution was made.

The amendment was adopted.

Senator Beardsley moved that the call of the Senate for the consideration of Senate File 181 be raised, which motion prevailed.

Senator Beardsley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Dean	Grunewald	Moore
Baldwin	Dewey	Guernsey	Murray
Beardsley	Donohue	Hill	Parker
Bell of Crawford	Doran	Hoeven	Schadt
Bell of	Edwards	Hopkins	Smith
Des Moines	Ellis	Kimberly	Shaw
Berg	Elthon	Kirketeg	Stevens
Breen	Geske	Lundy	Stewart
Byers	Gillespie	Mason	Whitehill
Chrystal	Gillette	Miller	Zeigler
Corwin	Goetsch	Millhone	

Nays, 1:

Pelzer

Absent or not voting, 6:

Billingsley	Husted	Levis	Mighell
Evans	Irwin		

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

Senator Beardsley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

INTRODUCTION OF BILLS

Senate File 340, by Senator Berg, a bill for an act to appropriate funds with which to remove Police Radio Station KNFN from Waterloo to Cedar Falls and to install it in housing facilities to be furnished to the State by the city of Cedar Falls and local bodies.

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

Senate File 341, by Senator Murray, a bill for an act to establish the boundary line between the state of Iowa and the state of Nebraska.

Read first and second times and referred to committee on judiciary 2.

Senate File 342, by Senator Chrystal (by request), a bill for an act to amend Section fifty-four hundred two (5402), Code of Iowa, 1935, relating to the selection of county papers and providing for the selection of county official papers.

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

Senate File 343, by Senator Chrystal, a bill for an act to provide for the creation of county park commissions and prescribing the powers, duties and terms of office of said commissions.

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

Senate File 344, by Senator Dewey, a bill for an act to repeal Section seventeen hundred ninety-four-e one (1794-e1), Chapter eighty-six-E one (86-E1), Code of 1935, relating to licenses and enact substitutes therefor which clarify license requirements and change license fees; amend Section seventeen hundred ninety-four-e ten (1794-e10), Chapter eighty-six-E one (86-E1), Code of 1935, relating to form of license to provide for visible license worn on person of licensee and to compel licensee to have license on person and show it on demand; amend Section seventeen hundred ninety-four-e fourteen (1794-e14), Chapter eighty-six-E one (86-E1), Code of 1935, to provide for pets to be taken only during the open season; enact a section to provide for issuance of duplicate licenses in case original is lost, destroyed or stolen; amend

Section seventeen hundred ninety-four-e fifteen (1794-e15) to clarify meaning of term "owners or tenants"; to require women to have fishing license; enact a section to provide license and regulations for taxidermists; enact a section requiring permit tags to hold game; enact a section to permit the sale of domestically reared game as food and provide a license therefor; enact a section giving definitions and interpretations of words and phrases used in state laws and regulations of the commission.

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

Senate File 345, by Senator Hopkins, a bill for an act to amend Chapter five hundred and five (505), Code, 1935, requiring the payment of court costs yearly in cases of trusts, estates and guardianships.

Read first and second times and referred to committee on judiciary 1.

Senate File 346, by committee on highways, a bill for an act providing for the barring of all adverse claims to land being used for primary road purposes where land has been used for such purposes for more than ten years, and providing for the filing of existing claims.

Read first and second times and placed on the calendar.

Senate File 347, by committee on highways, a bill for an act to amend Chapter two hundred fifty-one (251), Code, 1935, and to regulate the custody of motor vehicle license fees going to the primary road fund.

Read first and second times and placed on the calendar.

Senate File 348, by committee on highways, a bill for an act to amend Section forty-seven fifty-five-b twenty-seven (4755-b27), Code, 1935, relating to the condemnation of land for road purposes.

Read first and second times and placed on the calendar.

Senate File 349, by Senator Bell of Des Moines, a bill for an act to exempt from taxation, draft animals used in farm work, up to a total aggregate value not exceeding three hundred dollars (\$300.00).

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

Senate File 350, by committee on board of control, a bill for an act to amend Sections three thousand two hundred eighty-seven (3287), three thousand four hundred two (3402), three thousand four hundred sixty-four (3464), three thousand four hundred sixty-five (3465), three thousand four hundred seventy-six (3476), and three thousand four hundred seventy-seven (3477), Code, 1935, so as to change the name of the institution for feeble-minded children at Glenwood and the hospital for epileptics and school for feeble-minded at Woodward to Glenwood state school and Woodward state school and colony, respectively, and to amend in conformity therewith, such sections as refer to such institutions by name.

Read first and second times and placed on the calendar.

Senate File 351, by Senator Beardsley, a bill for an act to amend Section three thousand six hundred forty-three (3643), Code, 1935, relating to care of neglected, dependent and delinquent children.

Read first and second times and referred to committee on social security.

Senate File 352, by Senator Doran, a bill for an act to amend Section two thousand three hundred ninety-four (2394), Chapter one hundred fourteen (114), Code, 1935, relating to the registration of vital statistics.

Read first and second times and referred to committee on judiciary 1.

Senate File 353, by committee on judiciary 2, a bill for an act to legalize the corporate acts and the renewal of the Farmers' Mutual Insurance Association of Fremont County.

Read first and second times and placed on the calendar.

Senate File 354, by committee on judiciary 2, a bill for an act to legalize the corporate acts of the renewal of the Weber and Sons Button Company.

Read first and second times and placed on the calendar.

Senate File 355, by committee on judiciary 2, a bill for an act

to legalize the corporate acts and the renewal of the Farmers' Mutual Fire and Lightning Insurance Association of Winneshiek County, Iowa.

Read first and second times and placed on the calendar.

Senate File 356, by Senator Dean, a bill for an act to amend Section two thousand nine hundred thirty (2930), Code, 1935, relative to appropriations for farm improvement associations.

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

Senate File 357, by committee on highways, a bill for an act to repeal Section five thousand sixty-nine (5069), Code, 1935, and to enact a substitute therefor relating to the operation of tractors or traction engines over bituminous road surfaces.

Read first and second times and placed on the calendar.

Senate File 358, by Senator Hill, a bill for an act to amend Section one hundred thirteen (113), 1935 Code of Iowa, pertaining to examination by the auditor of state of school offices.

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

Senate File 359, by Senator Pelzer (Kuester), a bill for an act to amend Chapter three hundred twelve (312), Code, 1935, and providing for returning control of municipal utilities to the council.

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

Senate File 360, by Senator Bell of Crawford, a bill for an act to legalize a school election held by the Beebeetown Consolidated School District in Harrison and Pottawattamie Counties on March 8, 1937.

Read first and second times and referred to committee on judiciary 1.

Senate File 361, by Senator Mason, a bill for an act to make unlawful the operation of trucks having a load capacity exceeding two (2) tons on Sunday upon primary highways.

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

Senate File 362, by Senator Mason, a bill for an act to require all executives, professors, associate professors, instructors and other teachers at State University of Iowa, Iowa State College, and Iowa State Teachers' College to make semi-annual reports of monies and other compensations received in addition to their regular salaries, and to make the failure to make such report ground for removal from office, and to provide penalties for violation thereof.

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

Senate File 363, by Senators Mason and Bell of Crawford, a bill for an act to amend Section thirty-one hundred twelve-b two (3112-b2), Code, 1935, to require an inspection of the buildings and facilities used in the business of buying or selling of poultry or domestic fowls by the Department of Agriculture of the State of Iowa before a license is granted and further providing that no such place of business shall be permitted to use the same buildings as are used in the packing or preparing of meat for sale at wholesale.

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

Senate File 364, by Senator Bell of Crawford, a bill for an act to create a board of commissioners for the purpose of securing for use in the common, and high schools of the state of Iowa a series of text-books, and selecting uniform text-books in said schools, defining the duties of certain officers therein named with reference thereto, making appropriations therefor, defining certain felonies and misdemeanors, providing penalties for the violation of the provisions of this act, repealing all laws in conflict therewith, and declaring an emergency, and repealing Chapter two hundred thirty-one (231) of the 1935 Code of Iowa, and all acts inconsistent with said law, and making appropriation of money out of the State Treasury to carry out this act.

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

Senate File 365, by Bell of Crawford, a bill for an act to control the distribution and sale of milk.

Read first and second times and referred to committee on livestock and dairying.

Senate File 366, by Senator Grunewald, a bill for an act to amend Sections twelve thousand three hundred eighty-four (12384) and twelve thousand three hundred eighty-five (12385), Code, 1935, relating to the satisfaction of mortgages and providing for the inclusion of chattel mortgages.

Read first and second times and referred to committee on judiciary 1.

Senate File 367, by Senator Doran (by request), a bill for an act to provide for and regulate the incorporation and operation of general welfare banks under state supervision; to provide for the flow of credit to small units of society at reasonable rates; to provide depositories for public funds and for small depositors; and for other purposes.

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

Senate File 368, by Senator Chrystal, a bill for an act to legalize an election held on the 16th day of November, 1936, in the town of Manning, Iowa, for the purpose of acquiring land and building thereon a swimming pool, and incurring an indebtedness in the sum not to exceed twelve thousand dollars (\$12,000.00) for which bonds were issued.

Read first and second times and referred to committee on judiciary 1.

Senate File 369, by Senator Chrystal, a bill for an act to authorize the formation of a public corporation or authority: providing for its powers and duties; authorizing the provision of an adequate system for the control of floods, prevention of soil erosion, recreational facilities, preservation of fish and game, and the furnishing of electric energy; authorizing it to maintain and operate a comprehensive system for flood control, soil erosion prevention, recreational facilities, preservation of fish and game, and the furnishing of electric energy for lighting, heating, power and any other purposes for which electric energy can be used;

vesting it with the power of eminent domain; authorizing it to borrow money and issue bonds, providing for the payment of such bonds and the rights of the holders thereof; authorizing it to fix and collect rates, charges, rentals and other charges; authorizing it to acquire property for the use of the public, such as parks, driveways, recreational facilities and other purposes.

Read first and second times and referred to committee on federal co-ordination.

Senate File 370, by Senator Bell of Crawford, a bill for an act relating to operation of municipally owned heating plants, electric light and power plants, waterworks or gas works, or other municipally owned revenue enterprises and the advertising of services rendered.

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

Senate File 371, by Senator Chrystal, a bill for an act to authorize the creation of official county planning commissions.

Read first and second times and referred to committee on state planning.

Senate File 372, by Senator Bell of Crawford, a bill for an act to amend Section six thousand nine hundred forty-three-g four (6943-g4) and Section six thousand nine hundred forty-three-g five (6943-g5) of Chapter three hundred twenty-nine-G1 (329-G1) of the Code, 1935, relative to chain store tax to increase the unit tax on each person engaged in conducting a business, by a system of chain stores within the State of Iowa computing on the basis of the number of stores operated by any person under a system of chain stores and also measured by the gross receipts of each such person on all said business of each and all such stores within this state under a single or common ownership, control, supervision, or management.

Read first and second times and referred to committee on manufacturing, commerce and trade.

Senate File 373, by committee on social security, a bill for an act to create a state department of social welfare, to define its functions and duties, and to coordinate the welfare activities carried

on in the state of Iowa by the federal, state and local governments and to repeal any acts or parts of acts in conflict herewith.

Read first and second times and placed on calendar.

Senate File 374, by committee on social security, a bill for an act to repeal Sections 3661-a1 to 3661-a7, both inclusive, Code of Iowa, 1935, and any other provisions of law in conflict with this act, to establish a division of child welfare in the State Department of Public Welfare, to provide for a unified supervision of child welfare activities in the state, to promote and establish child welfare services, to prescribe the powers and duties of the State Board of Public Welfare and the Division of Child Welfare with regard to children, and to amend Sections 3661-a11, 3661-a12, 3661-a15, 3661-a18, 3661-a22, 3661-a26, 3661-a27, 3661-a28, 3661-a31, 3661-a32, 3661-a33, 3661-a34, 3661-a36, 3661-a37, 3661-a41, 3661-a44, 3661-a47, 3661-a48, 3661-a49, 3661-a52, 3661-a54, 3661-a55, 3661-a57, 3661-a60, 3661-a62, 3661-a65, 3661-a67, 3661-a68, 3661-a69, 3661-a71, 3661-a73, 3661-a74, 3661-a75, 3661-a76, 3661-a77, 3661-a80, 3661-a81, 3661-a83, 3661-a87, 3661-a88, 3661-a90, 3661-a91, 3661-a93, 3661-a94, 3661-a96, 3661-a97, 3661-a100, 3671, 3683, 3655, 3656, 10501-b7 and 10501-b8 Code of Iowa, 1935.

Read first and second times and placed on the calendar.

Senate File 375, by committee on social security, a bill for an act to repeal Section fifty-three hundred seventy-nine (5379) to fifty-three hundred eighty-four-a1 (5384-a1), inclusive, Code of Iowa, 1935, and to enact a substitute therefor, relating to aid for the blind; providing who shall receive such aid, the amount thereof, and the terms and conditions on which such aid and benefits shall be granted.

Read first and second times and placed on the calendar.

Senate File 376, by committee on social security, a bill for an act to amend and revise Chapter two hundred sixty-six-F one (266-F1) of the 1935 Code of Iowa, relating to the protection, welfare and assistance of aged persons in need and having domicile in the State of Iowa, and to amend Sections five thousand three hundred and two (5302) and six thousand nine hundred and fifty-g one (6950-g1) of the 1935 Code of Iowa; creating a division of old age assistance under the administrative jurisdiction of the State Department of Social Welfare; coordinating the pro-

visions of Chapter two hundred sixty-six-F one (266-F1) of the 1935 Code of Iowa, with the Welfare Organization Act of 1937; relating to the manner and method, terms and conditions providing the protection, welfare and assistance to the said aged persons; providing for the appointment of a legal guardian for any recipient of old age assistance who shall be found incompetent; providing for the recovery by the state board and division from any person, municipality, association, society, or corporation responsible for and reasonably able to pay for the support of any recipient of double the amount of assistance furnished to said recipient; providing a penalty for violation of the old age assistance statutes; providing for payments to the United States as required by Title I of the Federal Social Security Act; and providing legal procedure to enforce compliance with the act by certain public officers.

Read first and second times and placed on the calendar.

Senate File 377, by committee on social security, a bill for an act to repeal Sections three thousand six hundred forty-one (3641) to three thousand six hundred forty-three (3643) inclusive, and to enact a substitute therefor relating to aid to dependent children, providing who shall receive such aid, the amount thereof, the terms and conditions on which such aid and benefits shall be granted, the manner in which such aid and benefits shall be granted and providing a penalty for fraudulent acts committed in connection with the act.

Read first and second times and placed on the calendar.

Senate File 378, by Senator Bell of Crawford, a bill for an act to provide for the creation of a public service and railroad commission, providing for its appointment, fixing the salaries of the members thereof; to define their powers and duties, to provide for the appointment of employees and their compensation, to provide for the regulation of all public service and railroad companies; to define, prescribe, and limit their powers and duties; to provide for the procedure of the commission and in the Courts; to impose and provide for the collection of an annual license fee from all public service and railroad companies; to fix and prescribe penalties for the violation of any of the provisions of this act; to repeal all laws and parts of laws which are inconsistent therewith; and to consolidate the railroad commission.

Read first and second times and referred to committee on departmental affairs.

REPORTS OF COMMITTEES

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 172, a bill for an act to amend Section 5694, Code, 1935, relating to applicability of civil service and exceptions thereto by adding a provision as to the applicability of civil service to certain officials in cities acting under special charter with a population of over 50,000, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 190, a bill for an act to amend Section 6211, subparagraph 16, Code, 1935, relating to garbage disposal and street cleaning fund, by increasing the millage, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 192, a bill for an act to authorize cities operating under the Manager Plan and having a population of over thirty thousand (30,000) to incur indebtedness, make expenditures and issue warrants, and to exceed the amounts set forth in their budget appropriations for the fiscal year beginning April 1, 1936 and ending March 31, 1937, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 200, a bill for an act to amend Section 6211, paragraphs 19 and 20, Code 1935, relating to the power of cities and towns to levy taxes for the building and maintenance of free public libraries, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was

referred House File 52, a bill for an act to amend Section sixty-two hundred eleven (6211), Code, 1935, relating to the power of cities and towns to levy annually special taxes, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Senator Shaw submitted the following report :

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 13, a bill for an act to amend, revise and repeal Section thirteen thousand two hundred twenty-seven (13227) of the Code of Iowa, 1935, and to enact a substitute therefore which prohibits the disturbance of any religious assembly and provides a penalty for the violation thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Strike all of the title and substitute in lieu thereof: "An act to amend Section two thousand two hundred twenty-seven (2227) of the Code, 1935, relating to Sabbath observance."

2. Strike all of Section 1, of Senate File 13, and insert in lieu thereof the following: "If any person or persons be found on the first day of the week, commonly called Sunday, engaged in dancing, horse racing, or automobile racing; or in any manner disturbing a worshipping assembly or private family engaged in worship; or in buying or selling property of any kind; or in labor except that of necessity or charity, he shall be fined not less than fifty (\$50) dollars, or be committed to the county jail for a period of time not to exceed fifteen (15) days; but nothing herein contained shall be construed to extend to those who conscientiously observe the seventh day of the week as Sabbath; or to prevent persons traveling and/or families emigrating, from pursuing their journey; or keepers of toll bridges and toll gates and ferrymen from attending the same; nor shall the same apply to drug stores, news stands, cafes, restaurants, hotels, oil and gasoline service stations."

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 43, a bill for an act to provide for the manner of commencing civil actions; to provide for the original notice the time of appearance of the defendants; the returns in connection therewith; the manner of entering default and judgment thereon in case of default, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary 1, to which was referred

Senate File 45, a bill for an act to provide for pleadings and the time of filing same and hearing thereon, and the duties of the court in relation thereto; and to repeal Sections 11121, 11121-d1, 11122, 11136, 11123, 11123-d1, 11134, 11137, 11138, Code, 1935, all relating to pleading in civil actions, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 274, a bill for an act to amend Chapter four hundred eighty-three (483), Code, 1935, to amend and revise the law relative to procedure, trial and evidence in disbarment proceedings against attorneys and counselors at law, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred House File 33, a bill for an act to legalize the proceedings relating to an election held in the town of Milford, Dickinson 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 six thousand one hundred thirty-four-d one (6134-d1) to six thousand one hundred thirty-four-d seven (6134-d7), inclusive, of the 1935 Code of Iowa; and to legalize the contract entered into between said town of Milford, Iowa, and the Monroe Electric Company for the construction of said municipal electric light plant, and the issuance of revenue bonds in payment thereof; and declaring said contract and the revenue bonds issued thereunder, as valid and enforceable obligations of said town, begs leave to report it has had the same under consideration and returns the bill without recommendation.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 226, a bill for an act to legalize the action of the county board of supervisors of Appanoose County, Iowa, in making expenditures and approving claims against the general fund of said county, begs leave to report it has had the same under consideration and recommends that the same do pass.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred

House File 193, a bill for an act to amend Sections 8581-c8 and 8581-c10 and 8581-c11, relating to the registration of securities by qualification, the revocation of same, and the registration of dealers and salesmen, all under the Iowa Securities Act, begs leave to report it has had the same under consideration and recommends that the same do pass.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Senator Kirketeg submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred Senate File 177, a bill for an act making unlawful certain discriminations in price, in services or facilities furnished or in payment for services or facilities to be rendered, in connection with the sale of commodities in the course of trade or commerce, and providing certain remedies for violation, begs leave to report it has had the same under consideration and returns the bill without recommendation.

O. J. KIRKETEG, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File 32 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That section six thousand seven hundred ninety-one (6791), Code, 1935, is amended by striking out all of said section following the word "authorized" in line eleven (11), and substituting in lieu thereof the following: "unless a majority of the electors voting thereon shall vote in favor of same at a general or special election."

Further amend by striking all after the word "act" in line one (1) of the title and inserting in lieu thereof the following:

"to amend Section six thousand seven hundred ninety-one (6791), Code, 1935, relating to the granting of franchises in cities acting under special charter, and to require the approval of the electors therefor.

D. W. KIMBERLY.

MR. PRESIDENT: I move to substitute the following amendment to Senate File 59 in lieu of the committee amendment filed:

1. By striking out the entire title to Senate File 59 and substituting in lieu thereof the following: "An act to amend Sections 1921-f28, 1921-f31, and Section 1921-f50 of the Code of Iowa of 1935 relating to the Iowa Liquor Control Act, and to provide for the transfer by the comptroller of any excess balance in the Liquor Control Act Fund to a fund to be known as the Capital Improvement and Repair Fund.

2. To strike all of Section 1 of Senate File 59.

3. Amend Section 2 of Senate File 59 by adding thereto the following: "Further amend 1921-f28 by striking from line 7 the words 'three dollars' and by inserting in lieu thereof the following words: 'one dollar.'"

4. By striking all of Section 4 and substituting in lieu thereof the following:

Section 4. Section 1921-f50 of the Code of 1935 is hereby amended by adding thereto the following:

"From and after June 1, 1937, the comptroller in lieu of transferring any excess balances from the said Liquor Control Act Fund to the State Treasury and using the same for the purpose of reducing the general state levy against real estate shall transfer all excess balances thereafter accruing in said Liquor Control Act Fund to a special fund which shall be designated The Capital Improvement and Repair Fund. The transfer by the comptroller to the said Capital Improvement and Repair Fund shall be discontinued when the comptroller has transferred to the said fund a sum aggregating three million dollars (\$3,000,000), and thereafter all balances accruing shall be transferred by the comptroller to the General State Fund and used to reduce the tax levy against real estate. The Capital Improvement and Repair Fund shall be expended only for such capital improvements and repairs, and in such manner, as the Forty-Seventh General Assembly in regular session shall hereafter direct."

Section 5. This act being deemed of immediate importance shall be in force and effect after its passage and publication in the Charles City Press, a newspaper published at Charles City, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa.

E. P. DONOHUE.

LEO ELTHON.

M. X. GESKE.

MR. PRESIDENT: I move to amend the substitute amendment filed by Senator Donohue to Senate File 59, subsection three (3), line four (4), by striking the words "one dollar" and inserting in lieu thereof the words "twenty-five cents".

JOHN BERG.

MR. PRESIDENT: I move to amend House File 99, by adding the following after the period in line two (2): "Provided, however, the provisions of this act shall apply only to obligations incurred after this act becomes effective."

L. H. DORAN.

EXTRA COPIES OF SENATE FILE 317

Unanimous consent was given Senator Berg to have printed six hundred extra copies of Senate File 317, relating to sales tax on commodities purchased outside of Iowa.

Senator Dewey moved that when the Senate adjourn it be until 10:00 a. m. Thursday.

The Journal of March 9th was corrected and approved.

On motion of Senator Baldwin, the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 11, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Paul G. Wuebben, pastor of St. Paul's Evangelical Church of Manly.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senators Whitehill, Elthon and Ellis for the day, on request of Senator Beardsley; Senator Mighell for the day, on request of Senator Mason.

600 COPIES OF SENATE FILE 181

On request of Senator Beardsley, six hundred copies of Senate File 181, the motor vehicle bill, as it passed the Senate, were ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 150, a bill for an act authorizing Monroe County, Iowa, to pay claim of Cyrus Hall against secondary road maintenance fund.

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

House File 200, a bill for an act making an appropriation for payment of compensation in state cases under workmen's compensation law.

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

House File 291, a bill for an act to legalize and validate acts and proceedings taken by the city council of the city of Cedar Falls, Iowa, authorizing and providing for issuance and delivery of refunding bonds.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Donohue, Senate File 59, a bill for an act to amend Sections nineteen hundred twenty-one-f sixteen (1921-

f16), nineteen hundred twenty-one-f twenty-eight (1921-f28), nineteen hundred twenty-one-f twenty-nine (1921-f29), and nineteen hundred twenty-one-f fifty (1921-f50) of Chapter ninety-three (93) F-one (F-1) of the Code of Iowa of nineteen hundred thirty-five (1935) relating to the Iowa liquor control act and to provide for the maximum profit on all liquors handled by the said commission; to reduce the cost of permits to be issued by the said commission; to reduce the cost of duplicate permits to be issued by the commission and to provide for the transfer of profits to the old age pension fund, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. By striking out the entire title to Senate File 59 and substituting in lieu thereof the following: "An act to amend Sections 1921-f28, 1921-f31, and to repeal Section 1921-f50 of the Code of Iowa of 1935, relating to the Iowa Liquor Control Act, and to provide for the disposal of all profits of the Liquor Control Commission, and to provide for the transfer of the said funds from the general state fund by the comptroller to a fund to be known as the State Board of Control Capital Improvement or Repair Fund, and to provide for the use of said profits".

2. To strike all of Section 1 of Senate File 59.

3. Amend Section 2 of Senate File 59 by adding thereto the following: "Further amend 1921-f28 by striking from line 7 the words 'three dollars' and by inserting in lieu thereof the following words: 'one dollar'."

4. By striking all of Section 4 of Senate File 59 and substituting in lieu thereof the following:

Sec. 4. Section nineteen hundred twenty-one-f fifty (1921-f50), Code, 1935, is hereby repealed and the following is enacted in lieu thereof, to wit:

"1921-f50. Fund—disposal of. All money received by the commission shall constitute a fund which shall be known as the Liquor Control Act Fund. Whenever said fund shall have a balance therein in excess of the amount necessary to carry out the provisions of this act, as determined and fixed by the comptroller from time to time, said comptroller shall transfer said excess balance to the general fund of the state."

Sec. 5. Temporary exception. Any excess balance now existing in said liquor control act fund, and all excess balances hereafter accruing in said fund, shall be promptly transferred by the comptroller to a fund to be known as the state board of control capital improvement or repair fund, but said transfers to said last named fund shall cease when said transfers shall amount in the aggregate to two million five hundred thousand (\$2,500,000) dollars. Said capital improvement and repair fund shall be expended by the state board of control in the erection of such capital improvements on the lands under the control of said board, or in such repairs on existing improvements on said lands, as the executive council shall

approve. The funds in said last named fund are hereby appropriated for the purpose aforesaid.

Sec. 6. This act being deemed of immediate importance shall be in force and effect after its passage and publication in the Charles City Press, a newspaper published at Charles City, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa.

Senator Donohue moved to substitute the following amendment, filed by Senators Donohue, Elthon and Geske, for the committee amendment:

Amend Senate File 59:

1. By striking out the entire title to Senate File 59 and substituting in lieu thereof the following: "An act to amend Sections 1921-f28, 1921-f31, and Section 1921-f50 of the Code of Iowa of 1935 relating to the Iowa Liquor Control Act, and to provide for the transfer by the comptroller of any excess balance in the Liquor Control Act Fund to a fund to be known as the Capital Improvement and Repair Fund.

2. To strike all of Section 1 of Senate File 59.

3. Amend Section 2 of Senate File 59 by adding thereto the following: "Further amend 1921-f28 by striking from line 7 the words 'three dollars' and by inserting in lieu thereof the following words: 'one dollar'."

4. By striking all of Section 4 and substituting in lieu thereof the following:

Sec. 4. Section 1921-f50 of the Code of 1935 is hereby amended by adding thereto the following:

"From and after June 1, 1937, the comptroller in lieu of transferring any excess balances from the said Liquor Control Act Fund to the State Treasury and using the same for the purpose of reducing the general state levy against real estate shall transfer all excess balances thereafter accruing in said Liquor Control Act Fund to a special fund which shall be designated the Capital Improvement and Repair Fund. The transfer by the comptroller to the said Capital Improvement and Repair Fund shall be discontinued when the comptroller has transferred to the said fund a sum aggregating three million dollars (\$3,000,000), and thereafter all balances accruing shall be transferred by the comptroller to the General State Fund and used to reduce the tax levy against real estate. The Capital Improvement and Repair Fund shall be expended only for such capital improvements and repairs, and in such manner, as the Forty-seventh General Assembly in regular session shall hereafter direct."

Sec. 5. This act being deemed of immediate importance shall be in force and effect after its passage and publication in the Charles City Press, a newspaper published at Charles City, Iowa, and the Nashua Reporter, a newspaper published at Nashua, Iowa.

Senator Berg offered the following amendment to the pending substitute amendment and moved its adoption:

Amend the substitute amendment filed by Senator Donohue to Senate File 59, subsection three (3), line four (4), by striking the words "one dollar" and inserting in lieu thereof the words "twenty-five cents".

Senator Donohue moved the previous question on the amendment to the substitute amendment, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment to the substitute amendment be adopted?" the vote was:

Ayes, 22:

Augustine	Breen	Goetsch	Murray
Baldwin	Byers	Irwin	Parker
Bell of Crawford	Corwin	Kimberly	Schadt
Bell of	Donohue	Lundy	Stewart
Des Moines	Geske	Miller	Zeigler
Berg	Gillespie	Moore	

Nays, 20:

Chrystal	Gillette	Hopkins	Millhone
Dean	Grunewald	Husted	Pelzer
Dewey	Guernsey	Kirketeg	Shaw
Doran	Hill	Levis	Smith
Edwards	Hoeven	Mason	Stevens

Absent or not voting, 7:

Beardsley	Ellis	Evans	Whitehill
Billingsley	Elthon	Mighell	

The amendment to the substitute amendment was adopted.

The motion by Senator Donohue prevailed and the amendment filed by Senators Donohue, Elthon and Geske was substituted for the committee amendment.

Senator Donohue moved the adoption of division 2 of the substitute amendment, which motion prevailed, and the amendment was adopted.

Senator Levis offered the following amendment, and moved its adoption:

Amend Senate File 59 as follows: Strike all of Section two (2) thereof.

Roll call was requested.

On the question, "Shall the amendment offered by Senator Levis be adopted?" the vote was:

Ayes, 21:

Chrystal	Guernsey	Kirketeg	Pelzer
Dewey	Hill	Levis	Shaw
Doran	Hoeven	Lundy	Smith
Edwards	Hopkins	Mason	Stevens
Gillette	Husted	Millhone	Stewart
Grunewald			

Nays, 19:

Baldwin	Byers	Gillespie	Moore
Bell of	Corwin	Goetsch	Murray
Des Moines	Dean	Irwin	Parker
Berg	Donohue	Kimberly	Schadt
Breen	Geske	Miller	Zeigler

Absent or not voting, 9:

Augustine	Billingsley	Elthon	Mighell
Beardsley	Ellis	Evans	Whitehill
Bell of Crawford			

The amendment was adopted.

Senator Donohue asked and received unanimous consent to correct the third division of the substitute amendment to read:

Amend Senate File 59 by adding thereto, as Section 2, the following: "Amend Section 1921-f28, Code, 1935, by striking from line 7 the words 'three dollars' and by inserting in lieu thereof the following words, 'twenty-five cents'."

Senator Donohue moved the adoption of the third division of the substitute amendment.

Roll call was requested.

On the question, "Shall the third division of the substitute amendment be adopted?" the vote was:

Ayes, 15:

Baldwin	Donohue	Kimberly	Parker
Bell of Crawford	Geske	Lundy	Schadt
Berg	Gillespie	Miller	Zeigler
Breen	Irwin	Moore	

Nays, 23:

Augustine	Doran	Hill	Millhone
Byers	Edwards	Hoeven	Pelzer
Chrystal	Evans	Hopkins	Shaw
Corwin	Gillette	Husted	Stevens
Dean	Goetsch	Kirketeg	Stewart
Dewey	Grunewald	Levis	

Absent or not voting, 11:

Beardsley	Billingsley	Guernsey	Murray
Bell of	Ellis	Mason	Smith
Des Moines	Elthon	Mighell	Whitehill

The amendment was not adopted.

Senator Donohue asked and received unanimous consent to correct division 4 of the substitute amendment as follows:

Add in line 5, following the first "the", the words "general fund of the"; add in line 6, following the word "state", the word "tax"; strike from line 13 the word "state" and add in line 14, following the word "Fund", the words "of the State Treasury"; and following the words "reduce the" in line 14, add the words "general state".

The corrective amendments were adopted.

Senator Donohue moved the adoption of division 4 of the substitute amendment.

Senator Hopkins moved the previous question on Senate File 59 and all questions pertaining thereto.

By unanimous consent, Senator Hopkins withdrew his motion.

Senator Moore moved that further consideration on Senate File 59 be postponed until, and remain a special order of business on, March 18th.

Senator Breen moved the previous question on all pending amendments and the main bill.

The President raised the point of order that, under Rule 10, the motion for the previous question took precedence.

The motion on the previous question prevailed.

Roll call was requested.

On the question, "Shall division 4 of the substitute amendment be adopted?" the vote was:

Ayes, 21:

Bell of Crawford	Donohue	Kimberly	Murray
Bell of Des Moines	Geske	Levis	Parker
Breen	Gillespie	Miller	Schadt
Byers	Gillette	Millhone	Smith
Corwin	Hoeven	Moore	Zeigler
	Irwin		

Nays, 20:

Augustine	Dewey	Hill	Mason
Baldwin	Doran	Hopkins	Pelzer
Berg	Edwards	Husted	Shaw
Chrystal	Goetsch	Kirketeg	Stevens
Dean	Grunewald	Lundy	Stewart

Absent or not voting, 8:

Beardsley	Ellis	Evans	Mighell
Billingsley	Elthon	Guernsey	Whitehill

The amendment was adopted.

On motion of Senator Breen, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CALL OF THE SENATE

We, the undersigned Senators, request a call of the Senate for the consideration of Senate File 59.

E. P. DONOHUE.
FRANK C. BYERS.
ANDREW BELL.
L. S. GILLETTE.
J. BERG.
E. P. CORWIN.
M. MOORE.

GEORGE F. PARKER.
D. W. KIMBERLY.
SANFORD ZEIGLER, JR.
TOM E. MURRAY.
H. D. MILLER.
PAUL P. STEWART.

The roll was called and disclosed the absence of fifteen Senators. Consideration of Senate File 59 was temporarily deferred, pending the arrival of those absent.

Senator Shaw asked and received unanimous consent to consider the House amendments to Senate File 184 at this time.

HOUSE AMENDMENTS CONSIDERED

Senator Shaw called up for consideration Senate File 184, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend Section 2, line 9, by striking the word "apportioned" and substituting the word "appropriated".

Further amend Section 2, line 20, by striking the word "to" and substituting the word "throughout".

Amend Section 4, subsection 3, line 2, by inserting immediately following the word "credit" the words "not to exceed twenty-five mills".

Amend Section 4, by adding thereto as subsection 4 the following:

"In any county in which is located a special charter city, which levies and collects its own taxes separately from the county, all millage credits and the amount in dollars thereof on eligible homesteads situated in said city in excess of the consolidated state and county levy by the state and said county for the taxing district in which said city is located, but not in excess of the aggregate levy by said city, shall be certified by the county auditor to the treasurer of said city who shall in turn credit on said city tax lists against the taxes levied by said city on each eligible homestead in said city, said excess millage credits so certified to him in the same manner as herein required to be done by the county auditor on the county tax lists. The county treasurer shall pay to the city treasurer out of the funds apportioned to said county from the homestead credit fund, the amount of said funds so apportioned in excess of the state and county consolidated levy, which shall be applied upon the taxes on eligible homesteads in said city as herein provided. All funds so apportioned in excess of the combined city and consolidated state and county levies for said taxing district exclusive of special assessments shall be remitted to the

State Board of Assessment and Review to be redeposited in the Homestead Credit Fund for re-allocation as provided in this act. The intention and purpose of this provision shall be to allot to each eligible homestead located in such city the same proportionate tax credits received by eligible homesteads in other cities and towns, but this provision shall not be construed in any way to allot to eligible homesteads in such city any greater benefits or credits than eligible homesteads in other cities and towns.

Amend Section 5, line 11, by striking the words "August 1" and substituting the words "June 1".

Amend Section 7, line 3, by striking the words "September 1" and substituting the word "July 1".

Amend Section 11, line 7, by striking the words "July 1" and substituting the words "June 1".

Amend Section 11, line 13, by inserting after the word "same" the following: "and establish the assessed value of the homestead where the same has been assessed with other real estate".

Amend Section 12, line 3, by striking the words "August 1" and substituting the words "July 1".

Amend Section 13, line 1, by striking the words "September 1" to "August 1".

Strike Section 15 and renumber the remaining sections.

Amend Section 19, line 38, by inserting after the word "paid" the following: "and which contract has been recorded in the office of the county recorder as provided in Section ten thousand seventy-six (10076), Code, 1935".

Further amend Section 19, line 41, by inserting after the comma the following: "or by legally adopted children,".

Further amend Section 19, line 43, by striking the period following the word "relatives" and inserting the following: ", or by legally adopted children."

Amend Section 20 by striking from lines 1, 2 and 3 the words: "who has resided in Iowa nine (9) months or more prior to the time for claiming said millage credit" and substituting in lieu thereof the following: ", a resident of the State of Iowa,".

Amend by adding as Section 24 the following:

"Sec. 24. If any portion of this act should be declared unconstitutional, such invalidity shall not be construed to affect any other portion of this act which can be given force and effect without said invalid portion."

Further amend by renumbering the following section.

Amend the title by inserting after the word "counties" in line 18 the following: "; and providing a method of allotting tax credits on homesteads in special charter cities".

Further amend the title by striking the word "limiting" in line 21 and substituting the words "to establish and limit".

On the question, "Shall the Senate refuse to concur?" the vote was:

Ayes, 38:

Augustine	Doran	Hopkins	Moore
Baldwin	Edwards	Husted	Murray
Berg	Evans	Irwin	Parker
Breen	Geske	Kimberly	Pelzer
Byers	Gillette	Kirketeg	Schadt
Chrystal	Goetsch	Levis	Shaw
Corwin	Grunewald	Lundy	Smith
Dean	Guernsey	Mason	Stewart
Dewey	Hill	Millhone	Zeigler
Donohue	Hoeven		

Nays, none.

Absent or not voting, 11:

Beardsley	Billingsley	Gillespie	Stevens
Bell of Crawford	Ellis	Mighell	Whitehill
Bell of Des Moines	Elthon	Miller	

The Senate refused to concur in the House amendments to Senate File 184.

Senator Shaw asked and received unanimous consent that the action of the Senate on House amendments to Senate File 184 be messaged to the House immediately.

CONSIDERATION OF SENATE FILE 59 RESUMED

Senator Breen moved that the rules be suspended and that further consideration of Senate File 59 and any amendments thereto be postponed until 10:00 a. m. Monday.

Roll call was requested.

On the question, "Shall the rules be suspended and further consideration of Senate File 59 be postponed until 10:00 a. m. Monday?" the vote was:

Ayes, 38:

Augustine	Dean	Grunewald	Murray
Baldwin	Dewey	Guernsey	Parker
Bell of Crawford	Donohue	Hill	Pelzer
Bell of Des Moines	Doran	Hoeven	Schadt
Berg	Edwards	Husted	Shaw
Breen	Evans	Irwin	Smith
Byers	Geske	Kimberly	Stevens
Chrystal	Gillespie	Kirketeg	Stewart
Corwin	Gillette	Levis	Zeigler
	Goetsch	Moore	

Nays, 1:

Hopkins

Absent or not voting, 10:

Beardsley	Elthon	Mighell	Millhone
Billingsley	Lundy	Miller	Whitehill
Ellis	Mason		

The motion prevailed, the rules were suspended, and Senate File 59 was postponed until 10:00 a. m. Monday.

Senator Hill asked unanimous consent to consider House Files 341 and 342 at this time.

There were objections.

Senator Hill moved that the rules be suspended and that House Files 341 and 342 be considered at this time.

The motion did not prevail.

THIRD READING OF BILLS

On motion of Senator Millhone, Senate File 174, a bill for an act to amend Section forty-seven hundred fifty-five-b twenty-six (4755-b26), Code of Iowa, 1935, relating to the construction or reconstruction of primary roads, a committee bill, was taken up and considered.

Senator Millhone offered the following amendment to the title of Senate File 174, and moved its adoption:

Amend the title to Senate File 174 by adding after the word "reconstruction" in line three thereof, and before the word "of" in line three thereof, the following: ", improvement and maintenance".

The amendment was adopted.

Senator Augustine moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Dewey	Hoeven	Moore
Baldwin	Donohue	Hopkins	Murray
Beardsley	Doran	Husted	Parker
Bell of	Edwards	Irwin	Pelzer
Des Moines	Evans	Kimberly	Schadt
Berg	Gillespie	Kirketeg	Shaw
Breen	Gillette	Levis	Smith
Byers	Goetsch	Lundy	Stevens
Chrystal	Grunewald	Miller	Stewart
Corwin	Guernsey	Millhone	Zeigler
Dean	Hill		

Nays, none.

Absent or not voting, 8:

Bell of Crawford	Ellis	Geske	Mighell
Billingsley	Elthon	Mason	Whitehill

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

Senator Augustine moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Doran asked unanimous consent that Senate File 65 be deferred at this time, the bill to retain its place on the calendar.

There were objections.

Senator Doran moved that Senate File 65 be made a special order of business immediately following consideration of Senate File 59.

The motion did not prevail.

On motion of Senator Doran, Senate File 65, a bill for an act to amend Sections one thousand four hundred twenty-three (1423), one thousand six hundred nineteen (1619), three thousand seven hundred eighty-three (3783) and one thousand nine hundred twenty-one dash "f" seven (1921-f7) of the Code of Iowa, relating to the appointment and confirmation of the Industrial Commissioner, State Fire Marshal, members of the Board of Parol , and members of the Iowa Liquor Control Commission, and providing the method of confirmation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 65 by striking from the names of the authors the name Geske and inserting in lieu thereof the name Goetsch.

At his request, the name of Senator Geske was withdrawn from the names of the authors.

At his request, the name of Senator Goetsch was placed on Senate File 65 as one of the authors.

By unanimous consent, Senator Doran withdrew the pending amendment.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a **third** time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Beardsley	Edwards	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Byers	Gillette	Kirketeg	Shaw
Corwin	Goetsch	Levis	Smith
Dewey	Grunewald	Lundy	Stewart
Donohue	Hill	Millhone	Zeigler
Doran	Hoeven	Parker	

Nays, 13:

Augustine	Chrystal	Guernsey	Moore
Baldwin	Dean	Kimberly	Murray
Bell of Des Moines	Geske Gillespie	Miller	Stevens

Absent or not voting, 9:

Bell of Crawford	Ellis	Irwin	Mighell
Billingsley	Elthon	Mason	Whitehill
Breen			

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

Senator Doran moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in the Senate amendments to the following joint resolution, in which the concurrence of the House was asked:

House Joint Resolution 8, providing for appointment of a committee to investigate housing of state departments.

A. C. GUSTAFSON, *Chief Clerk.*

REPORTS OF COMMITTEES

Senator Shaw submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was re-referred Senate File 94, a bill for an act to require sales pavilions to keep certain records of personal property sold and to keep the same open for public inspection, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike all of the title and insert in lieu thereof:

"An act to require the owner or owners of a sale pavilion or pavilions to keep a record showing by whom property was delivered for purpose of sale, the name and address of the seller and/or owner or owners thereof, the amount, nature and description of property sold, the pur-

chaser thereof and the amount paid therefor; and to provide a penalty for the violation thereof.

Further amend as follows:

Strike all of Section 1, and insert in lieu thereof the following:

Section 1. Every person, firm, corporation or co-partnership at whose place of business, commonly known as a sale pavilion, personal property belonging to other parties is sold at public auction shall keep a record showing the name or names and address of the truck operator or operators, party or parties delivering the property to the sale pavilion, the license number of the truck if any, together with the name or names and address of the seller or sellers and/or owner or owners, and/or buyers of said property; showing the nature and number of articles or chattels, a brief description of the property, amount paid therefor, and date of sale. The record so required to be kept shall at all times be open to public inspection.

Further amend by adding as Section 2:

Sec. 2. Any violation of the terms of this section shall be punishable by a fine of not to exceed one hundred dollars (\$100) or by imprisonment in the county jail not to exceed thirty (30) days.

A. J. SHAW, *Chairman.*

Ordered passed on file.

Senator Hopkins submitted the following report:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 290, a bill for an act creating and establishing the "Iowa State Teachers' Annuity System"; providing for the creation, maintenance, and administration of a statewide teachers' retirement annuity and pension system; providing for limiting and defining its membership and the benefits payable to its members; defining the terms used in the act; providing for the creation of a retirement board to manage and administer the system and prescribing their powers, duties, and mode of procedure, etc., begs leave to report it has had the same under consideration and returns the bill without recommendation.

GEO. M. HOPKINS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools, to which was referred Senate File 297, a bill for an act to amend Sections 3881, 3883, and 3908, Code, 1935, relating to the fees for teachers' certificates, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. M. HOPKINS, *Chairman.*

Ordered passed on file.

SENATE CONCURRENT RESOLUTION 15

Be It Resolved by the Senate, the House Concurring: That the Forty-

seventh General Assembly adjourn sine die, at 5:00 o'clock P. M., Tuesday, April 13, 1937.

FRANK C. BYERS.
 SANFORD ZEIGLER, JR.
 E. P. DONOHUE.
 ROY E. STEVENS.
 D. W. KIMBERLY.
 C. COLFAX SMITH.
 JAS. M. BELL.
 E. I. MASON.
 CHARLES B. HOEVEN.
 M. MOORE.
 L. S. GILLETTE.
 EDWARD BREEN.
 I. G. CHRYSAL.
 GEO. L. PARKER.
 E. P. CORWIN.
 J. BERG.

A. CLAIRE DEWEY.
 SAM D. GOETSCH.
 HUGH W. LUNDY.
 PAUL P. STEWART.
 PAUL L. MILLHONE.
 A. E. AUGUSTINE.
 H. W. EDWARDS.
 K. A. EVANS.
 H. D. MILLER.
 HUGH G. GUERNSEY.
 FRANK PELZER.
 L. H. DORAN.
 O. J. KIRKETEG.
 ORA E. HUSTED.
 H. V. LEVIS.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 132 as follows:

1. Amend the title in line 5 by striking the words "professions of embalming and optometry" and inserting in lieu thereof "profession of embalming".

2. Amend the title in line 6 by striking the words "and the Iowa Optometric Association".

3. Amend the title in line 7 by striking the word "respectively".

4. Amend Section 1, line 8 by striking the words "or optometry".

5. Further amend by striking all after the word "secretary" in line 15 to and including the word "secretary" in line 18.

6. Further amend line 19 by striking therefrom the word "associations" and inserting in lieu thereof the word "association".

7. Further amend line 20 by striking therefrom "their respective professions" and inserting in lieu thereof "this profession".

A. E. AUGUSTINE.

MR. PRESIDENT: I move to amend Senate File 17 by striking all after the enacting clause and by substituting in lieu thereof the following:

Section 1. Section two thousand nine hundred thirty (2930), Code, 1935, be amended by adding to the end of said section following the period (.) after the word "dollars", the following:

"It is provided however that no farm improvement association shall receive such appropriation if it engages in buying or selling any product, or engages in any other commercial activity, either directly or indirectly, through committees of members or employees appointed by the association (except such supplies and equipment as are necessary for the administration of a rural educational program), or which holds membership in, or is affiliated with, or pays dues to any statewide association, organ-

ization, or corporation which engages in, finances, or has representatives on the board of any business concern.

It is further provided that no farm improvement association shall take part in any political campaign nor endorse any candidate, nor shall it be affiliated with any organization which engages in any political activity. It is provided further that no product kept for sale shall be stored or kept in the office or other buildings of the association, except supplies and equipment incidental to the administration of a rural educational program."

EARL DEAN.

SENATE FILES WITHDRAWN FROM COMMITTEES

On the request of Senator Smith, Senate Files 55 and 70 were withdrawn from the committees and placed on the calendar, under Rule 35.

EXTRA COPIES OF SENATE FILE 174

On request of Senator Millhone, six hundred extra copies of Senate File 174, relating to construction and maintenance of highways in cities and towns, were ordered printed.

The Journal of March 10th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 12, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Joseph H. Castle, pastor of the Methodist Church, Mallard.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Elthon for the day, on request of Senator Whitehill.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Berg, from the Bar Association of Black Hawk county, opposing enactment of House File 245, relating to referees in accounts of executors and administrators and their fees. Judiciary 1.

By Senator Gillette, from citizens of Mitchellville, opposing enactment of House File 265, an act to legalize, tax and define gambling machines and devices. Manufacturing, commerce and trade.

By Senator Hill, from voters of Hardin county, opposing enactment of legislation to prohibit "bank night". Judiciary 1.

By Senator Bell of Des Moines, from citizens of Mediapolis, favoring enactment of Senate File 197, relating to local option. Judiciary 2.

By Senator Dean, from citizens of Cerro Gordo county, favoring enactment of Senate File 197. Judiciary 2.

By Senator Dean, from citizens of Meservey, favoring enactment of Senate File 197. Judiciary 2.

By Senator Edwards, from members of a Latter Day Saint

Church school, opposing enactment of Senate File 197. Judiciary 2.

By Senator Edwards, from voters of Shannon City, favoring enactment of Senate File 197. Judiciary 2.

By Senator Goetsch, from voters of Mitchell and Howard counties, favoring enactment of Senate File 197. Judiciary 2.

By Senator Grunewald, from the Methodist Episcopal Church of Toledo, favoring enactment of Senate File 197. Judiciary 2.

By Senator Hoeven, from residents of Orange City and vicinity, favoring enactment of Senate File 197. Judiciary 2.

By Senator Millhone, from residents of Northboro, favoring enactment of Senate File 197. Judiciary 2.

By Senator Pelzer, from citizens of Lewis, favoring enactment of Senate File 197. Judiciary 2.

By Senator Smith, from citizens of Clarksville, favoring enactment of Senate File 197. Judiciary 2.

By Senator Berg, from citizens of Black Hawk county, opposing enactment of Senate File 203, relating to itinerant merchants. Manufacturing, commerce and trade.

By Senator Byers, from citizens of Linn county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Corwin, from citizens of Muscatine and Fruitland, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Doran, from citizens of Story county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Edwards, from citizens of Afton, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Edwards, from citizens of Redding, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Gillette, from citizens of Palo Alto county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Gillette from citizens of Clay county, opposing

enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Hoeven, from citizens of Pringhar, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Hopkins, from citizens of Dallas county and Madison county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Hopkins, from citizens of Van Meter, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Husted, from citizens of St. Charles, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Husted, from citizens of Winterset, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Levis, from citizens of Lucas county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Stevens, from citizens of Agency, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Stevens, from citizens of Ottumwa, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Whitehill, from citizens of State Center and Rhodes, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Stevens, from citizens of Agency, favoring enactment of Senate File 197. Judiciary 2.

By Senator Berg, from the Board of Education of Waterloo, favoring enactment of House File 130. Public schools.

By Senator Dean, from citizens of Mason City, favoring enactment of House File 130. Public schools.

By Senator Levis, from teachers of Humestou, favoring the enactment of House File 130. Public schools.

By Senator Moore, from teachers of Rockford township, Pottawattamie county, favoring enactment of House File 48 and House File 130. Public schools.

By Senator Shaw, from the Buena Vista County School Men's Club, favoring enactment of House File 130. Public schools.

By Senator Shaw, from teachers of Storm Lake, favoring enactment of House File 130. Public schools.

By Senator Hill, from the James Wedding Post 2694 V. F. W. at Webster City, opposing enactment of Senate File 191. Social security.

By Senator Moore, from contractors of Council Bluffs, opposing enactment of House File 117 and Senate File 24, relating to workmen's compensation. Social security.

By Senator Zeigler, from citizens of Jefferson county, favoring enactment of Senate File 197. Judiciary 2.

INTRODUCTION OF BILLS

Senate File 379, by committee on social security, a bill for an act to make an appropriation for the State Department of Social Welfare for its expenses and for aid to the needy blind, aid to dependent children and for the Division of Child Welfare.

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

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the following proofs of publication:

Senate File 226, a proposed bill to legalize the acts of the County Board of Supervisors of Appanoose County.

House File 306, a proposed bill to legalize the acts of the Board of Supervisors of Webster County.

Senate File 273, a proposed bill to legalize the establishment of a swimming pool in the City of Dubuque without the formality of a special election.

WALTER H. BEAM, *Secretary.*

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 6, a bill for an act relating to divorce and providing for a penalty for willful disobedience of decree of court.

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

Senate File 11, a bill for an act legalizing the actions of the City Council of Sioux City.

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

House File 79, a bill for an act relating to noxious weeds.

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

House File 83, a bill for an act requiring that all books, records, accounts and vouchers, and reports kept by any state office be opened to public inspection.

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

House File 92, a bill for an act relating to estrays and trespassing animals and penalty for guilt of a misdemeanor.

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

Senate File 99, a bill for an act authorizing the leasing of park property under certain conditions.

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

House File 107, a bill for an act to authorize cities and towns to pay expenses of firemen attending Iowa Fire School and Regional Fire Schools.

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

House File 131, a bill for an act relating to limitation of hours on duty for firemen.

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

House File 137, a bill for an act relating to commission governed cities providing sites for public buildings.

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

House File 211, a bill for an act to permit service of process on a non-resident attending trial to defend in a criminal action pending against him.

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

House File 290, a bill for an act to legalize the establishment of a swimming pool in the city of Dubuque without the formality of a special election.

A. C. GUSTAFSON, *Chief Clerk.*

SENATE CONCURRENT RESOLUTION 15 CONSIDERED

Senator Byers called up the following resolution and moved its adoption:

Be It Resolved by the Senate, the House Concurring: That the Forty-seventh General Assembly adjourn sine die, at 5:00 o'clock P. M., Tuesday, April 13, 1937.

The motion prevailed and the resolution was adopted.

COMMITTEE REPORTS ON INDEFINITE POSTPONEMENT CONSIDERED

Senator Hoeven called up the committee report on Senate File 84, recommending indefinite postponement, and moved its adoption.

Roll call was requested.

On the question, "Shall the committee report be adopted?" the vote was:

Ayes, 8:

Donohue	Guernsey	Levis	Pelzer
Evans	Husted	Millhone	Zeigler

Nays, 29:

Augustine	Doran	Hopkins	Murray
Beardsley	Edwards	Irwin	Parker
Berg	Gillespie	Kimberly	Schadt
Breen	Gillette	Kirketeg	Shaw
Byers	Grunewald	Mason	Stevens
Chrystal	Hill	Mighell	Stewart
Dean	Hoeven	Miller	Whitehill
Dewey			

Absent or not voting, 12:

Baldwin	Billingsley	Elthon	Lundy
Bell of Crawford	Corwin	Geske	Moore
Bell of	Ellis	Goetsch	Smith
Des Moines			

The committee report was not adopted, and Senate File 84 was placed on the calendar.

Senator Millhone called up for consideration the committee report on Senate File 85, recommending indefinite postponement, and moved its adoption.

The committee report was adopted and Senate File 85 was indefinitely postponed.

Senator Hopkins called up the committee report on Senate File 131, recommending indefinite postponement, and moved its adoption.

The committee report was adopted and Senate File 131 was indefinitely postponed.

Senator Smith called up the committee report on Senate File 188, recommending indefinite postponement, and moved its adoption.

Senator Beardsley moved to defer action on the committee report. The President ruled Senator Beardsley's motion out of order.

The committee report was adopted and Senate File 188 was indefinitely postponed.

Senator Shaw called up the committee report on Senate File 45, recommending indefinite postponement, and moved its adoption.

Roll call was requested.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 25:

Beardsley	Geske	Hopkins	Pelzer
Berg	Goetsch	Husted	Shaw
Byers	Grunewald	Kirketeg	Smith
Corwin	Guernsey	Miller	Stewart
Doran	Hill	Moore	Whitehill
Ellis	Hoeven	Parker	Zeigler
Evans			

Nays, 18:

Augustine	Dewey	Kimberly	Millhone
Baldwin	Donohue	Levis	Murray
Bell of	Edwards	Lundy	Schadt
Des Moines	Gillespie	Mason	Stevens
Breen	Gillette	Mighell	

Absent or not voting, 6:

Bell of Crawford	Chrystal	Elthon	Irwin
Billingsley	Dean		

The report of the committee was adopted, and Senate File 45 was indefinitely postponed.

Senator Shaw called up the committee report on Senate File 43, recommending indefinite postponement, and moved its adoption.

The report of the committee was adopted, and Senate File 43 was indefinitely postponed.

THIRD READING OF BILLS

On motion of Senator Donohue, Senate File 187, a bill for an act to amend Section thirteen thousand eight hundred sixty (13860), Code, 1935, relating to separation of jury, a committee bill, was taken up and considered.

Senator Millhone moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Doran	Hoeven	Millhone
Baldwin	Edwards	Hopkins	Moore
Beardsley	Ellis	Husted	Murray
Berg	Evans	Irwin	Pelzer
Breen	Geske	Kimberly	Schadt
Byers	Gillespie	Kirketeg	Shaw
Chrystal	Gillette	Levis	Stevens
Corwin	Goetsch	Lundy	Stewart
Dean	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 7:

Bell of Crawford	Billingsley	Mason	Smith
Bell of Des Moines	Elthon	Parker	

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

Senator Millhone moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mason, Senate File 17, a bill for an act to repeal Section twenty-nine hundred thirty (2930), Code, 1935, relating to aid to the farm bureau, was taken up and considered.

Senator Dean offered the following amendment:

Amend Senate File 17 by striking all after the enacting clause and by substituting in lieu thereof the following:

Section 1. Section two thousand nine hundred thirty (2930), Code, 1935, be amended by adding to the end of said section following the period (.) after the word "dollars", the following:

"It is provided however that no farm improvement association shall receive such appropriation if it engages in buying or selling any product, or engages in any other commercial activity, either directly or indirectly, through committees of members or employees appointed by the association (except such supplies and equipment as are necessary for the administration of a rural educational program), or which holds membership in, or is affiliated with, or pays dues to any statewide association, organization, or corporation which engages in, finances, or has representatives on the board of any business concern.

It is further provided that no farm improvement association shall take part in any political campaign nor endorse any candidate, nor shall it be affiliated with any organization which engages in any political activity. It is provided further that no product kept for sale shall be stored or kept in the office or other buildings of the association, except supplies and equipment incidental to the administration of a rural educational program."

Senator Dean moved that Senate File 17 and the amendment thereto be rereferred to the committee on agriculture.

Senator Donohue moved that consideration of Senate File 17 be postponed until 10:00 a. m., Wednesday, March 17th, and be made a special order of business at that time.

Senator Beardsley moved the previous question on Senator Donohue's motion.

Senator Beardsley withdrew his motion.

Roll call was requested.

On the question, "Shall Senate File 17 be postponed until 10:00 a. m., Wednesday, March 17th, and be made a special order of business at that time?" the vote was:

Ayes, 28:

Berg	Evans	Husted	Murray
Breen	Geske	Irwin	Parker
Byers	Gillespie	Kimberly	Pelzer
Dean	Goetsch	Kirketeg	Schadt
Dewey	Guernsey	Levis	Shaw
Donohue	Hill	Lundy	Smith
Edwards	Hoeven	Millhone	Stevens

Nays, 14:

Augustine	Doran	Hopkins	Stewart
Baldwin	Ellis	Mighell	Whitehill
Beardsley	Gillette	Moore	Zeigler
Corwin	Grunewald		

Absent or not voting, 7:

Bell of Crawford	Billingsley	Elthon	Miller
Bell of	Chrystal	Mason	
Des Moines			

The motion prevailed, and consideration of Senate File 17 was postponed until, and made a special order of business for, Wednesday, March 17th, at 10:00 a. m.

EXTRA COPIES OF SENATE FILES

On request of Senator Corwin, six hundred extra copies of Senate File 339, relating to the licensing and taxing of motor vehicles, were ordered printed.

On request of Senator Hopkins, six hundred extra copies of Senate File 89, relating to a State Appeal Board, were ordered printed.

On request of Senator Gillespie, six hundred extra copies of Senate File 164, relating to the sale and distribution of poisons, were ordered printed.

On motion of Senator Hill, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

PROUDFOOT MEMORIAL RESOLUTION

Senator Beardsley offered the following resolution, and moved its adoption:

Whereas, The Honorable Aaron V. Proudfoot of Indianola, Iowa, who represented the eleventh Senatorial District in the Iowa Senate for two terms and served his State and District with distinction, died at his home at Indianola, Iowa, during the summer of 1936, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That the President of the Senate appoint a committee of three to draft suitable resolutions in commemoration of the life and character and service of the Honorable Aaron V. Proudfoot.

The resolution was adopted, and the President appointed Senators Beardsley, Edwards, and Husted.

INTRODUCTION OF BILLS

Senate File 380, by committee on livestock and dairying, a bill for an act relating to the definition of ice milk, imitation ice cream, fruit ice and milk sherbet and providing certain regulations as to the sale thereof.

Read first and second times and placed on calendar.

Senate File 381, by committee on livestock and dairying, a bill for an act to amend Sections two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749), and two thousand seven hundred fifty-three (2753), Code, 1935, relating to the use and disposal of dead animals.

Read first and second times and placed on calendar.

Senate File 382, by committee on public libraries, a bill for an act to create a library certification board; to prescribe its duties, and the qualifications of the members thereof; and regulate the appointment of librarians.

Read first and second times and placed on calendar.

HOUSE MESSAGES CONSIDERED

House File 79, a bill for an act to amend Section forty-eight hundred nineteen (4819) of the Code, 1935, relating to the destruction of noxious weeds.

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

House File 83, a bill for an act to amend Section twelve hundred twenty-five (1225), 1935 Code of Iowa, requiring that all books, records, accounts, vouchers and reports kept by any state office or any political sub-division thereof, including institutions supported thereby, be opened to public inspection at all times; and providing an exception thereto.

Read first and second times and referred to committee on judiciary 1.

House File 92, a bill for an act to amend Sections twenty-nine hundred seventy-nine (2979) and three thousand eighteen (3018), Code, 1935, relating to estrays and trespassing animals and penalty for guilt of a misdemeanor.

Read first and second times and referred to committee on judiciary 2.

House File 107, a bill for an act to authorize cities and towns, including those acting under special charter, to pay the expenses

of firemen attending the Iowa Fire School and Regional Fire Schools conducted or sponsored by the Iowa State College and certain other gatherings of firemen.

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

House File 131, a bill for an act to amend sub-division a-one (a-1) of Section sixty-three hundred twenty-six (6326), Code, 1935, relating to limitation of hours on duty for firemen.

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

House File 137, a bill for an act to amend Chapter three hundred twenty-six (326), Code, 1935, relating to commission governed cities, and providing that such cities having a population of one hundred twenty-five thousand (125,000) or more, may by action of the city council, with the concurrence of the park board of said city, if any such exists, have the right to consent to and provide a site in any park or public grounds of said city for the location of buildings to be used for a public library, public art gallery or art museum, or for a library, art gallery or art museum to be erected, owned and kept by individuals, associations or corporations for public use and not for private profit.

Read first and second times and passed on file.

House File 211, a bill for an act to permit the service of process upon a non-resident who is attending a trial to defend in a criminal action pending against him in the State of Iowa, and providing that the rule shall apply to cases now pending.

Read first and second times and referred to committee on judiciary 2.

House File 290, a bill for an act to legalize the establishment of a swimming pool in the city of Dubuque without the formality of a special election.

Read first and second times and referred to committee on judiciary 2.

Senator Beardsley moved that the Senate adjourn until 10:00 a. m. Monday.

By unanimous consent, Senator Beardsley withdrew his motion.

Senator Miller asked and received unanimous consent to consider Senate File 207 at this time.

THIRD READING OF BILLS

On motion of Senator Miller, Senate File 207, a bill for an act to legalize warrants issued by the board of supervisors of Jones county, Iowa, issued against the county general fund, and to legalize the proceedings taken for the levy of taxes to pay said warrants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Miller moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dean	Guernsey	Miller
Baldwin	Dewey	Hill	Millhone
Beardsley	Donohue	Hoeven	Murray
Bell of Crawford	Doran	Hopkins	Pelzer
Bell of	Edwards	Irwin	Schadt
Des Moines	Evans	Kimberly	Shaw
Berg	Geske	Kirketeg	Smith
Breen	Gillette	Levis	Stevens
Byers	Goetsch	Lundy	Whitehill
Chrystal	Grunewald	Mighell	Zeigler
Corwin			

Nays, none.

Absent or not voting, 9:

Billingsley	Gillespie	Mason	Parker
Ellis	Husted	Moore	Stewart
Elthon			

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

Senator Miller moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Byers asked and received unanimous consent to consider Senate File 302 at this time.

On motion of Senator Byers, Senate File 302, a bill for an act to legalize and validate proceedings taken by the city council of

the city of Cedar Rapids, Iowa, authorizing and providing for the issuance of bonds for jail and police station purposes and making provisions for the levy of taxes to pay said bonds, a committee bill, was taken up and considered.

Senator Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dewey	Guernsey	Miller
Baldwin	Donohue	Hill	Millhone
Beardsley	Doran	Hoeven	Murray
Bell of Crawford	Edwards	Hopkins	Pelzer
Bell of	Evans	Irwin	Schadt
Des Moines	Geske	Kimberly	Shaw
Berg	Gillespie	Kirketeg	Smith
Breen	Gillette	Levis	Stevens
Byers	Goetsch	Lundy	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dean			

Nays, none.

Absent or not voting, 9:

Billingsley	Elthon	Mason	Parker
Chrystal	Husted	Moore	Stewart
Ellis			

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Byers, Senate File 302 was ordered messaged to the House immediately.

Senator Hopkins asked and received unanimous consent to consider House File 23 at this time.

On motion of Senator Hopkins, House File 23, by Rutherford, a bill for an act to amend Section seven thousand seven hundred fourteen-g one (7714-g1), Code, 1935, relating to the composing and refunding of indebtedness of drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hopkins moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dewey	Guernsey	Miller
Baldwin	Donohue	Hill	Millhone
Beardsley	Doran	Hoeven	Murray
Bell of Crawford	Edwards	Hpokins	Pelzer
Bell of	Evans	Irwin	Schadt
Des Moines	Geske	Kimberly	Shaw
Berg	Gillespie	Kirketeg	Smith
Breen	Gillette	Levis	Stevens
Byers	Goetsch	Mason	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dean			

Nays, none.

Absent or not voting, 9:

Billingsley	Elthon	Lundy	Parker
Chrystal	Husted	Moore	Stewart
Ellis			

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

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Berg moved that the rules be suspended and that House File 291 be withdrawn from the committee, which motion prevailed and House File 291 was placed on the calendar.

Senator Berg asked and received unanimous consent that the rules be suspended and that House File 291 be considered at this time.

On motion of Senator Berg, House File 291, a bill for an act to legalize and validate the acts and proceedings taken by the City Council of the city of Cedar Falls, in Black Hawk County, Iowa, authorizing and providing for the issuance and delivery of refunding bonds of said city and making provision for the levy of taxes to pay the principal of said bonds, together with interest thereon, was taken up and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Bell of Crawford	Berg	Corwin
Baldwin	Bell of	Breen	Donohue
Beardsley	Des Moines	Byers	Doran

Edwards	Grunewald	Kirketeg	Murray
Evans	Guernsey	Levis	Pelzer
Geske	Hill	Mason	Schadt
Gillespie	Hoeven	Mighell	Smith
Gillette	Hopkins	Miller	Whitehill
Goetsch	Kimberly	Millhone	Zeigler

Nays, none.

Absent or not voting, 14:

Billingsley	Ellis	Lundy	Shaw
Chrystal	Elthon	Moore	Stevens
Dean	Husted	Parker	Stewart
Dewey	Irwin		

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

Senator Berg moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Baldwin asked and received unanimous consent to consider Senate File 192 at this time.

On motion of Senator Baldwin, Senate File 192, a bill for an act to authorize cities operating under the Manager Plan and having a population of over thirty thousand (30,000) to incur indebtedness, make expenditures and issue warrants, and to exceed the amounts set forth in their budget appropriations for the fiscal year beginning April 1, 1936, and ending March 31, 1937, and permitting such cities to make a levy for the General Fund not exceeding thirty thousand dollars (\$30,000.00), said levy being in addition to other levies for said General Fund, as provided by law, on all taxable property within said cities, said levy being payable in year 1938, and authorizing said cities to issue warrants in anticipation of the collection of said levy, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Baldwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Berg	Donohue	Gillette
Baldwin	Breen	Doran	Goetsch
Beardsley	Byers	Edwards	Grunewald
Bell of Crawford	Corwin	Evans	Guernsey
Bell of	Dean	Geske	Hill
Des Moines	Dewey	Gillespie	Hopkins

Irwin
Kimberly
Kirketeg
Levis
Lundy

Mighell
Miller
Millhone
Moore

Murray
Pelzer
Schadt
Shaw

Smith
Stevens
Whitehill
Zeigler

Nays, none.

Absent or not voting, 9:

Billingsley
Chrystal
Ellis

Elthon
Hoeven

Husted
Mason

Parker
Stewart

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

Senator Baldwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Baldwin asked and received unanimous consent to consider Senate File 193 at this time.

On motion of Senator Baldwin, Senate File 193, a bill for an act to legalize the actions of the City Council and the City Auditor of the City of Dubuque, Iowa, in making expenditures and issuing warrants in the Month of April, 1936, in the sum of \$20,119.37, said warrants being drawn on the Consolidated Fund of such city for indebtedness incurred during the fiscal year beginning on April 1, 1935, and ending on March 31, 1936, in excess of appropriations and anticipated revenues for such fiscal year, and to make such warrants a legal, binding and valid obligation of the City of Dubuque, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Baldwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine
Baldwin
Beardsley
Bell of Crawford
Bell of
Des Moines
Berg
Breen

Byers
Chrystal
Corwin
Dean
Dewey
Doran
Edwards
Evans

Geske
Gillespie
Gillette
Goetsch
Grunewald
Guernsey
Hill
Hoeven

Hopkins
Irwin
Kimberly
Kirketeg
Lundy
Mighell
Miller
Millhone

Moore
Murray
Pelzer

Schadt
Shaw

Smith
Stevens

Whitehill
Zeigler

Nays, none.

Absent or not voting, 9:

Billingsley
Donohue
Ellis

Elthon
Husted

Levis
Mason

Parker
Stewart

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

Senator Baldwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Gillette asked and received unanimous consent to consider Senate File 218 at this time.

On motion of Senator Gillette, Senate File 218, a bill for an act to amend Section six thousand two hundred eleven (6211) of the Code of Iowa, 1935, by providing for the use of unexpended library funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine
Baldwin
Beardsley
Bell of Crawford
Bell of
Des Moines
Berg
Breen
Byers
Chrystal
Corwin

Dean
Dewey
Doran
Edwards
Evans
Geske
Gillespie
Gillette
Goetsch
Grunewald

Guernsey
Hill
Hoeven
Hopkins
Husted
Irwin
Kimberly
Kirketeg
Levis
Lundy

Mighell
Miller
Moore
Murray
Pelzer
Schadt
Shaw
Smith
Whitehill
Zeigler

Nays, none.

Absent or not voting, 9:

Billingsley
Donohue
Ellis

Elthon
Mason

Millhone
Parker

Stevens
Stewart

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

Senator Gillette moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Gillespie moved that the rules be suspended and that House File 137 be placed on the calendar, which motion prevailed and House File 137 was placed on the calendar.

Senator Gillespie asked and received unanimous consent to consider House File 137 at this time.

On motion of Senator Gillespie, House File 137, a bill for an act to amend Chapter three hundred twenty-six (326), Code, 1935, relating to commission governed cities, and providing that such cities having a population of one hundred twenty-five thousand (125,000) or more, may by action of the city council, with the concurrence of the park board of said city, if any such exists, have the right to consent to and provide a site in any park or public grounds of said city for the location of buildings to be used for a public library, public art gallery or art museum, or for a library, art gallery or art museum to be erected, owned and kept by individuals, associations or corporations for public use and not for private profit, was taken up and considered.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Doran	Hoeven	Millhone
Baldwin	Edwards	Hopkins	Moore
Beardsley	Evans	Husted	Murray
Berg	Geske	Kimberly	Pelzer
Breen	Gillespie	Kirketeg	Schadt
Byers	Gillette	Levis	Shaw
Chrystal	Goetsch	Lundy	Stevens
Corwin	Grunewald	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Hill		

Nays, none

Absent or not voting, 11:

Bell of Crawford	Billingsley	Elthon	Parker
Bell of	Donohue	Irwin	Smith
Des Moines	Ellis	Mason	Stewart

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

Senator Hill asked unanimous consent to take up Senate File 341 at this time.

There were objections.

Senator Guernsey asked and received unanimous consent to consider Senate File 226 at this time.

On motion of Senator Guernsey, Senate File 226, a bill for an act to legalize the action of the county board of supervisors of Appanoose county, Iowa, in making expenditures and approving claims against the general fund of said county; to make the expenditures and the approving of the claims by said board of supervisors legal, valid and binding obligations of said county; to authorize the county auditor of said county to issue anticipatory warrants in 1937 against the general fund, and to authorize the county treasurer of said county to pay said warrants out of any funds coming into his hands in 1937 and belonging to the general fund of said county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Guernsey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Edwards	Hopkins	Moore
Baldwin	Evans	Husted	Murray
Beardsley	Geske	Kimberly	Pelzer
Berg	Gillespie	Kirketeg	Schadt
Breen	Gillette	Levis	Shaw
Byers	Goetsch	Mason	Smith
Chrystal	Grunewald	Mighell	Stevens
Corwin	Guernsey	Miller	Whitehill
Dewey	Hill	Millhone	Zeigler
Doran	Hoeven		

Nays, none

Absent or not voting, 11:

Bell of Crawford	Billingsley	Ellis	Lundy
Bell of	Dean	Elthon	Parker
Des Moines	Donohue	Irwin	Stewart

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

Senator Guernsey moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Levis moved that House File 203 be withdrawn from the committee and placed on the calendar, which motion prevailed and House File 203 was placed on the calendar.

Senator Levis asked and received unanimous consent to consider House File 203 at this time.

On motion of Senator Levis, House File 203, by Hoegh, a bill for an act to legalize action of the board of supervisors of Lucas county, Iowa, in transferring funds in the amount of ten thousand (10,000) dollars from the state insane fund of Lucas county, to the county general fund in 1935, was taken up and considered.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Doran	Hill	Millhone
Baldwin	Edwards	Hoeven	Moore
Beardsley	Evans	Hopkins	Murray
Berg	Geske	Husted	Pelzer
Breen	Gillespie	Kimberly	Schadt
Byers	Gillette	Kirketeg	Smith
Chrystal	Goetsch	Levis	Stevens
Corwin	Grunewald	Lundy	Whitehill
Dean	Guernsey	Mighell	Zeigler
Dewey			

Nays, none

Absent or not voting, 12:

Bell of Crawford	Donohue	Irwin	Parker
Bell of	Ellis	Mason	Shaw
Des Moines	Elthon	Miller	Stewart
Billingsley			

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

Senator Levis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Lundy moved that the rules be suspended and that House File 150 be withdrawn from the committee on judiciary 1 and placed on the calendar, which motion prevailed.

Senator Lundy asked and received unanimous consent to consider House File 150 at this time.

On motion of Senator Lundy, House File 150, by Wood, a bill for an act authorizing Monroe county, Iowa, to pay claim of Cyrus Hall against secondary road maintenance fund, was taken up and considered.

Senator Lundy moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Doran	Hill	Moore
Beardsley	Edwards	Hoeven	Murray
Bell of Crawford	Evans	Hopkins	Pelzer
Berg	Geske	Husted	Schadt
Byers	Gillespie	Kimberly	Shaw
Chrystal	Gillette	Kirketeg	Smith
Corwin	Goetsch	Lundy	Stevens
Dean	Grunewald	Mighell	Whitehill
Dewey	Guerusey	Millhone	Zeigler

Nays, none

Absent or not voting, 13:

Baldwin	Breen	Irwin	Miller
Bell of	Donohue	Levis	Parker
Des Moines	Ellis	Mason	Stewart
Billingsley	Elthon		

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

Senator Lundy moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Byers asked and received unanimous consent to consider Senate Files 353, 354 and 355 at this time.

On motion of Senator Byers, Senate File 353, a bill for an act to legalize the corporate acts and renewal of the Farmers' Mutual Insurance Association of Fremont county, a committee bill, was taken up and considered.

Senator Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Byers moved to reconsider the vote by which Senate File 353 went to its third reading, which motion prevailed.

Senator Doran moved to amend Senate File 353 as follows:

Strike from line 2 of Section 1, the following " , taken or to be taken," and insert in lieu thereof the word "taken".

Senator Byers moved that further consideration of Senate File 353 be postponed until Monday immediately following consideration of Senate File 59.

The motion prevailed and Senate File 353 remained on the calendar as unfinished business for Monday.

On motion of Senator Byers, Senate File 354, a bill for an act to legalize the corporate acts and renewal of the Weber & Sons Button Company, a committee bill, was taken up and considered.

Senator Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Doran	Hopkins	Murray
Baldwin	Edwards	Husted	Pelzer
Berg	Evans	Kimberly	Schadt
Breen	Geske	Kirketeg	Shaw
Byers	Gillespie	Levis	Smith
Chrystal	Gillette	Mighell	Stevens
Corwin	Goetsch	Miller	Whitehill
Dean	Hill	Millhone	Zeigler
Dewey	Hoeven	Moore	

Nays, none

Absent or not voting, 14:

Beardsley	Billingsley	Grunewald	Mason
Bell of Crawford	Donohue	Guernsey	Parker
Bell of	Ellis	Irwin	Stewart
Des Moines	Eithon	Lundy	

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Byers, Senate File 355, a bill for an act to legalize the corporate acts and the renewal of the Farmers' Mutual Fire and Lightning Insurance Association of Winneshiek county, Iowa, a committee bill, was taken up and considered.

Senator Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Edwards	Husted	Murray
Berg	Evans	Kimberly	Pelzer
Breen	Geske	Kirketeg	Schadt
Byers	Gillespie	Levis	Shaw
Chrystal	Gillette	Mason	Smith
Corwin	Goetsch	Mighell	Stevens
Dean	Hill	Miller	Whitehill
Dewey	Hoeven	Millhone	Zeigler
Doran	Hopkins	Moore	

Nays, none

Absent or not voting, 14:

Baldwin	Bell of	Ellis	Irwin
Beardsley	Des Moines	Elthon	Lundy
Bell of Crawford	Billingsley	Grunewald	Parker
	Donohue	Guernsey	Stewart

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILES WITHDRAWN

Senator Hopkins asked and received unanimous consent that Senate File 64, companion bill to House File 23, be withdrawn from the further consideration of the Senate.

Senator Berg asked and received unanimous consent that Senate File 242, companion bill to House File 291, be withdrawn from the further consideration of the Senate.

Senator Gillespie asked and received unanimous consent that Senate File 128, companion bill to House File 137, be withdrawn from the further consideration of the Senate.

CONFERENCE COMMITTEE ON SENATE FILE 184

Senator Hopkins moved that the rules be suspended and that the President appoint the conference committee on Senate File 184.

The motion prevailed, and the President appointed Senators Shaw, Levis, Breen, and Augustine, on the part of the Senate.

REPORTS OF COMMITTEES

Senator Chrystal submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments, to which was referred Senate Joint Resolution 5, a joint resolution proposing an amendment to Article seven (VII) of the Constitution of the State of Iowa, by adding thereto Section eight (8), begs leave to report it has had the same under consideration and recommends the same do pass.

I. G. CRYSTAL, *Chairman.*

Ordered passed on file.

Senator Goetsch submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred House File 49, a bill for an act to repeal Sections one hundred thirteen (113) and one hundred twenty-four (124), both of the Code, 1935, and to enact substitutes therefor, relating to the auditing of financial records of counties, schools, townships, cities and towns, including cities under special charter, and other municipalities, begs leave to report it has had the same under consideration and recommends the same do pass.

SAM D. GOETSCH, *Chairman.*

Ordered passed on file.

Senator Zeigler submitted the following report:

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 14, a bill for an act to amend Chapter thirty-six (36) of the Code, 1935, relating to nominations by primary election, begs leave to report it has had the same under consideration and returns the bill without recommendation.

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 208, a bill for an act to amend Section six hundred one (601), Code, 1935, providing for secretary of state to certify nominees thirty (30) days before the general election, begs leave to report it has had the same under consideration and recommends the same do pass.

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections and contests, to which was referred Senate File 255, a bill for an act to provide for the nomi-

nation of candidates for public offices by means other than by primary elections and to this end to repeal Chapters thirty-seven-A one (37-A1) and thirty-seven-A two (37-A2) and to enact a substitute therefor, to amend Sections five hundred twenty-eight (528), six hundred thirty-nine (639), six hundred seventy (670), six hundred seventy-five (675), and sixty-six hundred ninety-seven (6697), and to repeal Section six hundred forty-eight (648), all relating to said subject matter, and all of the Code, 1935, begs leave to report it has had the same under consideration and returns the bill without recommendation.

SANFORD ZEIGLER, JR., *Chairman.*

Ordered passed on file.

Senator Kirketeg submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred Senate File 203, a bill for an act to define, regulate, license and tax the business conducted by certain itinerant-merchants, with exceptions; to appropriate the revenue derived from such license and tax; to require insurance protection from damage sustained as a result of the negligent operation of vehicles by certain itinerant-merchants; to provide penalties for violation hereof; to provide for service of process and place of bringing suit; to provide for seizure of vehicles; to provide for the repeal of certain acts; to provide for the administration and enforcement hereof, and to provide that if any part of this act is held unconstitutional the remaining parts shall not be affected, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by adding to paragraph 3 of Section 1 thereof after line 44 of the printed bill the following:

(c) Persons who are licensed as itinerant vendors of drugs under Chapter 155 of the Code of 1935, and who are actually engaged in such business.

(d) Those doing business wholly within the limits of an incorporated city or town and who purchase the goods sold or offered for sale at an established place of business located in said city or town.

(e) Those who are residents of Iowa and are licensed by the state and who are paying the required fees as carriers of freight for compensation between fixed termini over a regular route.

By striking the word "makes" in line 31 of Section 1 and inserting in lieu thereof the word "exhibits".

By inserting between the words "owned" and "by" in line 43 of Section 1 the words "or leased".

By inserting between the words "products" and "produced" in line 28 of Section 1 the following: "or other commodities".

By striking from line 51 of Section 1 the word "residences" and the comma following said word.

By striking the period in line 54 of Section 1 and adding to said line the words "of less than six months continuous duration".

Further amend by adding after the period in line 9 of Section 3 the

following: "Any tax or licenses paid by the applicant in addition to the ordinary motor vehicle tax as an operator of a motor truck for the transportation of freight, for compensation not between fixed termini, shall be deducted from the fee to be paid under this section."

Further amend by adding after the period in line 33 of Section 4 the following: "Any bond or insurance policy filed with the Railway Commission, and approved by it in compliance with the law applicable to operators of motor trucks for public transportation of freight for compensation shall be accepted in lieu of the insurance required by this section, to the amount of such bond or policy provided it contains the provisions herein specified."

O. J. KIRKETEG, *Chairman.*

Ordered passed on file.

Senator Chrystal submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments, to which was referred Senate Joint Resolution 5, a joint resolution proposing an amendment to Article seven (VII) of the Constitution of the state of Iowa by adding thereto Section 8, begs leave to report it has had the same under consideration and recommends the same do pass.

I. G. CHRYSTAL, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File 33 by striking all of the enacting clause of said act.

L. H. DORAN.

The Journal of March 11th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 15, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Edwin L. Spiller, pastor of the Jordan-Riverside Parish Methodist Episcopal Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Irwin, from citizens of Clinton county, opposing enactment of Senate File 203, relating to itinerant merchants. Manufacturing, commerce and trade.

By Senator Mighell, from citizens of Cherokee, opposing enactment of Senate File 203. Manufacturing commerce and trade.

By Senator Whitehill, from citizens of Marshall county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Baldwin, from citizens of Dubuque, favoring enactment of House File 130. Public schools.

By Senator Corwin, from citizens of Muscatine, favoring enactment of House File 130. Public schools.

By Senator Gillespie, from citizens of Des Moines, favoring enactment of House File 48 and House File 130. Public schools.

By Senator Stevens, from citizens of Ottumwa, favoring enactment of the "full crew bill". Railroads and aeronautics.

By Senator Ellis, from citizens of Jackson county, favoring enactment of Senate File 197. Judiciary 2.

By Senator Gillespie, from citizens of Des Moines, favoring enactment of Senate File 197. Judiciary 2.

By Senator Grunewald, from citizens of Shellsburg, favoring enactment of Senate File 197. Judiciary 2.

By Senator Miller, from voters of Cedar county, favoring enactment of Senate File 197. Judiciary 2.

By Senator Hopkins, from residents of Guthrie Center and vicinity, favoring enactment of Senate File 197. Judiciary 2.

By Senator Murray, from voters of Woodbury county, favoring enactment of Senate File 197. Judiciary 2.

By Senator Zeigler, from citizens of Jefferson county, favoring enactment of Senate File 197. Judiciary 2.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 86, a bill for an act relating to the unlawful display of military badges.

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

Senate File 302, a bill for an act to legalize and validate proceedings taken by the city council of the city of Cedar Rapids, Iowa, for the issuance of bonds for jail and police station purposes.

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

House File 51, a bill for an act relating to civil service employees of cities.

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

House File 82, a bill for an act relating to the powers and duties of the board of hospital trustees.

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

House File 186, a bill for an act relating to the practice of embalming.

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

House File 306, a bill for an act to legalize the action of the board of supervisors of Webster County, Iowa. A. C. GUSTAFSON, *Chief Clerk*.

CONSIDERATION OF SENATE FILE 59

There being a call of the Senate for the consideration of Senate

File 59, a special order of business at this time, the roll call revealed the absence of eleven Senators from the Chamber.

Consideration of Senate File 59 was temporarily deferred, pending the return of the absent Senators.

Senator Donohue moved that the rules be suspended and that the Senate consider the unfinished business in order and proceed with the calendar, which motion prevailed.

Senator Donohue asked and received unanimous consent that Senate File 353 be deferred at this time, and that the bill be placed at the foot of the calendar.

HOUSE AMENDMENTS CONSIDERED

Senator Husted called up for consideration Senate File 40, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Strike all after the enacting clause and insert in lieu thereof the following:

Section 1. Section forty-four hundred eighty-eight (4488), Code, 1935, is hereby amended by striking from line four (4) thereof the word "five" and by inserting in lieu thereof the words "three and one-half".

Sec. 2. Section forty-five hundred six (4506), Code, 1935, is hereby amended by striking from line eleven (11) thereof the words "four and one-half" and inserting in lieu thereof the word "three".

Sec. 3. Section forty-five hundred seven (4507), Code, 1935, is hereby amended by striking from line five (5) thereof the words "four and one-half" and inserting in lieu thereof the word "three", and by striking all of said Section forty-five hundred seven (4507) following the period in line ten (10).

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Hampton Chronicle, a newspaper published at Hampton, Iowa, and the Sheffield Press, a newspaper published at Sheffield, Iowa.

On the question, "Shall the Senate refuse to concur?" the vote was:

Ayes, 36:

Augustine	Donohue	Hill	Moore
Baldwin	Doran	Hoeven	Murray
Beardsley	Edwards	Hopkins	Parker
Berg	Ellis	Husted	Pelzer
Breen	Geske	Kimberly	Smith
Byers	Gillespie	Kirketeg	Stevens
Corwin	Goetsch	Levis	Stewart
Dean	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Millhone	Zeigler

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Chrystal	Irwin	Miller
Bell of	Elthon	Lundy	Schadt
Des Moines	Evans	Mason	Shaw
Billingsley	Gillette		

The House amendments, having failed to receive a constitutional majority, were declared not to have been adopted and concurred in by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 6, 11 and 99.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 6, 11 and 99.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 15th day of March, 1937, sent to the Governor for his approval, Senate Files 6, 11 and 99.

FRANK PELZER, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Levis, Senate File 27, a bill for an act to amend Section ninety-eight hundred eighty-five (9885), Code, 1935, relating to the production, manufacture, sale, and distribution of commodities of commerce and providing that telephone service shall be included within the meaning of said section, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Dean	Goetsch	Mighell
Baldwin	Dewey	Grunewald	Miller
Beardsley	Donohue	Guernsey	Murray
Bell of	Doran	Hill	Pelzer
Des Moines	Edwards	Hoeven	Shaw
Berg	Ellis	Hopkins	Smith
Breen	Elthon	Husted	Stevens
Byers	Geske	Kimberly	Stewart
Chrystal	Gillespie	Kirketeg	Whitehill
Corwin	Gillette	Levis	Zeigler

Nays, none.

Absent or not voting, 10:

Bell of Crawford	Irwin	Millhone	Parker
Billingsley	Lundy	Moore	Schadt
Evans	Mason		

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

Senator Levis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Byers, Senate File 108, a bill for an act to amend Section fifty-nine hundred four-c1 (5904-c1) to permit cities and towns to grant franchises to operate and maintain on and over their streets bus and motor transportation lines to carry passengers for hire on a plan similar to street railways, and to provide the manner of granting of a renewal or extension of any such franchise by a majority of the legal electors voting thereon in favor of the same at a general, city or town, or special election provided that the applicant be the owner of the existing street railway company or its nominee, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Byers moved that the rules be suspended and that House File 61, companion bill to Senate File 108, be withdrawn from the committee on public utilities and placed on the calendar, which motion prevailed, and House File 61 was placed on the calendar.

Senator Byers asked and received unanimous consent to substitute House File 61 for Senate File 108.

On motion of Senator Byers, House File 61, by Hickenlooper, a bill for an act to amend Section fifty-nine hundred four-c one (5904-c1), Code, 1935, to permit cities and towns to grant franchises to operate and maintain on and over their streets bus and motor transportation lines to carry passengers for hire on a plan similar to street railways, and to provide the manner of granting or a renewal or extension of any such franchise by a majority of the legal electors voting thereon in favor of the same at a general, city or town, or special election provided that the applicant be the owner of the existing street railway company or its nominee, was withdrawn from the committee, and was taken up and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend House File 61 as amended and passed by the House as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section fifty-nine hundred four-c one (5904-c1), Code of 1935, is amended by striking lines 30 to 36 inclusive of said section of the Code, being the second paragraph of said section, and inserting in lieu thereof the following: 'No such franchise shall be granted, extended or renewed unless a majority of the legal electors voting thereon vote in favor of the same at a general, city or town, or special election called for that purpose.'

The provisions of this Act shall be applicable to cities acting under special charter.'

Sec. 2. This Act being deemed of immediate importance shall be in full force and effect after its passage and publication in The Anchor, a newspaper published at Northwood, Iowa, and in the Cedar Rapids Tribune, a newspaper published at Cedar Rapids, Iowa."

Further amend House File 61 by amending the title as follows: By striking from line 6 of the title the following words: "a renewal or extension of" and inserting in lieu thereof the words "renewing or extending"; also, by striking all of line 9 after the word "election" and all of line 10, and by inserting a period after the word "election" in line 9 of the title.

The amendment was adopted.

Senator Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Doran	Hill	Moore
Baldwin	Edwards	Hoeven	Murray
Beardsley	Ellis	Hopkins	Parker
Berg	Elthon	Husted	Pelzer
Billingsley	Evans	Irwin	Shaw
Breen	Geske	Kimberly	Smith
Byers	Gillespie	Kirketeg	Stevens
Chrystal	Goetsch	Levis	Stewart
Corwin	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Donohue			

Nays, none.

Absent or not voting, 8:

Bell of Crawford	Dean	Lundy	Millhone
Bell of Des Moines	Gillette	Mason	Schadt

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 108 WITHDRAWN

On request of Senator Byers, Senate File 108, companion bill to House File 61, was withdrawn from the further consideration of the Senate.

Senator Shaw asked and received unanimous consent that consideration of Senate File 196 be deferred at this time, but that the bill retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Hoeven, Senate File 18, a bill for an act to amend Chapter four hundred seventy-one (471), Code, 1935, relating to divorce, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 18 as follows: Strike all after the word "with" in line 9 down to and including the word "epilepsy" in line 11, and substitute in lieu thereof the following: "incurable insanity".

The amendment was adopted.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Dean	Guernsey	Miller
Baldwin	Dewey	Hill	Millhone
Beardsley	Donohue	Hoeven	Moore
Bell of	Doran	Hopkins	Murray
Des Moines	Edwards	Husted	Parker
Berg	Ellis	Irwin	Pelzer
Billingsley	Elthon	Kimberly	Shaw
Breen	Evans	Kirketeg	Smith
Byers	Geske	Levis	Stevens
Chrystal	Goetsch	Lundy	Stewart
Corwin	Grunewald	Mighell	Zeigler

Nays, none.

Absent or not voting, 6:

Bell of Crawford	Gillette	Schadt	* Whitehill
Gillespie	Mason		

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

Senator Hoeven moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF SENATE FILE 59 RESUMED

There being a call of the Senate for the consideration of Senate File 59, the roll was called and disclosed the presence of all Senators except Senators Schadt and Bell of Crawford.

Senator Donohue moved that Senators Schadt and Bell of Crawford be temporarily excused from the call, which motion prevailed and the absent Senators were excused.

Senator Schadt appeared in the chamber.

THIRD READING OF BILLS

On motion of Senator Donohue, Senate File 59, a bill for an act to amend Section nineteen hundred twenty-one-f sixteen (1921-f16), nineteen hundred twenty-one-f twenty-eight (1921-f28), nineteen hundred twenty-one-f twenty-nine (1921-f29), and

nineteen hundred twenty-one-fifty (1921-f50) of Chapter ninety-three (93) F-one (F-1) of the Code of Iowa of nineteen hundred thirty-five (1935) relating to the Iowa liquor control act and to provide for the maximum profit on all liquors handled by the said commission; to reduce the cost of permits to be issued by the said commission; to reduce the cost of duplicate permits to be issued by the commission and to provide for the transfer of profits to the old age pension fund, a special order, on which action was postponed Thursday, was taken up.

Senator Donohue called up division 1 of the substitute amendment, as follows:

1. By striking out the entire title to Senate File 59 and substituting in lieu thereof the following: "An act to amend Sections 1921-f28, 1921-f31, and Section 1921-f50 of the Code of Iowa of 1935 relating to the Iowa Liquor Control Act, and to provide for the transfer by the comptroller of any excess balance in the Liquor Control Act Fund to a fund to be known as the Capital Improvement and Repair Fund.

Senator Donohue offered the following amendment and moved its adoption:

Amend the substitute amendment to Senate File 59 by striking from division 1 the following: "Sections 1921-f28," and inserting in lieu thereof the word "Section".

The amendment to the substitute amendment was adopted.

Senator Donohue moved the adoption of division 1 of the substitute amendment as amended. The motion prevailed.

Senator Donohue moved to amend Senate File 59 by renumbering the sections. The amendment was adopted.

Senator Shaw moved that the Senate recess until 1:30.

Roll call was demanded.

Senator Shaw asked and received unanimous consent to withdraw his motion to recess.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Baldwin
Bell of
Des Moines

Berg
Billingsley
Breen

Byers
Corwin
Dean

Donohue
Elthon
Evans

Geske
Gillespie
Gillette
Grunewald
Guernsey

Hoeven
Irwin
Kimberly
Kirketeg

Levis
Lundy
Miller
Millhone

Murray
Parker
Schadt
Zeigler

Nays, 20:

Augustine
Beardsley
Chrystal
Dewey
Doran

Edwards
Ellis
Goetsch
Hill
Hopkins

Husted
Mason
Mighell
Moore
Pelzer

Shaw
Smith
Stevens
Stewart
Whitehill

Absent or not voting, 1:

Bell of Crawford

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

Senator Parker moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE 290 REFERRED TO COMMITTEE ON APPROPRIATIONS

Senator Guernsey moved that Senate File 290, relating to a "teachers' annuity system", which had been reported out by the committee on public schools, be referred to the committee on appropriations.

The motion prevailed and Senate File 290 was referred to the committee on appropriations.

On motion of Senator Beardsley, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

INTRODUCTION OF BILLS

Senate File 383, by committee on claims, a bill for an act to make an appropriation to E. I. Mason.

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

Senate File 384, by committee on claims, a bill for an act to

make appropriations to D. I. Goehring, Mrs. Kendall Burch, Willard Poland and Wallace A. Carr.

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

Senate File 385, by committee on claims, a bill for an act to make appropriations to John Marth, George W. Smith, Mrs. S. L. Lieby, W. A. Gay, C. H. Otte, Mrs. Tillie Deater, H. R. Staats and Henry E. Meis.

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

Senate File 386, by committee on claims, a bill for an act to make appropriations to W. B. Lewis, M.D., Ben G. Budge, M.D., and E. F. Rambo, M.D.

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

Senate File 387, by committee on claims, a bill for an act to make appropriations to Pointer Brewing Company, A. B. Hamilton, H. F. Voights, A. A. Thompson, Paul Delaplane, E. C. Sodergren, H. R. Pratt, Russell Jensen, Wayne Fisher, Steven Saxby, F. I. Easton and Continental Baking Company.

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

Senate File 388, by committee on claims, a bill for an act to make appropriations to George W. Cox and Max E. King.

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

Senate File 389, by committee on claims, a bill for an act to make appropriations to Elizabeth Maasdam, Younkin Automotive Service, Otis Rector, Joe Menges, Rev. F. W. McKinley, P. E. Graham, Ronald O. Cole, H. E. Pilon and Emmet L. Morris.

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

Senate File 390, by committee on claims, a bill for an act to make an appropriation to Ivan T. Schultz, M.D. and Nelle T. Schultz, M.D.

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

Senate File 391, by committee on claims, a bill for an act to make appropriations to Harry R. Denton, Vince Tellin, O. L. Smith, M. R. Terhune, and W. W. Stranahan.

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

Senate File 392, by committee on insurance, a bill for an act to repeal Section eighty-seven hundred thirty-seven (8737), Code, 1935, and enact a substitute therefor, relating to investments of funds by life insurance companies and associations.

Read first and second times and placed on the calendar.

Senate File 393, by committee on insurance, a bill for an act to amend Section eighty-six hundred fifty-two (8652), Code, 1935, relating to the amount of capital or surplus required of foreign companies to transact business in this state, and the type of securities authorized for the investment of capital or surplus.

Read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 51, a bill for an act to amend Chapter two hundred eighty-nine (289), Code, 1935, by adding new sections and to amend Sections five thousand six hundred eighty-nine (5689), five thousand six hundred ninety-three (5693), five thousand seven hundred one (5701), five thousand seven hundred three (5703), five thousand seven hundred five (5705), five thousand seven hundred seven (5707), five thousand seven hundred thirteen (5713), Code, 1935; to repeal Section five thousand six hundred ninety-one (5691), five thousand six hundred ninety-two (5692), five thousand six hundred ninety-four (5694), five thousand six hundred ninety-five (5695), five thousand six hundred ninety-six (5696), five thousand six hundred ninety-six-d-one (5696-d1), five thousand six hundred ninety-eight (5698), five thousand six hundred ninety-nine (5699), five thousand seven hundred two (5702), five thousand seven hundred four (5704), five thousand seven hundred eleven (5711), and five thousand seven hundred twelve (5712), Code, 1935, and to enact substitutes therefor and to repeal Section five thousand seven hundred twelve-d1 (5712-d1),

Code, 1935; all relating to civil service employees of cities, including those operating under special charter.

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

House File 82, a bill for an act to amend Section five thousand three hundred fifty-nine (5359), subsections eleven (11) and twelve (12), Chapter two hundred sixty-nine (269), Code, 1935, relating to the powers and duties of the board of hospital trustees, so as to authorize said board to sell at public sale property accepted by the board pursuant to Section five thousand three hundred fifty-nine (5359), subsection eleven (11).

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

House File 186, a bill for an act to amend Section twenty-five hundred eighty-five-c one (2585-c1), Code, 1935, relating to the practice of embalming.

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

House File 306, a bill for an act to legalize the action of the board of supervisors of Webster county, Iowa, in making expenditures from the Webster county insane fund for the purposes of paying the expenses and maintenance of the Webster county home.

Read first and second times and referred to committee on judiciary 1.

EXTRA COPIES OF SENATE FILES

On request of Senator Gillespie, six hundred extra copies of Senate File 204, relating to a tax on chain stores, were ordered printed.

On request of Senator Stevens, two hundred extra copies of Senate File 375, relating to aid for the blind, were ordered printed.

On request of Senator Elthon, six hundred copies of Senate File 59, as it passed the Senate, were ordered printed.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 383, a bill for an act to make an appropriation to E. I. Mason, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 384, a bill for an act to make appropriations to D. I. Goehring, Mrs. Kendall Burch, Willard Poland and Wallace A. Carr, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 385, a bill for an act to make appropriations to John Marth, George W. Smith, Mrs. S. L. Lieby, W. A. Gay, C. H. Otte, Mrs. Tillie Deater, H. R. Staats and Henry E. Meis, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 386, a bill for an act to make appropriations to W. B. Lewis, M.D., Ben G. Budge, M.D., and E. F. Rambo, M.D., begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 387, a bill for an act to make appropriations to Pointer Brewing Company, A. B. Hamilton, H. F. Voights, A. A. Thompson, Paul Delaplaine, E. C. Sodergren, H. R. Pratt, Russell Jensen, Wayne Fisher, Steven Saxby, F. I. Easton and Continental Baking Company, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 388, a bill for an act to make appropriations to George W. Cox and Max E. King, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 389, a bill for an act to make appropriations to Elizabeth Maasdam, Younkin Automotive Service, Otis Rector, Joe Menges, Rev. F. W. McKinley, P. E. Graham, Ronald O. Cole, H. E. Pilon and Emmet L. Morris, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 390, a bill for an act to make appropriations to Ivan T. Schultz, M.D. and Nelle T. Schultz, M.D., begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 391, a bill for an act to make appropriations to Harry R. Denton, Vince Tellin, O. L. Smith, M. R. Terhune, and W. W. Stranahan, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 171, a bill for an act to provide for registration of bicycles and to regulate the use thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 171 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Cities and towns, including cities under special charter, are authorized to provide by ordinance that all bicycles operated upon the streets of said cities or towns shall be registered with said cities or towns, and may charge a reasonable fee for such registration.

Sec. 2. Cities and towns, including cities under special charter, are authorized to make reasonable rules and regulations regarding bicycles which may be registered in said cities and towns, and shall have the right to provide for the impounding of said bicycles to enforce the compliance of said rules and regulations. E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 197, a bill for an act to provide for local option with respect to the sale of liquor, begs leave to report it has had the same under consideration and returns the bill without recommendation.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 99, a bill for an act to repeal Section twelve thousand three hundred and seventy-seven (12377), Code, 1935, relating to general executions for balance, begs leave to report it has had the same under consideration and returns the bill without recommendation.

E. P. DONOHUE, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: Amend Section two (2) of Senate File twenty-five (25) by striking the period in line ten (10) and inserting after the word "operator" the following: "but no such permit shall be required for such display of fireworks at the Iowa State Fair Grounds by the Iowa State Fair Board nor of incorporated county fairs nor of district fairs receiving state aid."

EDWARD BREEN.

MR. PRESIDENT: I move to amend Senate File 25 as follows:

Strike from line 8 of Section 1 the word "firecrackers".

Further amend by adding, after the period in line 12 of Section 1, the following:

"Firecrackers in excess of one-half inch in diameter and two and one-half (2½) inches in length shall, for the purpose of this act, be considered as fireworks.

L. H. DORAN.

The Journal of March 12th was corrected and approved.

On motion of Senator Elthon, the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 16, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. T. M. Nielsen, pastor of the Methodist Episcopal Church of West Union.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hopkins, from citizens of Guthrie county, favoring enactment of Senate File 197. Judiciary 2.

By Senator Hopkins, from members and friends of the Panther Creek Church of the Brethren, Adel, favoring enactment of Senate File 197. Judiciary 2.

By Senator Hopkins, from citizens of Madison county, favoring enactment of Senate File 197. Judiciary 2.

By Senator Hopkins, from members of the North Branch Circuit, Guthrie county, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Hopkins, from citizens of Dallas county, favoring enactment of Senate File 87. Railroads and aeronautics.

By Senator Geske, from voters of Strawberry Point, favoring enactment of Senate File 17. Agriculture.

By Senator Hill, from voters of Hardin county, favoring enactment of Senate File 197. Judiciary 2.

By Senator Byers, from citizens of Mount Vernon, favoring enactment of Senate File 197. Judiciary 2.

By Senator Billingsley, from voters of Grinnell and Kellogg, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Billingsley, from citizens of Jasper county, favoring enactment of Senate File 101. Public schools.

By Senator Billingsley, from voters of Colfax, favoring enactment of Senate File 101 and House File 48. Public schools.

By Senator Irwin, from citizens of Clinton county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Hoeven, from citizens of O'Brien county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Mason, from voters of Poweshiek county, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Chrystal, from citizens of Coon Rapids, favoring enactment of Senate File 184. Ways and means.

By Senator Chrystal, from citizens of Carroll county, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Chrystal, from citizens of Sac county, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Chrystal, from voters of Greene county, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Doran, from citizens of Boone, favoring enactment of Senate File 197. Judiciary 2.

By Senator Dean, from Cerro Gordo County Teacher Federation, favoring enactment of House File 130. Public schools.

By Senator Dean, from citizens of Cerro Gordo County, favoring enactment of Senate File 197. Judiciary 2.

By Senator Dean, from citizens of Cerro Gordo County opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Schadt, from citizens of Iowa City, favoring enactment of House File 130. Public schools.

By Senator Schadt, from citizens of Iowa and Keokuk Counties,

opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Schadt, from citizens of North English, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Berg, from citizens of Grundy Center, and Reinbeck, favoring enactment of House File 333, and Senate File 282. Manufacturing, commerce and trade.

By Senator Whitehill, from citizens of Marshall county, favoring enactment of Senate File 282 and House File 333. Manufacturing, commerce and trade.

By Senator Elthon, from voters of Worth County, favoring enactment of Senate File 197 and opposing enactment of Senate File 100. Judiciary 2.

By Senator Elthon, from voters of Howard and Mitchell Counties, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Elthon, from citizens of Northwood, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Stevens, from citizens of Ottumwa, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Murray, from voters of Woodbury County, favoring enactment of House File 27. Railroads and aeronautics.

By Senator Murray, from citizens of Sioux City, favoring enactment of Senate File 33 and House File 104. Public schools.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files 23, 137, 150, 203 and 291.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president of the Senate announced that, as president of the Senate, he had signed in the presence of the Senate, House Files 23, 137, 150, 203, and 291.

INTRODUCTION OF BILLS

Senate File 394, by committee on conservation, a bill for an act to repeal Section seventeen hundred four (1704) and Section seventeen hundred five (1705), Chapter eighty-six (86), Code of 1935, and enact substitutes therefor; and to clarify ownership and title to all animals, including fish, frogs, mollusks, birds, their nests and eggs, and all animals not possessed in a legal manner; and amend Section seventeen hundred seventy-eight (1778) of Chapter eighty-six (86), Code of 1935, relating to use of birds as targets; also amend Section seventeen hundred eighty-nine (1789), Chapter eighty-six (86), Code of 1935, so as to make it apply to all fish and game law violations, and more inclusive, and add a section relative to acts of commission and its agents.

Read first and second times and placed on the calendar.

Senate File 395, by committee on conservation, a bill for an act to amend Section seventeen hundred ninety-nine (1799), Code of 1935, relating to the duties of the conservation commission as to parks and their developments.

Read first and second times and placed on the calendar.

Senate File 396, by committee on conservation, a bill for an act relating to the improvement of state owned meandered lakes and streams and other waters under state jurisdiction, and providing an appropriation therefor.

Read first and second times and placed on the calendar.

Senate File 397, by committee on conservation, a bill for an act to create an unsalaried state geographic board for the purpose of giving names to lakes, streams and other geographic features, its membership and duties.

Read first and second times and placed on the calendar.

Senate File 398, by committee on conservation, a bill for an

act to amend Sections seventeen hundred forty-one (1741) and seventeen hundred forty-two (1742), 1935 Code of Iowa, relating to fishways, dams, their construction, destruction, injury and altering water levels, advance notice and approval of the conservation director.

Read first and second times and placed on the calendar.

Senate File 399, by committee on conservation, a bill for an act to repeal Section seventeen hundred sixty-two (1762), Code of 1935, relating to territorial jurisdiction and reciprocity of states and to enact in lieu thereof a law providing for extending reciprocity to include fishing, hunting and trapping privileges insofar as other states are permitted under the existing laws and provisions for making such agreements.

Read first and second times and placed on the calendar.

Senate File 400, by committee on conservation, a bill for an act to amend Sections seventy-seven hundred seventy-one (7771), seventy-seven hundred seventy-two (7772), seventy-seven hundred seventy-five (7775), seventy-seven hundred seventy-six (7776), and seventy-seven hundred seventy-seven (7777), 1935 Code of Iowa, relating to the issuance of permits, certificates of approval, collection of permits, license and inspection fees for the construction, maintenance and operation of dams, and the allocation of funds derived therefrom and the study of the proper methods of construction of such dams.

Read first and second times and placed on the calendar.

Senate File 401, by committee on conservation, a bill for an act to repeal Section eighteen hundred twenty-one-e one (1821-e1), Code of 1935, and substitute therefor a section relating to the appointment of special officers for the enforcement of the provisions of laws relating to conservation.

Read first and second times and placed on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS DEFERRED

On request of Senator Millhone, consideration of the House amendments to Senate File 143 was deferred.

On request of Senator Elthon, consideration of the House amendments to House Joint Resolution 8 was deferred.

On motion of Senator Irwin, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the following appointments:

Mr. Charles Carter, of Fairfield, Jefferson County, as a member of the Board of Examiners in the Basic Sciences, to serve as a member of the same for the term ending on July 4, 1943.

Mr. John T. Clarkson, of Albia, Monroe County, as Industrial Commissioner, for the term ending on July 1, 1943.

Mr. Milton E. Peaco, of Clinton, Clinton County, as Labor Commissioner, for the term ending on July 1, 1939.

Mr. A. A. Hurst, of Maquoketa, Jackson County, as a member of the State Highway Commission, to serve as a Democratic member of the same for the term ending July 1, 1941.

Mr. E. H. Felton, of Indianola, Warren County, as a member of the Board of Control of State Institutions, to serve as a Republican member of the same for the term ending on July 1, 1943.

Mr. Richard H. Plock, of Burlington, Des Moines County, as a member of the State Board of Education, to serve as a Republican member of the same for the term ending on July 1, 1943.

Mr. Thomas W. Keenan, of Shenandoah, Page County, as a member of the State Board of Education, to serve as a Democratic member of the same for the term ending on July 1, 1943.

Mr. W. Earl Hall, of Mason City, Cerro Gordo County, as a member of the State Board of Education, to serve as a Republican member of the same for the term ending on July 1, 1943.

The Senate arose from executive session and resumed regular session.

On motion of Senator Hoeven, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 15, 1937, he had approved the following bills:

Senate File 11, a legalizing act for Sioux City.

Senate File 6, relating to divorce.

Senate File 99, authorizing the leasing of park property.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files 86 and 302.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 86 and 302.

SENATE FILES WITHDRAWN FROM COMMITTEES

On request of Senator Mason, under Rule 35, Senate File 57, relating to an excise tax on pipe line companies, was withdrawn from the committee on ways and means and placed on the calendar.

On request of Senator Augustine, under Rule 35, Senate File 33, relating to the transportation of non-resident high school pupils, was withdrawn from the committee on public schools and placed on the calendar.

SENATE FILE 196 DEFERRED

On request of Senator Berg, consideration of Senate File 196 was deferred, the bill to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Baldwin, Senate File 25, a bill for an act to prohibit the sale, offering or exposing for sale of fireworks; defining fireworks and to regulate the manner of using fireworks, and to provide penalties for the violation of the provisions of this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend Senate File 25 by striking from line 6 of Section 2 of said bill the word "public";

Also amend by adding the letter "s" to the word "association" in line 7 of said section.

Further amend by striking the word "wholesale" from line 13 of said section.

Further amend by striking the words "to sell at wholesale" from line 14 of said section and inserting in lieu thereof the words "from selling".

Further amend by striking all of Section 4 from said bill.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 25 by striking all of Section four (4) and inserting in lieu thereof the following:

"Sec. 4. This act shall be in full force and effect from and after January 1, 1938."

Senator Berg asked and received unanimous consent to change his amendment to read as follows:

Amend Senate File 25 by adding as Section 4:

"Sec. 4. This act shall be in full force and effect from and after January 1, 1938."

The amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Senate File 25, Section two, line fourteen, by inserting after the comma following the word "dealer" in line fourteen the word "manufacturer,".

The amendment was adopted.

Senator Baldwin moved the adoption of the following amendment, filed by Senator Breen:

Amend Section two (2) of Senate File twenty-five (25) by striking the period in line ten (10) and inserting after the word "operator" the following: "but no such permit shall be required for such display of fireworks at the Iowa State Fair Grounds by the Iowa State Fair Board nor of incorporated county fairs nor of district fairs receiving state aid."

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 25 as follows:

Strike from line 8 of Section 1 the word "firecrackers".

Further amend by adding, after the period in line 12 of Section 1, the following:

"Firecrackers in excess of one-half inch in diameter and two and one-

half (2½) inches in length shall, for the purpose of this act, be considered as fireworks.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 22:

Augustine	Elthon	Husted	Shaw
Beardsley	Evans	Irwin	Smith
Berg	Goetsch	Lundy	Stewart
Billingsley	Grunewald	Parker	Whitehill
Dewey	Hill	Pelzer	Zeigler
Doran	Hopkins		

Nays, 24:

Baldwin	Dean	Guernsey	Mighell
Bell of Crawford	Donohue	Hoeven	Millhone
Bell of	Edwards	Kimberly	Moore
Des Moines	Ellis	Kirketeg	Murray
Byers	Geske	Levis	Schadt
Chrystal	Gillette	Mason	Stevens
Corwin			

Absent or not voting, 3:

Breen	Gillespie	Miller
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The amendment was not adopted.

Senator Berg offered the following amendments and moved their adoption:

Amend Senate File 25 as follows:

1. Strike from line two of Section one the words "combustible or" and "or any substance"; from line four thereof the words "or an"; from line seven thereof the words "the type of"; from line nine thereof the word "sparklers" and the comma following said word; from line eleven thereof the words "or any tablets".

2. Insert after the word "of" in line three of Section one the word "explosive".

Senator Baldwin called for a division of amendment 1, and asked that that part referring to sparklers be voted upon separately. His request was granted.

The amendments, exclusive of the amendment to line nine, were adopted.

The amendment to line nine, referring to "sparklers", was adopted.

Senator Berg moved the adoption of the following amendments:

3. Strike from line 16 of Section two the word "directly".

4. Strike the period at the end of line 19 of Section 2 and insert in lieu thereof a semicolon and add after said semicolon the following: "and provided further that nothing in this act shall apply to any substance or composition prepared and sold for medicinal or fumigation purposes."

The amendments were adopted.

Senator Baldwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Augustine	Dean	Grunewald	Millhone
Baldwin	Dewey	Guernsey	Moore
Beardsley	Donohue	Hoeven	Murray
Bell of Crawford	Edwards	Kimberly	Schadt
Berg	Ellis	Kirketeg	Smith
Byers	Evans	Levis	Stevens
Corwin	Geske	Mighell	

Nays, 17:

Billingsley	Hill	Lundy	Shaw
Chrystal	Hopkins	Mason	Stewart
Doran	Husted	Parker	Whitehill
Gillespie	Irwin	Pelzer	Zeigler
Goetsch			

Absent or not voting, 5:

Bell of	Breen	Gillette	Miller
Des Moines	Elthon		

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

Senator Baldwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE RESOLUTION 7

By Mason.

Senate Resolution creating an investigating committee to investigate the official acts and conduct of H. C. White as a member of the Iowa Board of Control and his administration of such office and to make a report of its findings, together with recommendations to the Forty-seventh General Assembly of Iowa, and giving said committee the power to subpoena witnesses and administer oaths.

Whereas, criticism has been made of the acts and conduct of H. C. White as a member of the Board of Control and his assistants while acting as a member of the Board of Control of the State of Iowa, and of the administration of his office as a member of the Board of Control; and,

Whereas, it is necessary that this Legislature have before it facts with reference to the acts and conduct of the said H. C. White, to the end that

it may take such action as a legislative body as may be necessary to correct the evils, if any, existing in connection with the conduct of H. C. White and the administration of his office as a member of the Board of Control of the State of Iowa; and,

Whereas, charges showing gross neglect and mismanagement are being made as against the said H. C. White in connection with the Juvenile Department of the Board of Control of the State of Iowa; therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly:

Section 1. An investigating committee of six members shall be appointed by the President of the Senate from the members of the Senate, whose duty it shall be to investigate the acts and conduct of the said H. C. White in connection with his administration as a member of the Board of Control of the State of Iowa, and all of his acts and conduct in connection with the administration of his said office, and particularly with reference to the Juvenile Department of the Board of Control of the State of Iowa, and all of his acts and conduct with reference to such Juvenile Department and the management thereof, and all things done by the said H. C. White and the employees operating under him and by his direction in connection with said Juvenile Department of the Board of Control of the State of Iowa, and make a written detailed report of its findings, together with its recommendations, to the Forty-seventh General Assembly of the State of Iowa.

Sec. 2. Said committee is hereby authorized and empowered to make such investigation as may by it be deemed necessary for a thorough, complete and comprehensive report of the management of the Juvenile Department of the Board of Control of the State of Iowa.

Sec. 3. The said H. C. White and all employees operating under the direction of H. C. White, as a member of the Board of Control of the State of Iowa, who care for any records, books or papers of or have anything to do with the Juvenile Department of the Board of Control of the State of Iowa, are hereby directed and ordered to deliver to said committee all records, books and papers as may be deemed necessary by said committee.

Sec. 4. Said committee is hereby authorized and empowered to issue subpoenas for all witnesses and the production of books, papers and records from any place within the State of Iowa, and to compel the attendance of witnesses at any place within the State of Iowa where said committee may deem it advisable to hold hearings; that said committee is hereby authorized and empowered to order said witnesses transported in motor vehicles owned by the State of Iowa and operated in connection with the Juvenile Department of the Board of Control; that said committee shall take testimony in writing, under oath, and each member of said committee is hereby authorized and empowered to administer an oath; and any person refusing to answer to a subpoena or refusing to give testimony may be punished for contempt in the manner provided by the laws of the State of Iowa.

Sec. 5. In the event any person fails or refuses to produce for the examination or inspection of the said committee, any books, records or papers, showing, or in any manner pertaining to, the Juvenile Depart-

ment of the Board of Control of the State of Iowa, or fails or refuses to appear for examination before said committee, when requested or subpoenaed by it, such person refusing or failing, shall be punished for contempt in the manner provided by the laws of the State of Iowa.

Sec. 6. Said committee shall cause to be taken down in shorthand and transcribed all testimony taken by or for said committee and shall, on completion of the investigation, file the same with the Secretary of the Senate, the same to be a matter of public record.

REPORTS OF COMMITTEES

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 241, a bill for an act to authorize the levy of an additional tax not to exceed one-half mill by certain cities for the purpose of maintaining an incorporated band for educational purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 243, a bill for an act granting to the city of Davenport title to the bed and banks of the Mississippi river and islands and made lands therein, within stated boundaries, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 273, a bill for an act to legalize the establishment of a swimming pool in the city of Dubuque without the formality of a special election, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 289, a bill for an act to amend Section 5743, Code, 1935, to authorize cities and towns to regulate and license electricians and the installation of oil burners and automatic heaters in buildings, begs leave to report it has had the same under consideration and recommends that the same be amended as follows; and when so amended the bill do pass:

Strike all of Section 3 of the bill.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File 319, a bill for an act to repeal Sections 5784, 5785 and 5786, relating to power of city councils to compel abandonment of outside water closets, and to enact substitute giving power to compel removal, etc., and installation of sanitary toilets, etc., begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 51, a bill for an act relating to civil service employees of cities, including those operating under special charter, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 94, a bill for an act to amend Section 5835 of the Code, 1935, relating to municipal bands, and to provide for cities having a population of more than one hundred twenty-five thousand, begs leave to report it has had the same under consideration and recommends that the same do pass.

JOHN BERG, *Chairman.*

Ordered passed on file.

Senator Edwards submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 147, a bill for an act to repeal Section seventy-one hundred seventy-nine of Code, 1935, relative to licensing public shows, and enacting a substitute therefor giving Boards of Supervisors power to regulate or prohibit shows, rodeos, and circuses, and prohibiting exhibitions without a license and fixing the maximum fee therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

H. W. EDWARDS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 271, a bill for an act to amend Section five thousand four hundred thirteen (5413), Code, 1935, to provide for bounty on fox killed out of fur season; and to amend Section five thousand four hundred fourteen (5414), Code, 1935, to make mandatory the bounty

provided for therein, begs leave to report it has had the same under consideration and recommends the same do pass.

H. W. EDWARDS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File 299, a bill for an act to amend Section five thousand four hundred thirteen (5413), Code, 1935, relating to the bounty on wild animals, begs leave to report it has had the same under consideration and recommends the same do pass.

H. W. EDWARDS, *Chairman.*

Ordered passed on file.

Senator Beardsley submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File 42, a bill for an act to add Section 50-83-B7 requiring the placing of safety appliances on the rear of all motor vehicles being operated on public highways, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 1, line one (1), by inserting after the word "trailers" the words "of a capacity of more than two thousand pounds".
2. Amend Section 1, line five (5), by inserting the word "such" before the word "trailer".
3. Amend Section 1, line seven (7), by inserting the word "such" before the word "trailer".
4. Amend Section 1, line eight (8), by inserting the word "such" before the word "trailer".
5. Amend Section 1, line ten (10), by inserting the word "such" before the word "trailer".
6. Amend Section 1, line eleven (11) by inserting after the period the words "Said bumper shall extend back of all appurtenances to such motor vehicles or such trailers, including trailer hitches."
7. Amend Section 3. All of this section to be omitted.

WM. S. BEARDSLEY, *Chairman.*

Ordered passed on file.

Senator Husted submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File 356, a bill for an act to amend Section 2930, Code, 1935, relative to appropriations for farm improvement associations, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ORA E. HUSTED, *Chairman.*

Ordered passed on file.

Senator Evans submitted the following report:

MR. PRESIDENT: Your committee on state planning, to which was

referred Senate File 229, a bill for an act to provide a special form of city government creating a planning board, begs leave to report it has had the same under consideration and returns the bill without recommendation.

K. A. EVANS, *Chairman.*

Ordered passed on file.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 184

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the Conference Committee appointed to consider the differences between the Senate and House on Senate File 184, being a bill relating to homestead tax relief, beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments and that the bill as passed by the Senate be amended as follows, and when so amended the bill do pass:

Amend by adding immediately preceding the enacting clause the following:

"Whereas, in the past few years there has developed in the state of Iowa a decided change from owner occupied homes to tenancies; and

"Whereas, such change is taking place at a rapid and alarming rate; and

"Whereas, the farms especially, as a result of tenant occupancy, have in the past, and will continue in the future, to deteriorate in that sufficient fertilizers and the like have not been put back into the soil to properly preserve it and insure its productivity in the future; and

"Whereas, this condition is alleviated when the owner occupies said property; and,

"Whereas, a healthier and more prosperous condition exists in the state when the owner occupies his own farm or dwelling, and it is for the best interests of the people as a whole when such a condition exists; and,

"Whereas, it is the intention of the legislature, and the purpose of this act to encourage and foster home ownership and occupancy; and,

"Whereas, this legislature feels that a proper method of encouraging home ownership and occupancy is by granting benefits to those within that class; and

"Whereas, it is necessary to appropriate funds for the purpose of emergency relief within the State of Iowa and also for the purpose of old age pensions, both of which are for the general welfare of the people of the State of Iowa, now, therefore,

"This Forty-seventh General Assembly of the State of Iowa does hereby declare that appropriating money for emergency relief and for old age pensions is the expenditure of public funds for a public purpose. Therefore,"

Amend Section 2, line 9, by striking the word "apportioned" and substituting the word "appropriated".

Further amend Section 2, line 20, by striking the word "to" and substituting the word "throughout".

Amend Section 4, sub-section 3, line 2, by inserting immediately following the word "credit" the words "not to exceed twenty-five mills".

Amend Section 4 by adding thereto as sub-section 4, the following: "In any county in which is located a special charter city, which levies and collects its own taxes separately from the county, all millage credits and the amount in dollars thereof on eligible homesteads situated in said city in excess of the consolidated state and county levy by the state and said county for the taxing district in which said city is located, but not in excess of the aggregate levy by said city, shall be certified by the county auditor to the treasurer of said city who shall in turn credit on said city tax lists against the taxes levied by said city on each eligible homestead in said city, said excess millage credits so certified to him in the same manner as herein required to be done by the county auditor on the county tax lists. The county treasurer shall pay to the city treasurer out of the funds apportioned to said county from the Homestead Credit Fund, the amount of said funds so apportioned in excess of the state and county consolidated levy, which shall be applied upon the taxes on eligible homesteads in said city as herein provided. All funds so apportioned in excess of the combined city and consolidated state and county levies for said taxing district exclusive of special assessments shall be remitted to the State Board of Assessment and Review to be re-deposited in the Homestead Credit Fund for re-allocation as provided in this act. The intention and purpose of this provision shall be to allot to each eligible homestead located in such city the same proportionate tax credits received by eligible homesteads in other cities and towns, but this provision shall not be construed in any way to allot to eligible homesteads in such city any greater benefits or credits than eligible homesteads in other cities and towns."

Amend Section 5, line 11, by striking the words "August 1" and substituting the words "June 1".

Amend Section 7, line 3, by striking the words "September 1" and substituting the words "July 1".

Amend Section 11, line 7, by striking the words "July 1" and substituting the words "June 1".

Amend Section 11, line 13, by inserting after the word "same" the following: "and establish the assessed value of the homestead where the same has been assessed with other real estate".

Amend Section 12, line 3, by striking the words "August 1" and substituting the words "July 1".

Amend Section 19, line 38, by inserting after the word "paid" the following: "and which contract has been recorded in the office of the county recorder of the county in which the property is located".

Amend Section 19, line 41, by inserting, following the comma, the following: "or by legally adopted children,".

Amend Section 19, line 43, by striking the period following the word "relatives" and insert in lieu thereof the following: "or by legally adopted children."

Strike all of sub-paragraph "a" of Section 19 and insert in lieu thereof the following:

"The homestead must embrace the dwelling house in which the owner claiming a millage credit or refund under this act actually lives six (6)

months or more in the year except that in the first year of ownership it shall be sufficient if the owner is living in the dwelling house at the time the claim for homestead credit is made, and makes an affidavit of his intention to occupy said dwelling house, in good faith, as a home."

Strike all of sub-section "f" of Section 19 and insert, as a new sub-section "f" of Section 19, the following:

"The words 'dwelling house' shall embrace any building occupied wholly or in part by the claimant as a home."

Amend by striking from sub-section 2 of Section 19 the following words:

"where there has been an election under the terms of Section ten thousand one hundred forty-six (10146), Code of 1935,"

Amend by striking all of Section 20, as amended, and renumbering the remaining sections.

Amend by adding as Section 23 the following:

"Sec. 23. If any portion of this act should be declared unconstitutional, such invalidity shall not be construed to affect any other portion of this act which can be given force and effect without said invalid portion."

Further amend by renumbering the remaining section.

Amend the title by inserting after the word "counties" in line 18 the following:

"; and providing a method of allotting tax credits on homesteads in special charter cities".

Further amend the title by striking the word "limiting" in line 21 and substituting the words "to establish and limit".

ROY J. SOURS.

I. H. CHRISTOFFERSEN.

FRANK S. LOVRIEN.

WM. J. DRESSEN.

On the part of the House.

A. J. SHAW, *Chairman.*

EDWARD BREEN.

H. V. LEVIS.

A. E. AUGUSTINE.

On the part of the Senate.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 17 by striking all after the enacting clause and substituting in lieu thereof the following as a substitute for the Earl Dean amendment found on page 597 of the Journal:

Section 1. Section twenty-nine hundred thirty (2930); Code, 1935, is amended by adding thereto the following: "No farm improvement association shall receive such appropriation if it engages in any political or other activity in addition to those prescribed by Chapter 138, Code, 1935, creating Farm Aid Associations."

W. MIGHELL.

EARL DEAN.

MR. PRESIDENT: I move to amend House File 87 by inserting after the word "material" in line 5 the following: "or storage".

C. COLFAX SMITH.

MR. PRESIDENT: I move to amend Senate File 392 as follows:

1. Amend Section 1, page two (2), line twenty (20), by substituting the word "or" for the word "of" following the word "insure".

2. Amend Section 1, page three (3), following the word "least" at the end of line fifty-one (51), by inserting: "\$250,000 for each of the three fiscal years next preceding the date of purchase, and average net annual earnings for the five years next preceding purchase shall have been equal to at least".

3. Further amend Section 1, page five (5), line one hundred five (105), by substituting the word "cost" for the word "most" following the word "the".

L. H. DORAN.

The Journal of March 15th, was corrected and approved.

On motion of Senator Byers, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 17, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Ernest M. Buehler, pastor of the Methodist Church of Audubon.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Billingsley, from voters of Jasper county, favoring enactment of Senate File 101. Public schools.

By Senator Hill, from citizens of Clarion favoring enactment of Senate File 204. Manufacturing, commerce and trade.

By Senator Dean, from citizens of Rockwell, favoring enactment of Senate File 233. Banks and banking.

By Senator Stevens, from citizens of Ottumwa, opposing enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Moore, from citizens of Oakland, favoring enactment of Senate File 197. Judiciary 2.

By Senator Moore, from Carson Board of Education—Consolidated Districts, favoring enactment of legislation to provide for the distribution of special funds to the public school districts of the state. Public schools.

By Senator Moore, from citizens of Avoca, favoring enactment of House File 130. Public schools.

By Senator Gillespie, from members of the University Avenue Federated Church, favoring enactment of Senate File 197. Judiciary 2.

By Senator Augustine, from teachers of the Lacey Consolidated

School of Lacey, favoring enactment of House Files 121 and 130 and Senate File 98. Public schools.

By Senator Augustine, from Pleasant Grove school board, favoring enactment of Senate File 101. Public schools.

By Senator Kirketeg, from citizens of Clearfield, favoring enactment of Senate File 197. Judiciary 2.

By Senator Augustine, from citizens of Oskaloosa, favoring enactment of House File 4, Senate Files 101 and 197, and opposing enactment of Senate File 100. Judiciary 2.

By Senator Chrystal, from citizens of Sac City, favoring enactment of Senate File 197. Judiciary 2.

By Senator Doran, from the North Marion P. T. A., favoring enactment of Senate File 101 and House Files 130 and 195. Public schools.

By Senator Doran, from Unit No. 37 of the Iowa Department of the American Legion Auxiliary at Ames, memorializing the General Assembly of the State of Iowa to enact Senate File 101 and House File 43. Public schools.

By Senator Parker, from ladies at Independence, opposing enactment of Senate File 17. Agriculture.

By Senator Edwards, from the Business and Professional Women's Club of Leon, opposing enactment of House File 81, and favoring enactment of Senate Files 98, 101, 184 and House File 130. Public schools.

By Senator Edwards, from Mrs. Gene McGuire of Leon, favoring enactment of Senate File 101 and House File 48. Public schools.

By Senator Edwards, from the legislative committee of the Iowa Funeral Directors and Embalmers Association, opposing enactment of Senate File 175. Public health.

SENATOR HART SWORN IN

Senator Stanley L. Hart, newly elected Senator from Lee county, was present in the Senate Chamber, and the President appointed Senators Evans and Gillette to escort Senator Hart to the Lieutenant Governor's desk, where he took the oath of office.

Senator Mason moved that the Senate resolve itself into executive session.

Roll call was requested.

On the question, "Shall the Senate resolve itself into executive session?" the vote was:

Ayes, 19:

Bell of Crawford	Elthon	Lundy	Schadt
Berg	Geske	Mason	Shaw
Byers	Gillespie	Mighell	Smith
Dean	Goetsch	Murray	Whitehill
Dewey	Kimberly	Parker	

Nays, 13:

Augustine	Gillette	Husted	Stevens
Doran	Grunewald	Miller	Stewart
Edwards	Hopkins	Pelzer	Zeigler
Ellis			

Absent or not voting, 18:

Baldwin	Breen	Guernsey	Kirketeg
Beardsley	Chrystal	Hart	Levis
Bell of	Corwin	Hill	Millhone
Des Moines	Donohue	Hoeven	Moore
Billingsley	Evans	Irwin	

The motion prevailed and the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Mr. D. W. Bates of Des Moines, Polk county, as Superintendent of Banking, to serve for the term ending July 1, 1941.

The Senate arose from executive session and resumed regular session.

REPORT OF COMMITTEE

MR. PRESIDENT: Your committee on committees begs leave to file a supplemental report as follows:

Stanley L. Hart, duly elected by the First Senatorial District of Iowa (Lee county) to fill the vacancy therein occasioned by the recent death of Senator T. F. Driscoll, is hereby appointed as a member of the following standing committees of the Senate for the balance of the session of the Forty-seventh General Assembly: Appropriations, board of control and public welfare, cities and towns, labor (ranking member), political and judicial districts—Chairman, social security, Greater Iowa, claims.

GEO. M. HOPKINS, *Chairman*.

WM. S. BEARDSLEY.

FRANK C. BYERS.

Vera Abbott was sworn in as clerk to Senator Hart, effective March 17th.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of March, 1937, sent to the Governor for his approval, Senate Files 86 and 302. FRANK PELZER, *Chairman*.

Passed on file.

INTRODUCTION OF BILLS

Senate File 402, by committee on motor vehicles, a bill for an act to extend the date of expiration of motor vehicle operators' licenses, and to this end to amend Section forty-nine hundred sixty-d thirty (4960-d30), Code, 1935.

Read first and second times and placed on the calendar.

Senate File 403, by committee on departmental affairs, a bill for an act to amend Section eighty-eight (88), Chapter 8, Code of Iowa, 1935, relating to various fees collected by the Secretary of State.

Read first and second times and placed on the calendar.

Senate File 404, by committee on departmental affairs, a bill for an act to repeal Section two hundred eighty-four (284), Code of Iowa, relating to publication of reports of the Executive Council.

Read first and second times and placed on the calendar.

Senate File 405, by committee on agriculture, a bill for an act to amend Section twenty-eight-twelve (2812), relating to license fees for hotels.

Read first and second times and placed on the calendar.

CONFERENCE REPORT CONSIDERED

Senator Shaw asked and received unanimous consent to suspend the rules and consider the conference committee report on Senate File 184 at this time.

Senator Shaw moved the adoption of the following conference committee report:

MR. PRESIDENT AND MR. SPEAKER: We, the undersigned members of the Conference Committee appointed to consider the differences between the Senate and House on Senate File 184, being a bill relating to homestead tax relief, beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments and that the bill as passed by the Senate be amended as follows, and when so amended the bill do pass:

Amend by adding immediately preceding the enacting clause the following:

“Whereas, in the past few years there has developed in the state of Iowa a decided change from owner occupied homes to tenancies; and

“Whereas, such change is taking place at a rapid and alarming rate; and

“Whereas, the farms especially, as a result of tenant occupancy, have in the past, and will continue in the future, to deteriorate in that sufficient fertilizers and the like have not been put back into the soil to properly preserve it and insure its productivity in the future; and

“Whereas, this condition is alleviated when the owner occupies said property; and,

“Whereas, a healthier and more prosperous condition exists in the state when the owner occupies his own farm or dwelling, and it is for the best interests of the people as a whole when such a condition exists; and,

“Whereas, it is the intention of the legislature, and the purpose of this act to encourage and foster home ownership and occupancy; and,

“Whereas, this legislature feels that a proper method of encouraging home ownership and occupancy is by granting benefits to those within that class; and

“Whereas, it is necessary to appropriate funds for the purpose of emergency relief within the State of Iowa and also for the purpose of old age pensions, both of which are for the general welfare of the people of the State of Iowa, now, therefore,

“This Forty-seventh General Assembly of the State of Iowa does hereby declare that appropriating money for emergency relief and for old age pensions is the expenditure of public funds for a public purpose. Therefore,”

Amend Section 2, line 9, by striking the word “apportioned” and substituting the word “appropriated”.

Further amend Section 2, line 20, by striking the word “to” and substituting the word “throughout”.

Amend Section 4, sub-section 3, line 2, by inserting immediately following the word “credit” the words “not to exceed twenty-five mills”.

Amend Section 4 by adding thereto as sub-section 4, the following: “In any county in which is located a special charter city, which levies and collects its own taxes separately from the county, all millage credits and the amount in dollars thereof on eligible homesteads situated in said

city in excess of the consolidated state and county levy by the state and said county for the taxing district in which said city is located, but not in excess of the aggregate levy by said city, shall be certified by the county auditor to the treasurer of said city who shall in turn credit on said city tax lists against the taxes levied by said city on each eligible homestead in said city, said excess millage credits so certified to him in the same manner as herein required to be done by the county auditor on the county tax lists. The county treasurer shall pay to the city treasurer out of the funds apportioned to said county from the Homestead Credit Fund, the amount of said funds so apportioned in excess of the state and county consolidated levy, which shall be applied upon the taxes on eligible homesteads in said city as herein provided. All funds so apportioned in excess of the combined city and consolidated state and county levies for said taxing district exclusive of special assessments shall be remitted to the State Board of Assessment and Review to be re-deposited in the Homestead Credit Fund for re-allocation as provided in this act. The intention and purpose of this provision shall be to allot to each eligible homestead located in such city the same proportionate tax credits received by eligible homesteads in other cities and towns, but this provision shall not be construed in any way to allot to eligible homesteads in such city any greater benefits or credits than eligible homesteads in other cities and towns."

Amend Section 5, line 11, by striking the words "August 1" and substituting the words "June 1".

Amend Section 7, line 3, by striking the words "September 1" and substituting the words "July 1".

Amend Section 11, line 7, by striking the words "July 1" and substituting the words "June 1".

Amend Section 11, line 13, by inserting after the word "same" the following: "and establish the assessed value of the homestead where the same has been assessed with other real estate".

Amend Section 12, line 3, by striking the words "August 1" and substituting the words "July 1".

Amend Section 19, line 38, by inserting after the word "paid" the following: "and which contract has been recorded in the office of the county recorder of the county in which the property is located".

Amend Section 19, line 41, by inserting, following the comma, the following: "or by legally adopted children,".

Amend Section 19, line 43, by striking the period following the word "relatives" and insert in lieu thereof the following: "or by legally adopted children."

Strike all of sub-paragraph "a" of Section 19 and insert in lieu thereof the following: "The homestead must embrace the dwelling house in which the owner claiming a millage credit or refund under this act actually lives six (6) months or more in the year except that in the first year of ownership it shall be sufficient if the owner is living in the dwelling house at the time the claim for homestead credit is made, and makes an affidavit of his intention to occupy said dwelling house, in good faith, as a home."

Strike all of sub-section "f" of Section 19 and insert, as a new sub-

section "f" of Section 19, the following: "The words 'dwelling house' shall embrace any building occupied wholly or in part by the claimant as a home."

Amend by striking from sub-section 2 of Section 19 the following words: "where there has been an election under the terms of Section ten thousand one hundred forty-six (10146), Code of 1935."

Amend by striking all of Section 20, as amended, and renumbering the remaining sections.

Amend by adding as Section 23 the following:

"Sec. 23. If any portion of this act should be declared unconstitutional, such invalidity shall not be construed to affect any other portion of this act which can be given force and effect without said invalid portion."

Further amend by renumbering the remaining section.

Amend the title by inserting after the word "counties" in line 18 the following: "; and providing a method of allotting tax credits on homesteads in special charter cities".

Further amend the title by striking the word "limiting" in line 21 and substituting the words "to establish and limit".

On the question, "Shall the Senate adopt the conference committee report on Senate File 184, and concur in the amendments therein proposed?" the vote was:

Ayes, 45:

Augustine	Doran	Hoeven	Moore
Beardsley	Edwards	Hopkins	Murray
Bell of Crawford	Ellis	Husted	Parker
Bell of Des Moines	Evans	Irwin	Pelzer
Berg	Geske	Kimberly	Schadt
Breen	Gillespie	Kirketeg	Shaw
Chrystal	Gillette	Levis	Smith
Corwin	Goetsch	Lundy	Stevens
Dean	Grunewald	Mason	Stewart
Dewey	Guernsey	Mighell	Whitehill
Donohue	Hart	Millhone	Zeigler
	Hill		

Nays, none.

Absent or not voting, 5:

Baldwin	Byers	Elthon	Miller
Billingsley			

The motion prevailed, the report of the conference committee was adopted and the amendments concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate File 184, a bill for an act to encourage the acquiring and ownership of homesteads; to amend Chapter 329-F1, Code, 1935, relating to taxation, income,

and retail sales and the allocation and distribution of revenue therefrom to the Iowa Emergency Relief Administration Fund and to the Old Age Pension Fund; to amend Section 6943-f63, Code, 1935, by repealing paragraph two (2) thereof and substituting a new paragraph, and by further amending said section by adding two (2) new paragraphs, all relating to the allocation of funds accruing under the provisions of said Chapter 329-F1; to repeal Section 6943-f64 and enact a substitute therefor, also relating to the allocation of funds accruing under the provisions of said Chapter 329-F1; to create The Homestead Credit Fund; to provide for the allocation of funds therein to apply as a credit on taxes on homesteads; prescribing the procedure whereby said funds are allocated by the State Board of Assessment and Review to the county treasurers of the several counties; prescribing the procedure for the making of such credit; to define homesteads and providing for the making of claims for credit as provided in this Act; limiting the assessed valuation of homesteads against which said credit shall apply to the first \$2,500.00; to provide for the disposition of the excess, if any, remitted to the county treasurers of the several counties and apportioned by them over and above the total tax levied on said \$2,500.00 of assessed valuation; to provide a method of appeal from action of the boards of supervisors of the several counties relating to said homestead tax credit; providing a penalty for the making of a false claim or affidavit under the provisions of this Act for the purpose of securing, or obtaining for another, a tax credit; and amending Section 6943-f39 by striking therefrom the date of the original termination of the sales tax; and providing for the taking effect of said Act by and upon publication, as amended, was taken up and considered.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 46:

Augustine	Chrystal	Elthon	Hart
Beardsley	Corwin	Evans	Hill
Bell of Crawford	Dean	Geske	Hoeven
Bell of	Dewey	Gillespie	Hopkins
Des Moines	Donohue	Gillette	Husted
Berg	Doran	Goetsch	Irwin
Breen	Edwards	Grunewald	Kimberly
Byers	Ellis	Guernsey	Kirketeg

Levis	Millhone	Schadt	Stewart
Lundy	Murray	Shaw	Whitehill
Mason	Parker	Smith	Zeigler
Mighell	Pelzer	Stevens	

Nays, none.

Absent or not voting, 4:

Baldwin	Billingsley	Miller	Moore
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shaw asked and received unanimous consent to have Senate File 184 messaged to the House immediately.

On motion of Senator Mason, Senate File 17, a bill for an act to repeal Section twenty-nine hundred thirty (2930), Code, 1935, relating to aid to the farm bureau, a special order, on which action was postponed March 11th, was taken up and considered.

The following amendment was considered:

MR. PRESIDENT: Amend Senate File 17 by striking all after the enacting clause and substituting in lieu thereof the following as a substitute for the Earl Dean amendment found on page 597 of the Journal:

Section 1. Section twenty-nine hundred thirty (2930), Code, 1935, is amended by adding thereto the following: "No farm improvement association shall receive such appropriation if it engages in any political or other activity in addition to those prescribed by Chapter 138, Code, 1935, creating Farm Aid Associations."

Senator Mighell offered the following amendment to the pending amendment and moved its adoption:

Amend the amendment filed by Senators Mighell and Dean, found on page 658 of the Journal, by striking the words "political or" in line 3 of the proposed Section 1 and adding the following:

"Sec. 2. It shall be unlawful for any Farm Aid Association established under this chapter and receiving county aid as herein provided to support any political party or candidate for public office. Any officer or agent of such association who violates this provision after said appropriation has been made, while acting in an official capacity, shall be guilty of a misdemeanor."

Senator Gillette moved that Senate File 17 and all amendments be committed to the committee on agriculture.

Senator Dean moved that further consideration of Senate File 17 be postponed until 1:30 this afternoon.

Senator Donohue moved that the Senate recess until 1:30 p. m.

Roll call was requested.

On the question, "Shall the Senate recess until 1:30?" the vote was:

Ayes, 10:

Bell of Crawford	Breen	Donohue	Goetsch
Bell of Des Moines	Chrystal Dean	Elthon Geske	Husted

Nays, 39:

Augustine	Ellis	Irwin	Murray
Baldwin	Evans	Kimberly	Parker
Beardsley	Gillespie	Kirketeg	Pelzer
Berg	Gillette	Levis	Schadt
Billingsley	Grunewald	Lundy	Smith
Byers	Guernsey	Mason	Stevens
Corwin	Hart	Mighell	Stewart
Dewey	Hill	Miller	Whitehill
Doran	Hoeven	Millhone	Zeigler
Edwards	Hopkins	Moore	

Absent or not voting, 1:

Shaw

The motion did not prevail.

Senator Berg moved the previous question on the motion of Senator Dean, which motion prevailed.

Roll call was requested.

On the question, "Shall further consideration of Senate File 17 be postponed until 1:30 p. m.?" the vote was:

Ayes, 12:

Bell of Crawford	Dean	Elthon	Husted
Bell of Des Moines	Dewey	Geske	Kimberly
Breen	Donohue	Goetsch	Lundy

Nays, 36:

Augustine	Ellis	Hopkins	Murray
Baldwin	Evans	Irwin	Parker
Beardsley	Gillespie	Kirketeg	Pelzer
Berg	Gillette	Levis	Schadt
Billingsley	Grunewald	Mason	Smith
Byers	Guernsey	Mighell	Stevens
Corwin	Hart	Miller	Stewart
Doran	Hill	Millhone	Whitehill
Edwards	Hoeven	Moore	Zeigler

Absent or not voting, 2:

Chrystal Shaw

The motion did not prevail.

Senator Baldwin moved the previous question on the motion by Senator Gillette.

Roll call was requested.

On the question, "Shall Senate File 17 be committed to the committee on agriculture?" the vote was:

Ayes, 39:

Augustine	Edwards	Hoeven	Murray
Baldwin	Ellis	Hopkins	Parker
Beardsley	Evans	Irwin	Pelzer
Berg	Geske	Kimberly	Schadt
Billingsley	Gillespie	Kirketeg	Smith
Byers	Gillette	Levis	Stevens
Chrystal	Grunewald	Miggghell	Stewart
Corwin	Guernsey	Miller	Whitehill
Dean	Hart	Millhone	Zeigler
Doran	Hill	Moore	

Nays, 9:

Bell of Crawford	Donohue	Goetsch	Lundy
Breen	Elthon	Husted	Mason
Dewey			

Absent or not voting, 2:

Bell of Shaw
Des Moines

The motion prevailed and Senate File 17 and all amendments were committed to the committee on agriculture.

Senator Doran moved that Senate File 356, containing in effect the same subject matter as the Dean amendment to Senate File 17, be committed to the committee on agriculture.

Senator Breen moved that the Senate recess until 1:30 p. m.

Roll call was requested.

On the question, "Shall the Senate recess until 1:30?" the vote was:

Ayes, 18:

Baldwin	Breen	Edwards	Levis
Bell of Crawford	Chrystal	Elthon	Lundy
Bell of	Dean	Geske	Mighell
Des Moines	Dewey	Guernsey	Pelzer
Billingsley	Donohue	Husted	

Nays, 27:

Berg	Grunewald	Kirketeg	Schadt
Byers	Hart	Mason	Smith
Corwin	Hill	Miller	Stevens
Doran	Hoeven	Millhone	Stewart
Ellis	Hopkins	Moore	Whitehill
Evans	Irwin	Murray	Zeigler
Gillette	Kimberly	Parker	

Absent or not voting, 5:

Augustine	Gillespie	Goetsch	Shaw
Beardsley			

The motion did not prevail.

The President ruled that the motion of Senator Doran was out of order.

Senator Doran moved that the rules be suspended and that Senate File 356 be committed to the committee on agriculture.

Senate File 356 was read for the information of the Senate.

Roll call was requested.

On the question, "Shall Senate File 356 be committed to the committee on agriculture?" the vote was:

Ayes, 45:

Augustine	Dewey	Hill	Millhone
Baldwin	Doran	Hoeven	Moore
Beardsley	Edwards	Hopkins	Murray
Bell of Crawford	Ellis	Irwin	Parker
Bell of	Evans	Kimberly	Pelzer
Des Moines	Geske	Kirketeg	Schadt
Berg	Gillespie	Levis	Shaw
Billingsley	Gillette	Lundy	Stevens
Breen	Goetsch	Mason	Stewart
Byers	Grunewald	Mighell	Whitehill
Chrystal	Guernsey	Miller	Zeigler
Corwin	Hart		

Nays, 5:

Dean	Elthon	Husted	Smith
Donohue			

Absent or not voting, none.

The motion prevailed, the rules were suspended, and Senate File 356 was committed to the committee on agriculture.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

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

House File 36, a bill for an act relating to free distribution by the superintendent of printing of Codes and other legal publications issued by the state.

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

House File 39, a bill for an act relative to the support of insane.

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

House File 57, a bill for an act relating to unfair discrimination.

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

House File 88, a bill for an act relating to the selection of subordinate officers under the jurisdiction of the board of control.

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

House File 104, a bill for an act further defining the right to transport non-resident pupils.

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

House File 105, a bill for an act relating to time of filing thresherman's or cornsheller's lien.

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

House File 111, a bill for an act relating to bounties.

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

House File 113, a bill for an act relating to audits of state highway commission, state departments, counties, cities and towns, and school districts.

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

House File 133, a bill for an act to change the name of the Board of Railroad Commissioners.

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

House File 139, a bill for an act relating to judgments which may be rendered in actions on usurious contracts.

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

House File 155, a bill for an act relating to building and loan associations and investments therein.

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

House File 163, a bill for an act relating to social security.

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

House File 167, a bill for an act providing for the recording of social security numbers.

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

House File 182, a bill for an act relating to the making of estimates for the local tax budget and annual appropriations in cities over 75,000 population.

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

House File 224, a bill for an act relating to the duties of the Conservation Commission as to parks and their development.

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

House File 314, a bill for an act to authorize certain towns to levy for years 1937 and 1938 an additional tax to pay amount due or to become due under contracts for electric light.

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

Senate File 125, a bill for an act legalizing action of the City of Mount Pleasant in erecting building to house various agencies of the city.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 11, relating to federal legislation on sales tax.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 14, relating to federal legislation to provide for the eradication of noxious weeds.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Hopkins, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

SENATE FILE 83 WITHDRAWN

On request of Senator Doran, Senate File 83, relating to ap-

pointment of officers by city or town councils, was withdrawn from the further consideration of the Senate.

Senator Donohue moved that when the Senate adjourn, it be until 10:00 a. m. Thursday, which motion prevailed.

HOUSE MESSAGES CONSIDERED

House File 36, a bill for an act to repeal Section two hundred thirty-seven (237), Code, 1935, and to enact a substitute therefor, relating to the free distribution by the superintendent of printing of Codes and other legal publications issued by the State.

Read first and second times and referred to committee on judiciary 2.

House File 39, a bill for an act to amend Section thirty-five hundred ninety-six (3596), Code, 1935, relative to support of insane.

Read first and second times and referred to committee on board of control and public welfare.

House File 57, a bill for an act to amend Section ninety-eight hundred eighty-five (9885) of the Code of 1935, relating to unfair discrimination, so as to include in the application thereof "commercial services".

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

House File 88, a bill for an act to amend Section thirty-two hundred ninety-three (3293) of the Code of Iowa, 1935, so as to prefer citizens of Iowa in the selection of subordinate officers and employees under the jurisdiction of the board of control.

Read first and second times and referred to committee on board of control and public welfare.

House File 104, a bill for an act to amend Section forty-two hundred seventy-seven (4277) of the Code of Iowa, 1935, further defining the right to transport non-resident pupils.

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

House File 105, a bill for an act to amend Section ten thousand two hundred sixty-nine-e three (10269-e3) of Chapter four hun-

dred fifty-E one (450-E1), Code, 1935, relating to time of filing thresherman's or cornsheller's lien.

Read first and second times and referred to committee on judiciary 1.

House File 111, a bill for an act to amend Sections fifty-four hundred thirteen (5413) and fifty-four hundred fourteen (5414), Code of Iowa, 1935, relating to bounties on crows and European starlings.

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

House File 113, a bill for an act to repeal Sections one hundred one-a three (101-a3), one hundred thirteen (113), one hundred fourteen (114), one hundred sixteen (116), one hundred twenty (120), one hundred twenty-four (124), one hundred twenty-five (125), one hundred twenty-six (126) and one hundred thirty-a three (130-a3), Chapter ten (10), Code, 1935, relating to audits of the state highway commission, state departments, counties, cities and towns, and school districts, and enacting substitutes therefor, and authorizing necessary appropriations.

Read first and second times and referred to committee on departmental affairs.

House File 133, a bill for an act to change the name of the Board of Railroad Commissioners to that of State Transportation Commission.

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

House File 139, a bill for an act to amend Section ninety-four hundred seven (9407), Code, 1935, relating to judgments which may be rendered in actions on usurious contracts.

Read first and second times and referred to committee on judiciary 2.

House File 155, a bill for an act to amend Sections nine thousand three hundred nineteen (9319), nine thousand three hundred twenty-nine (9329), nine thousand three hundred forty-eight (9348), nine thousand three hundred eighty-two (9382), and twelve thousand seven hundred seventy-two (12772), Code, 1935,

all relating to building and loan associations and investments therein; to authorize such associations to insure members' investments in Federal Savings and Loan Insurance Corporation; to provide for conversion of federal savings and loan associations into state associations; to prescribe plans, terms and conditions under which loans may be made and funds invested by such associations; to provide for associations' liens on shares of members and for enforcement thereof; to provide for publishing annual statements; to prescribe contents of annual statement to Auditor of State; to provide for bonding employees and officers thereof; to specify classes of shares which may be issued; to limit their expenses; to make shares in federal savings and loan associations authorized investments for fiduciaries; to give the executive council authority to approve or disapprove of articles of incorporation and by-laws and grant or refuse permission to organize such associations and to provide for appeal from executive council's action; to authorize establishing proper reserves for losses before declaring dividends; and to repeal all laws in conflict therewith, and to repeal Sections nine thousand three hundred fourteen (9314), nine thousand three hundred fifteen (9315), nine thousand three hundred thirty-three (9333), nine thousand three hundred thirty-six (9336), nine thousand three hundred thirty-nine (9339), nine thousand three hundred forty (9340), nine thousand three hundred forty-one (9341), nine thousand three hundred forty-seven (9347), nine thousand three hundred fifty (9350), and nine thousand three hundred sixty-five (9365), Code, 1935, and to enact substitutes therefor.

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

House File 163, a bill for an act to amend Senate File one (1) of the Forty-sixth General Assembly, Extraordinary Session, relating to social security.

Read first and second times and referred to committee on social security.

House File 167, a bill for an act to amend Chapter two hundred fifty-seven (257), Code, 1935, providing for the recording of federal social security account numbers in the office of the county recorder.

Read first and second times and referred to committee on social security.

House File 182, a bill for an act amending Sections three hundred seventy (370), and fifty-six hundred sixty-three (5663), relating to the making of estimates for the local tax budget and annual appropriations, in cities over 75,000 population and providing a penalty for violation thereof.

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

House File 224, a bill for an act to amend Section seventeen hundred ninety-nine (1799), Code, 1935, relating to the duties of the conservation commission as to parks and their development.

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

House File 314, a bill for an act to authorize certain towns to levy for the years 1937 and 1938 an additional tax to pay the amount due or to become due under any contract for electric light.

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

INTRODUCTION OF BILLS

Senate File 406, by committee on claims, a bill for an act to make an appropriation to the Howell-Schrader Drug Company.

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

Senate File 407, by committee on claims, a bill for an act to make an appropriation to Sarah J. Conlin.

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

Senate File 408, by committee on claims, a bill for an act to make an appropriation to Ed Beeman.

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

Senate File 409, by committee on claims, a bill for an act to make an appropriation to Richard Nelson.

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

Senate File 410, by committee on claims, a bill for an act to make an appropriation to the Midwest Finance Corporation.

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

Senate File 411, by committee on claims, a bill for an act to make appropriations to C. H. White, Middle States Utilities Company, Callender Telephone Company, Gretus Asmus, Geraldine Satre, Palmer Plumbing Company, John F. Shea, Bituminous Paving Mat. Corporation, D. M. Vandelinde and Mathieson Insurance Agency.

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

Senate File 412, by committee on claims, a bill for an act to make an appropriation to the city of Iowa City, Iowa.

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

Senate File 413, by committee on claims, a bill for an act to make an appropriation to the Hotel Martin, Sioux City, Iowa.

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

Senate File 414, by committee on claims, a bill for an act to make an appropriation to J. W. Houchin.

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

Senate File 415, by committee on claims, a bill for an act to make an appropriation to John Graves.

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

Senate File 416, by committee on claims, a bill for an act to make an appropriation to Tama Independent School District.

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

Senate File 417, by committee on claims, a bill for an act to make an appropriation to A. H. Bolton.

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

Senate File 418, by committee on claims, a bill for an act to make an appropriation to Mat Gallagher.

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

Senate File 419, by committee on claims, a bill for an act to make an appropriation to H. W. Haskell.

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

Senate File 420, by committee on claims, a bill for an act to make appropriations to Fred Skilling, William Durant, Mrs. William Meyers, John Kirsch, H. M. Colwell, William C. Hawley, Joe Yetmar, Chris Olsen and C. E. Baxter.

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

Senate File 421, by committee on claims, a bill for an act to make an appropriation to the city of Ames, Iowa.

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

Senate File 422, by committee on claims, a bill for an act to make an appropriation to Iver Hopperstad.

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

Senate File 423, by committee on claims, a bill for an act to make an appropriation to Maurice Flanagan.

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

Senate File 424, by committee on conservation, a bill for an act

to amend Section seventeen hundred ninety-nine-b two (1799-b2), Code, 1935, relating to obstructions along shores of state-owned waters to include regulations regarding the removal of materials from the beds of state-owned lakes and streams.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Donohue submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 221, a bill for an act to amend Section one thousand nine hundred twenty-one-f 16 of the Code of 1935, relating to the control of intoxicating liquor by the Iowa Liquor Control Commission, begs leave to report it has had the same under consideration and returns the bill without recommendation.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 285, a bill for an act providing for limiting the requirements of title to real estate, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 326, a bill for an act to amend Section ten thousand twenty-four (10024), ten thousand twenty-eight (10028), ten thousand twenty-nine (10029), ten thousand thirty-two (10032), Code, 1935, and by adding a new section relating to chattel mortgages, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred House File 4, a bill for an act to amend Section 13210, Code, 1935, relating to the possession of gambling devices, begs leave to report it has had the same under consideration and returns the bill without recommendation.

E. P. DONOHUE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 316 by inserting in Sec-

tion 17 thereof after the comma following the figures "1935" in line 7 thereof the following: "or any amendments which may hereafter be made thereto,".

A. J. SHAW.

MR. PRESIDENT: I move to amend Senate File 177 by striking the period at the end of line twenty-nine (29) of Section two and inserting in lieu thereof a colon, and by adding after said colon the following:

"And provided further that nothing herein contained shall prevent discrimination in price between manufacturers, jobbers, wholesalers, retailers, and consumers as separate classes of trade, so long as there is no discrimination between individual purchasers within each such class."

JOHN BERG.

J. GILLESPIE.

MR. PRESIDENT: I move to amend Senate File 241, Section 1, as follows: Insert after the word "incorporated" in line six the words "not for profit".

JOHN BERG.

MR. PRESIDENT: I move to amend House File 186 by striking the word "act" in line five (5), and inserting the word "chapter" in lieu thereof.

C. COLFAX SMITH.

MR. PRESIDENT: I move to amend Senate File 316 by inserting after the period at the end of Section six (6) thereof the following: "The board shall have the power to adopt and promulgate rules and regulations for adding such tax, or the average equivalent thereof, by providing different methods applying uniformly to retailers within the same general classification for the purpose of enabling such retailers to add and collect, as far as practicable, the amount of such tax.

SPECIAL COMMITTEE ON TAX REVISION.

MR. PRESIDENT: I move to amend Senate File 317 by inserting in Section twenty-three thereof after the comma following the figures "1935" in line nine thereof the following: "or any amendments which may hereafter be made thereto,".

SPECIAL COMMITTEE ON TAX REVISION.

MR. PRESIDENT: I move to amend Senate File 14 as follows:

Amend said bill by adding thereto the following:

Sec. 5. That Section six hundred thirty-four (634) of the Code of Iowa, 1935, be and the same is hereby amended by striking from line three (3) thereof the word "fifth" and substituting in lieu thereof the word "third".

HUGH G. GUERNSEY.

The Journal of March 16th was corrected and approved.

On motion of Senator Kimberly, the Senate adjourned until 10:00 a. m., Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 18, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. L. V. Lyons of St. Ambrose Cathedral of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Evans, from officers and members of Gordon May Post and Unit No. 439, The American Legion and Auxiliary, Dept. of Iowa, at Silver City, favoring enactment of Senate Files 373, 374, 375, 376, and 377. Social security.

By Senator Billingsley, from voters of Jasper county, favoring enactment of Senate File 101. Public schools.

By Senator Doran, from citizens of Boone county, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Doran, from citizens of Story county, opposing the enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Doran, from citizens of Story county, favoring enactment of Senate File 197. Judiciary 2.

By Senator Hoeven, from mail carriers of Lyon county, favoring enactment of Senate File 143. Highways.

By Senator Grunewald, from the members of Amity U. P. Church of Tama county, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Breen, from citizens of Webster county, favoring enactment of Senate File 197 and House File 238. Judiciary 2.

By Senator Breen, from citizens of Webster county, opposing

the enactment of Senate File 203. Manufacturing, commerce and trade.

By Senator Stewart, from the residents of Fayette county, favoring enactment of Senate File 17. Agriculture.

By Senator Lundy, from citizens of Marion county, favoring enactment of Senate File 100 and House File 238. Judiciary 2.

By Senator Mighell, from citizens of Galva, Ida county, favoring enactment of House File 130. Public schools.

By Senator Mighell, from the board of supervisors of Plymouth county, favoring enactment of Senate File 235 and House File 266. County and township affairs.

By Senator Mighell, from the board of supervisors of Plymouth county, opposing enactment of Senate File 187. Judiciary 2.

By Senator Smith, from the citizens of Frederika, favoring enactment of Senate File 197. Judiciary 2.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File 125.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 125.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 18th day of March, 1937, sent to the Governor for his approval, Senate File 125.

FRANK PELZER, *Chairman.*

Passed on file.

INTRODUCTION OF BILLS

Senate File 425, by committee on judiciary 2, a bill for an act to legalize and validate proceedings of the board of supervisors of Palo Alto county, Iowa, and an election in said county, all relating to the issuance from time to time of primary road bonds of the county to the aggregate amount of not exceeding \$500,000.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 171, a bill for an act relating to the duties of the superintendent of printing.

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

House File 241, a bill for an act to change the names of the institutions at Glenwood and Woodward.

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

House File 244, a bill for an act to establish improvement districts for conservation areas that are situated partly in Iowa and partly in one or more adjacent states.

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

House File 308, a bill for an act to legalize action of the board of supervisors of Muscatine county.

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

House File 329, a bill for an act directing the Governor to issue to John Batie a patent to certain land in Lucas county.

Also: That the House has receded from its amendments to and passed Senate File 40, a bill for an act relating to interest on the permanent school fund.

Also: That the House has adopted the conference committee report and passed Senate File 184, a bill for an act relating to homestead tax relief.

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

Senate File 193, a bill for an act to legalize the actions of the city council and the city auditor of the city of Dubuque.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Berg, chairman of the special committee on tax revision, asked and received unanimous consent to substitute on the calendar Senate File 316 for Senate File 196.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate File 316, a bill for an act to impose a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes and the administration of said act; to fix fines and penalties for the violation of the provisions of this act; to provide for the apportionment of the revenues derived from said tax; to appropriate funds for the administration of this act; and to repeal all laws or parts of laws in conflict herewith, a committee bill, a substitute for Senate File 196, was taken up and considered.

Senator Shaw offered the following amendment, and moved its adoption:

Amend Senate File 316 by inserting in Section 17 thereof after the comma following the figures "1935" in line 7 thereof the following: "or any amendments which may hereafter be made thereto,".

The amendment was adopted.

Senator Berg, chairman of the special committee on tax revision, offered the following committee amendment and moved its adoption:

Amend Senate File 316 by inserting after the period at the end of Section six (6) thereof the following: "The board shall have the power to adopt and promulgate rules and regulations for adding such tax, or the average equivalent thereof, by providing different methods applying uniformly to retailers within the same general classification for the purpose of enabling such retailers to add and collect, as far as practicable, the amount of such tax.

The amendment was adopted.

Senator Berg, chairman of the special committee on tax revision, offered the following amendment and moved its adoption:

Amend Senate File 316 by striking, in line 2, Section 20, the words and figures "twenty-three (23)" and inserting in lieu thereof the words and figures "twenty-two (22)".

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 316 by striking from lines 49 to 51 of Section one thereof the words "the payment of the principal sum thereunder be extended over a period longer than sixty days from the date of sale thereof that" and inserting in lieu thereof the words "credit is extended to the purchaser".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 6:

Baldwin	Husted	Millhone	Pelzer
Hopkins	Lundy		

Nays, 31:

Augustine	Doran	Hart	Parker
Beardsley	Edwards	Hoeven	Schadt
Berg	Ellis	Kimberly	Shaw
Breen	Geske	Kirketeg	Smith
Corwin	Gillespie	Levis	Stewart
Dean	Gillette	Mighell	Whitehill
Dewey	Grunewald	Moore	Zeigler
Donohue	Guernsey	Murray	

Absent or not voting, 13:

Bell of Crawford	Byers	Goetsch	Mason
Bell of	Chrystal	Hill	Miller
Des Moines	Elthon	Irwin	Stevens
Billingsley	Evans		

The amendment was not adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 316 by adding to Section 3, the following additional subsections, "e" and "f":

e. The gross receipts from the sale of food products for human consumption. "Food products" as used herein includes cereals and cereal products, milk and milk products including ice cream, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith.

f. The gross receipts from the sale of wearing apparel and clothing

where the price of each item does not exceed one and one-half dollars (\$1.50), and shoes where the price is two dollars (\$2.00) per pair or less.

Senator Doran asked a division on the amendments and the question of their adoption was put on "e" and "f".

Both amendments were lost.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Evans	Hopkins	Murray
Berg	Geske	Husted	Parker
Breen	Gillespie	Irwin	Pelzer
Byers	Gillette	Kimberly	Schadt
Corwin	Goetsch	Kirketeg	Shaw
Dean	Grunewald	Levis	Smith
Donohue	Guernsey	Mason	Stevens
Doran	Hart	Mighell	Stewart
Edwards	Hill	Millhone	Whitehill
Ellis	Hoeven	Moore	Zeigler

Nays, 3:

Billingsley	Dewey	Miller
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Present, 2:

Baldwin	Elthon
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Absent or not voting, 5:

Beardsley	Bell of	Chrystal	Lundy
Bell of Crawford	Des Moines		

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

Senator Berg moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Berg asked and received unanimous consent to have Senate File 316 messaged to the House immediately.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 17, 1937, he had approved the following bills:

Senate File 302, a legalizing act for Cedar Rapids.

Senate File 86, relating to the unlawful wearing of military emblems.

HOUSE MESSAGES CONSIDERED

House File 171, a bill for an act relating to the duties of the superintendent of printing.

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

House File 241, a bill for an act to amend Sections three thousand two hundred eighty-seven (3287), three thousand four hundred two (3402), three thousand four hundred sixty-four (3464), three thousand four hundred sixty-five (3465), three thousand four hundred seventy-six (3476), and three thousand four hundred seventy-seven (3477), Code, 1935, so as to change the name of the institution for feeble-minded children at Glenwood and the hospital for epileptics and school for feeble-minded at Woodward to Glenwood state school and Iowa State Hospital and School respectively, and to amend, in conformity therewith, such sections as refer to such institutions by name.

Read first and second times and referred to committee on board of control and public welfare.

House File 244, a bill for an act to establish improvement districts for the improvement, management, supervision and development for conservation areas that are situated partly in Iowa and partly in one or more adjacent states and providing a procedure therefor.

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

House File 308, a bill for an act to legalize action of the board of supervisors of Muscatine county, Iowa, in making expenditures from the Muscatine county insane fund to the poor relief fund.

Read first and second times and referred to committee on judiciary 2.

House File 329, a bill for an act directing the governor, on behalf of the state of Iowa, to issue to John Batie a patent or conveyance to certain land in Lucas county, Iowa.

Read first and second times and referred to committee on judiciary 2.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate Joint Resolution 4, a bill for an act relating to the Greater Iowa Commission, requesting the cooperation of appropriate governmental agencies, and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Strike all of Section three (3) and renumber the remaining sections.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 406, a bill for an act to make an appropriation to the Howell-Schrader Drug Company, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 407, a bill for an act to make an appropriation to Sarah J. Conlin, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 408, a bill for an act to make an appropriation to Ed. Beeman, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 409, a bill for an act to make an appropriation to Richard Nelson, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 410, a bill for an act to make an appropriation to the

Midwest Finance Corporation, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 411, a bill for an act to make appropriations to C. H. White, Middle States Utilities Company, Callender Telephone Company, Gretus Asmus, Geraldine Satre, Palmer Plumbing Company, John F. Shea, Bituminous Paving Mat. Corporation, D. M. Vandelinde and Mathieson Insurance Agency, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 412, a bill for an act to make an appropriation to the city of Iowa City, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 414, a bill for an act to make an appropriation to J. W. Houchin, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and when so amended the bill do pass:

Amend by striking from lines 2 and 3 of Section one (1) the words and figures "thirty dollars (\$30.00)" and inserting in lieu thereof the following: "sixty dollars (\$60.00)".

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 416, a bill for an act to make an appropriation to the Tama Independent School District, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 417, a bill for an act to make an appropriation to A. H. Bolton, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 418, a bill for an act to make an appropriation to Mat Gallagher, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 419, a bill for an act to make an appropriation to H. W. Haskell, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 420, a bill for an act to make appropriations to Fred Skilling, William Durant, Mrs. William Meyers, John Kirsch, H. M. Colwell, William C. Hawley, Joe Yetmar, Chris Olsen and C. E. Baxter, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 421, a bill for an act to make an appropriation to the city of Ames, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 423, a bill for an act to make an appropriation to Maurice Flanagan, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 200, a bill for an act making an appropriation for payment of compensation in state cases under the workmen's compensa-

tion law, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 36, a bill for an act to regulate and control the organization and operation of cemetery associations in the State of Iowa; prohibiting incorporation of cemeteries for profit, regulating purchase and sales of land for cemetery purposes, amending paragraph 6, etc., begs leave to report it has had the same under consideration and recommends that the same be amended as follows; and when so amended the bill do pass:

1. Amend the title by striking therefrom the words "prohibiting incorporation of cemeteries for profit."

2. Further amend by striking all of Section 1 thereof and renumbering the following sections.

3. Further amend by striking all of lines one to seven, inclusive, in Section 2 thereof as renumbered.

4. Further amend Section 2, as renumbered, in line eight by striking the words "such an" and substituting in lieu thereof "a cemetery."

5. Further amend Section 3, as renumbered, by striking the period at the end of line eight and inserting in lieu thereof "except as herein provided." and strike all of lines 9, 10, 11, 12, 13, 14 and the words "improvement or extension of the cemetery" in line 15 and insert in lieu thereof "When twenty per cent or more of the proceeds of the gross receipts of the sale of all burial lots of any cemetery association are being used during the development period of said cemetery, then during said period no more than thirty per cent of the gross receipts are required to be set aside in the permanent care and improvement fund."

6. Further amend Section Seven, as renumbered, line 4, by striking the words and figures "Section 4, 5 and 6" and substituting in lieu thereof "Section 3, 4, and 5."

JOHN BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred Senate File 247, a bill for an act to amend Section 5690 of Chapter 289, Code, 1935, relative to compensation for civil service commissioners of cities and towns, begs leave to report it has had the same under consideration and recommends that the same be indefinitely postponed.

JOHN BERG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File 114, a bill for an act to repeal Section 6578-b1, Code,

1935, relative to anticipating the collection of taxes for improvements in parks and cemeteries, and to enact a substitute therefor, begs leave to report it has had the same under consideration and returns the bill without recommendation.

JOHN BERG, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was Referred Senate File 162, a bill for an act directing county treasurers to collect retail sales tax on motor vehicles, applying for first registration, when same has not been previously paid to permit holders under Section 6943-f48, Code, 1935, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend the title in line one (1) by striking therefrom the words "retail sales".

2. Amend the title by striking the comma following the word "registration" in line two (2) and inserting a period in lieu thereof and striking the balance of the title.

3. Amend Senate File 162 by striking all of Section one (1) and by inserting in lieu thereof the following:

"Section 1. A tax of two (2) per cent of the retail sale price is hereby imposed upon every motor vehicle purchased within sixty (60) days previous to the date any such vehicle is originally registered in this state or the registration of any such vehicle is transferred.

The county treasurer shall collect said tax at the time of original registration or at the time of transfer of registration and he shall remit the same quarterly as provided in Section sixty-nine hundred forty-three-forty-seven (6943-f47) of the Code, to the state board of assessment and review.

The tax imposed by this act shall be in lieu of any other retail sales tax imposed by law upon the sale of a motor vehicle.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 163, a bill for an act to permit an income taxpayer in computing his net taxable income to deduct from gross income the amount actually expended by him during the tax year for medical, hospital, and surgical services for himself and for dependent persons for whose support he is legally liable, and to this end to amend Sections 6943-f9 and 6943-f10, Code, 1935, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was

referred Senate File 268, a bill for an act to amend Section six thousand nine hundred forty-three f-23 (6943 f-23), Code, 1935, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 303, a bill for an act to amend Section sixty-nine hundred forty-three f-5 (6943 f-5), Code, 1935, relating to income tax, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass.

Amend by striking the first four lines of Section one (1) and inserting in lieu thereof, the following:

"Section 1. Section six thousand nine hundred forty-three f-5 (6943 f-5), Code, 1935, is amended by changing the comma (,) after the words "per cent" in line two of sub-section "e" to a period (.) and striking the remainder of said sub-section and adding sub-sections "f" and "g" as follows:".

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File 323, a bill for an act to amend Section six thousand nine hundred forty-three-f five (6943-f5), Code, 1935, and to amend Section six thousand nine hundred forty-three-f fifteen (6943-f15), sub-section one (1), Code, 1935, to tax income at its source, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman*.

Ordered passed on file.

Senator Hoeven moved that the question, "Shall a sifting committee be appointed?" now be propounded to the Senate, which motion prevailed.

On the question, "Shall a sifting committee be appointed?" the vote was:

Ayes, 27:

Augustine	Donohue	Guernsey	Parker
Baldwin	Doran	Hart	Schadt
Berg	Edwards	Hill	Smith
Billingsley	Ellis	Hoeven	Stewart
Byers	Elthon	Kirketeg	Whitehill
Corwin	Evans	Levis	Zeigler
Dewey	Grunewald	Miller	

Nays, 7:

Hopkins	Kimberly	Moore	Shaw
Husted	Mason	Pelzer	

Present, 1:

Mighell

Absent or not voting, 15:

Beardsley	Breen	Gillespie	Lundy
Bell of Crawford	Chrystal	Gillette	Millhone
Bell of	Dean	Goetsch	Murray
Des Moines	Geske	Irwin	Stevens

The motion prevailed.

Senator Donohue moved that the rules be suspended and that all bills now in standing and special committees be immediately referred to the sifting committee, and that all bills on the calendar and undisposed of at the finish of business on March 24th, except appropriation and claims bills, be referred to the sifting committee at that time.

Senator Doran moved to amend the motion by Senator Donohue by excepting the committee bills on the calendar on March 24th.

Roll call was requested on the amendment to the motion.

Senator Doran asked and received unanimous consent to withdraw his amendment to the motion.

The motion by Senator Donohue prevailed.

Senator Byers moved that the rules be suspended and that a two-thirds vote of the members of the Senate be required to withdraw a bill from the sifting committee.

Senator Hopkins moved as a substitute for the motion by Senator Byers that the rules be suspended and that a vote of thirty members of the Senate be required to withdraw a bill from the sifting committee.

Roll call was requested.

On the question, "Shall the motion by Senator Hopkins be substituted for the motion by Senator Byers?" the vote was:

Ayes, 27:

Augustine	Dean	Elthon	Goetsch
Beardsley	Dewey	Geske	Hopkins
Berg	Edwards	Gillespie	Husted
Breen	Ellis	Gillette	Kirketeg

Mason
Mighell
Miller

Moore
Murray
Pelzer

Schadt
Shaw
Stevens

Stewart
Whitehill

Nays, 15:

Billingsley
Byers
Corwin
Donohue

Doran
Evans
Grunewald
Hart

Hill
Hoeven
Kimberly
Levis

Parker
Smith
Zeigler

Absent or not voting, 8:

Baldwin
Bell of Crawford

Bell of
Des Moines
Chrystal

Guernsey
Irwin

Lundy
Millhone

The President ruled that the motion did not prevail and that it would require a two-thirds vote to change the rule which requires a two-thirds vote to withdraw a bill from a committee, unless notice of such change in the rules had been given in advance.

On motion of Senator Moore, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

Senator Mason called up Senate Resolution 7, which appears on page 651 of the Journal and moved its adoption.

Senator Mason moved that the Senate resolve itself into executive session, which motion prevailed.

The Senate arose from executive session and resumed regular session.

EXTRA COPIES OF SENATE FILE 184

On request of Senator Berg, twelve hundred extra copies of Senate File 184, the homestead act, as it passed the Senate after the adoption of the conference committee report, were ordered printed.

SENATE FILES MADE SPECIAL ORDER

Senator Berg moved that Senate Files 317 and 318, companion tax bills to Senate File 316, be made a special order for 10:00 a. m. Friday, March 19th, which motion prevailed.

SENATE FILE 196 WITHDRAWN

On request of Senator Shaw, Senate File 196, relating to the sales tax and for which Senate File 316 was substituted, was withdrawn from the further consideration of the Senate.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 169 by striking from Section one (1), lines three (3) and four (4) the following: "intended to be used in the construction of any building for any state institution in the State of Iowa" and inserting in lieu thereof the following: "the acceptance of which is conditioned upon the construction of a building for any state institution in the state of Iowa".

Further amend by adding as Section 2, the following:

Sec. 2. No gift of any real property shall be accepted by the state of Iowa, except by the approval of the Senate in executive session, and then only by a two-thirds vote of the members present.

C. COLFAX SMITH.

MR. PRESIDENT: I move to amend Section one (1) of Senate File 317 by substituting a comma for the period at the end of the thirteenth line of said section, and by adding thereto, immediately following the comma so substituted, the following words: "or which is employed or consumed in processing, or which contains processed articles intended to be sold ultimately at retail."

SANFORD ZEIGLER, JR.

MR. PRESIDENT: I move to amend Senate File 317 by striking from lines seven and eight of Section ten thereof the words "may, by regulation, provide a uniform method of adding such tax", and by inserting in lieu thereof the following: "shall have the power to adopt and promulgate rules and regulations for adding such tax, or the average equivalent thereof, by providing different methods applying uniformly to retailers within the same general classification for the purpose of enabling such retailers to add and collect, as far as practicable, the amount of such tax".

SPECIAL COMMITTEE ON TAX REVISION.

The Journal of March 17th was corrected and approved.

On motion of Senator Irwin, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 19, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. James Owen Smith of the Methodist Church of the Des Moines Conference.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Baldwin for the day, on request of Senator Moore.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee:

By Senator Doran, from optometrists of Boone, favoring the enactment of Senate File 132.

By Senator Doran, from residents of Story county, favoring the enactment of Senate File 101.

By Senator Doran, from Ames Council of Parent-Teachers Association, favoring the enactment of Senate File 101.

By Senator Gillespie, from residents of Des Moines, favoring the enactment of House Files 48 and 130.

By Senator Doran, from the Ames Council of Parent-Teacher Association, favoring the enactment of Senate File 290.

By Senator Whitehill, from citizens of Marshall county, favoring the enactment of Senate File 197 and House File 238.

By Senator Gillespie, from residents of Polk county, favoring the enactment of Senate File 197.

By Senator Hill, from residents of Iowa Falls, favoring the enactment of House File 130.

By Senator Hill, from members and friends of Ladies Aid So-

ciety of Universalist Church of Webster City, favoring the enactment of House File 130.

By Senator Gillette, from residents of Luverne, favoring the enactment of Senate File 197.

By Senator Gillette, from citizens of Clay county, opposing the passage of Senate File 203.

By Senator Gillette, from residents of Cedar Rapids, opposing the passage of Senate File 203.

By Senator Hart, from Keokuk Unit, American Legion Auxiliary, Keokuk, favoring enactment of Senate File 373.

By Senator Hart, from residents of Lee county, favoring the enactment of Senate File 197.

By Senator Hart, from the Garfield Parent-Teachers Association, Keokuk, favoring the enactment of House File 130.

By Senator Hart, from the Parent-Teacher's Association of Torrence school, Keokuk, favoring the enactment of House File 130.

By Senator Hart, from residents of Keokuk and members of the Parents and Teachers Association, Lincoln school, Keokuk, favoring enactment of House File 130.

By Senator Hart, from residents of Lee county, opposing the passage of Senate File 203.

By Senator Gillespie, from property owners of property adjacent to State House grounds, petitioning for the opening up of Walnut street through State House grounds.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 284, a proposed bill to legalize and validate proceedings of the board of directors of Concordia school district, Concordia township, Des Moines County. WALTER H. BEAM, *Secretary*.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 61, a bill for an act to permit cities and towns to grant franchises to operate and maintain bus and motor transportation lines.

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

House File 253, a bill for an act relating to the building and maintenance of free public libraries.

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

House File 428, a bill for an act to legalize a school election in Harrison and Pottawattamie Counties.

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

House File 478, a bill for an act relating to real estate mortgages containing chattel mortgage clause.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 21, a bill for an act relating to the levy of a road poll tax.

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

Senate File 67, a bill for an act relating to the remission of unpaid taxes on stock of insolvent banks.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 80, a bill for an act to provide for the issuance by cities and towns of refunding bonds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 117, a bill for an act relating to the powers and duties of the secretary of agriculture and the maintenance of a weather division.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 151, a bill for an act relating to preference for domestic products and labor.

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

Senate File 216, a bill for an act to legalize the corporate acts and the renewal of the Dukes-Law Company.

Also: That the House has failed to adopt the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 13, providing for the appointment of an Iowa Centennial Committee.

Also: That the House has amended and adopted the following Concurrent Resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 15, relating to the adjournment sine die of the Forty-seventh General Assembly. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 21.

Amend by striking all following the comma (,) after the figures "(4644-c58)" in line 2, and substituting in lieu thereof the following:

"to forty-six hundred forty-four-c sixty-four (4644-c64), inclusive, and Sections forty-six hundred forty-four-e one (4644-el) to forty-six hundred forty-four-e seven (4644-e7), inclusive, all of the Code of Iowa, 1935, are hereby repealed."

Amend the title by striking all after the word "Act" in line 1 and substituting in lieu thereof the following:

"to repeal Sections forty-six hundred forty-four-c fifty-eight (4644-c58) to forty-six hundred forty-four-e seven (4644-e7), inclusive, Code, 1935, relating to the levy of a road poll tax."

HOUSE AMENDMENTS TO SENATE FILE 80.

Amend Senate File 80, Section 1, line 14, by striking the semicolon (;) after the word "therein" and inserting in lieu thereof a period (.) and striking the following words: "provided that nothing in this act shall be construed to authorize cities and towns to extend the maturity date of bonds or obligations originally issued to pay for any such plant, if such bonds are in default in payment of principal or interest, nor to authorize issuance of refunding bonds in excess of the unpaid balance or the expenditure authorized by the electors for the establishment of such plant."

HOUSE AMENDMENTS TO SENATE FILE 117.

Amend Section 1 by inserting in line 7, immediately following the word "weather" the words "and phenological."

Further amend Section 1 by inserting in line 8 a comma (,) after the word "meteorology" and adding the word "phenology."

Also amend Section 1 by inserting in line 18 immediately after the word "weather" the words "and crop".

Also amend Section 1, by striking from line 21 the words "of public interest" and inserting in lieu thereof the following: "in its relationship to agriculture, transportation, commerce and the general public".

Further amend Senate File 117 by striking all of Section 2.

HOUSE AMENDMENTS TO SENATE FILE 151.

Amend Section 1, line 14, by striking the period (.) after the word "plant" and inserting in its place a comma (,) and adding the following:

"nor to mines employing miners not now under the provisions of the Workmen's Compensation Act or who permit the miners to work in individual units in their own rooms."

Amend Section 2, line 3, by striking the words and figures "two hundred (\$200.00) dollars" and inserting in lieu thereof "three hundred (\$300.00) dollars".

Amend Section 5, line 2, by striking the period (.) and adding the following: "nor to school townships and rural independent districts."

HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION 15

Amend Senate Concurrent Resolution 15 by striking from the last line thereof the words and figures, "Tuesday, April 13, 1937," and inserting in lieu thereof the words and figures: "Tuesday, April 20, 1937."

The time having arrived for the consideration of Senate File 317, a special order, Senator Berg asked and received unanimous consent to defer consideration temporarily and permit the unfinished business to be taken up first.

Senator Millhone asked and received unanimous consent to consider the House amendments to Senate File 143 at this time.

HOUSE AMENDMENTS CONSIDERED

Senator Millhone called up for consideration Senate File 143, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 143

Amend by striking all after the enacting clause and substituting therefor the following:

Section 1. As used in this act, the following words, terms or phrases shall be construed or defined as follows:

(a) "Secondary road" shall mean any public highway except primary roads, state roads, and highways within cities and towns.

(b) "Farm-to-market road" shall mean any secondary road designated for improvement under this act.

(c) "County's allotment of motor vehicle fuel license fees" or "allotment of motor vehicle fuel license fees" shall mean that part or portion of the motor vehicle fuel license fees which are or may be allotted to any county under the provisions of Section five thousand ninety-three-fifty-three (5093-f35), Code of 1935, or as said section may be amended, to be credited to the secondary road fund of said county.

(d) "Federal aid" or "federal aid secondary road fund" shall mean funds allotted to the state of Iowa by the federal government to aid in the construction of secondary roads and which funds must be matched with funds under the control of the state highway commission.

Sec. 2. The county board of supervisors of any county is empowered, on behalf of the county, to enter into any arrangement or agreement with or required by the duly constituted federal or state authorities in order to secure the full cooperation of the government of the United States and of the state of Iowa, and the benefit of all present and future federal or state allotments in aid of secondary road construction, reconstruction or improvement.

Sec. 3. There is hereby created a fund which shall be known as the farm-to-market road fund which shall be made up as follows:

1. All federal aid secondary road fund received by the state.

2. Four per cent (4%) of all primary road funds of the state.

3. All other funds which may, under the provisions of this act or any other law, be credited or appropriated for the use of the farm-to-market road fund.

Sec. 4. Said farm-to-market road fund is hereby appropriated for and shall be used in the establishment, construction, reconstruction or improvement of the farm-to-market road system, including the drainage, grading, surfacing, construction of bridges, and culverts, the elimination, protection, or improvement of railroad crossings, the acquiring of additional right of way, and all other expenses incurred in the construction, reconstruction or improvement of said farm-to-market road system under this act.

Sec. 5. The state highway commission shall allot among all the counties of the state that portion of the farm-to-market road fund which comes from any source except the counties' portion of the motor vehicle fuel license fees. Said allotment to each county shall be in the ratio that the area of the county bears to the total area of the state. Each county's allotment of the farm-to-market road fund shall be used, as in this act provided, for the construction, reconstruction and improvement of the farm-to-market roads of that county.

Sec. 6. The state highway commission shall keep accounts in relation to the farm-to-market road fund and each county's allotment thereof, crediting each fund with all amounts by law creditable thereto, and charging each with all duly and finally approved vouchers for claims properly chargeable thereto.

Sec. 7. The account of the farm-to-market road fund, kept by the state comptroller and the state treasurer, shall deal with said fund as a single fund and shall show the amount of the farm-to-market road fund with all credits thereto and disbursements therefrom. The treasurer of state shall, each month, certify to the state highway commission the amount or amounts which he has received and credited to the farm-to-market road fund from (a) the federal government as federal secondary road aid, (b) the motor vehicle fuel tax fund allotted to any county, and (c) any other source.

Sec. 8. The state highway commission shall, quarterly, advise each county engineer of the condition of said county's allotment of the farm-to-market road fund. Said statement shall show the balance in said county's allotment at the beginning of said period, the amount or amounts allotted to said county during said period, the amount disbursed from said county's allotment during said period, and the balance in said county's allotment at the end of said period. Said statement shall also show the estimated outstanding obligations against the said county's allotment at the date of said statement.

Sec. 9. Before any project shall be approved by the state highway commission for farm-to-market road construction in any county under this act, the commission shall satisfy itself that said county is financially able and suitably equipped and organized to properly maintain said road, and that the county engineer's office in said county is suitably organized, equipped and financed to discharge to the satisfaction of the commission,

the duties herein required; and said county, through its board of supervisors, shall recommend a system of secondary roads (not exceeding fifteen per cent (15%) of the total secondary road mileage of the county) on which projects constructed under this act shall be located. Provided, that if in any county more than fifteen per cent (15%) of the secondary road mileage has already been built to finished grade, bridged and surfaced with gravel or other suitable surfacing, then the board may recommend a secondary road mileage which includes any or all the secondary roads of said county which have been built to finished grade, bridged and surfaced with gravel or other suitable surfacing, plus an additional mileage which is not more than fifteen per cent (15%) of the secondary road mileage of the county.

Sec. 10. The state highway commission shall have authority to approve in whole or in part or to modify the system of secondary roads recommended by the board of supervisors of any county. In considering said system the commission shall take into account the relative amount of the present traffic on the various secondary roads of the county, and the probable future traffic on such roads.

The system of roads as finally designated shall be known as the farm-to-market road system.

Said road system may, subject to the consent of the board of supervisors, be changed or modified by the state highway commission from time to time to meet unforeseen or better understood conditions. Whenever it may appear that all the roads included in said farm-to-market road system in any county have been built to proper grade, drained, bridged and surfaced in a manner suited to the traffic on said roads, additional roads may be added to said system in the manner herein provided for the original designation of said road system.

Sec. 11. Any county having complied with the provisions of this act and desiring to avail itself of the benefits thereof, may, by its board of supervisors, submit to the state highway commission project statements for the construction, reconstruction or improvement of farm-to-market roads in said county. Should the board of supervisors of any county elect to submit no project statement to the state highway commission under this act, then none of said county's allotment of gasoline tax funds shall be taken or used under the provisions of this act.

Sec. 12. The state highway commission may approve projects submitted by the board of supervisors prior to the approval of the farm-to-market road system herein provided for, if it may reasonably anticipate that the roads on which such projects are located, will become a part of such system.

Sec. 13. If the state highway commission approves a project submitted by the board of supervisors, the county engineer shall proceed to make or cause to be made, the surveys, plans, estimates for said project, and submit the same to the board of supervisors and the highway commission for approval. The construction work on said project shall be done in accordance with said approved plans, except insofar as the same may be modified to meet unforeseen or better understood conditions, and no such modification shall be deemed an invalidating matter.

Sec. 14. When the approved plans and specifications for any farm-to-market road project are filed with the state highway commission, it shall, if the estimated cost exceeds one thousand dollars, proceed to advertise for bids and make recommended award of contract. Said recommended award of contract shall be submitted to the board of supervisors of the county in which said project is located for its concurrence. Upon receiving the concurrence of the county board on said recommended contract award, the state highway commission shall take final action awarding said contract. No contract shall be let to any state official, elective or appointive, nor to any relative within the third degree of consanguinity or affinity, nor a member of the state highway commission, nor to any partnership or corporation in which a member of the state highway commission, or any other state officer or employee, is financially interested. The letting of a contract in violation of the foregoing provisions shall invalidate the contract, and such violation shall be a complete defense to any action to recover any consideration due or earned under the contract, at the time of its termination.

Sec. 15. In the award of contracts, due consideration shall be given not only to prices bid, but also the mechanical or other equipment and the financial responsibility of the bidder, and his ability and experience in the performance of like or similar contracts. The commission may reject any or all bids and may readvertise for bids, or may let a private contract, at a cost not to exceed the lowest bid received, or if the estimated cost of the work does not exceed the sum of five thousand dollars, may proceed to the construction of the work by day labor. All contracts shall be in writing and shall be secured by a bond for the faithful performance thereof as provided by law.

Sec. 16. All claims for improving farm-to-market roads hereunder shall be paid from the farm-to-market road fund and charged to the allotment of said fund for the county in which said project is located.

Sec. 17. All claims shall be itemized on voucher forms prepared for that purpose, sworn to by the claimants, certified to by the engineer in charge, approved by the board of supervisors and then forwarded to the state highway commission for final audit and approval. Upon approval by the state highway commission, of vouchers which are payable from the farm-to-market road fund, such vouchers shall be forwarded to the state comptroller, who shall draw warrants therefor, and said warrants shall be paid by the treasurer of state from the farm-to-market road fund.

Sec. 18. Partial payments may be made on the work during the progress thereof, but no such partial payment shall be deemed final acceptance of the work nor a waiver of any defect therein. The approval of any claims by the board of supervisors or by the state highway commission may be evidenced by the signature of the chairman of said board or commission, or a majority of the members of the board or commission, on the individual claims or on the abstract of a number of claims with the individual claims attached to said abstract.

Sec. 19. The county engineer is charged with the duty of supervision, inspection and direction of the work of construction of farm-to-market road projects under this act. In such capacity, the county engineer shall

be under the supervision of the commission. The highway commission shall make general inspection of the work during the progress thereof and may refuse to approve claims for any work which does not conform to the plans and specifications.

Sec. 20. Any county may, in any year, by resolution of its board of supervisors, make available for improvement, construction and maintenance of farm-to-market roads within the county an amount of not to exceed twenty-five per cent (25%) of its allotment of motor fuel license fees. Upon certification of such a resolution, the state treasurer shall place in the county's allotment of the farm-to-market road fund the amount authorized by such resolution.

Sec. 21. A farm-to-market road project under this act may, subject to the approval of the council, include the purchase or condemnation of right-of-way therefor, and grading, draining, bridging, elimination of danger at railroad crossings, the graveling or hard surfacing of any road or street which is a continuation of the farm-to-market road system and which is (1) within any town, or (2) within any city, including cities under special charter having a population of less than twenty-five hundred, or (3) within that part of any city including cities acting under special charter, where the houses or business house average not less than two hundred feet apart.

The phrase "subject to the approval of the council" as it appears in this section, shall be construed as authorizing the council to consider said proposed improvement only in its relationship to municipal improvements such as sewers, water lines, establishing grades, change of established street grades, sidewalks and other public improvements. The locations of such farm-to-market road extensions shall be determined by the board of supervisors.

Sec. 22. Right-of-way for farm-to-market road projects under this act shall be acquired by the county. Provided, that the county board may request the state highway commission to acquire such right-of-way. In either event such right-of-way may be paid for out of the said county's allotment of the farm-to-market road fund.

Sec. 23. In the maintenance, relocation, establishment or improvement of secondary roads, including extension of secondary roads within cities and towns, the state highway commission shall have authority to purchase or to institute and maintain proceedings for the condemnation of the necessary right-of-way therefor and for the condemnation of land, including a sufficient roadway to such land by the most reasonable route for the purpose of obtaining gravel or other suitable material with which to improve such roads.

All the provisions of the law relating to the condemnation of land for public state purposes, shall apply to the provisions hereof.

The provisions of Chapter two hundred thirty-seven (237), of the Code of 1935, shall not apply to the establishment, vacation, alteration or improvement of secondary roads under this section.

No such roads shall be established through any cemetery or burying ground without the consent of all the parties affected by the same.

Sec. 24. Upon the completion of a farm-to-market road project under

this act, the county engineer shall file with the auditor and with the recorder of the county a complete right-of-way map of said project. Said right-of-way maps shall be filed by the auditor and recorder and shall become a part of the permanent record of such offices.

Sec. 25. Whenever any public highway located along the corporate line of any town or any city, including cities under special charter, is an extension of the farm-to-market road system, it may be included in said farm-to-market road system, and may be improved as a part of the said road system under this act.

Sec. 26. Should the completed cost of any farm-to-market road project under this act be greater than the estimate on which the county's contribution to said project was based, the state treasurer shall, on certificate of such excess cost by the state highway commission, credit one-half of excess amount to the farm-to-market road fund from the said county's allotment of the motor vehicle fuel license fees.

Should the completed cost of any farm-to-market road project under this act be less than the estimate on which the county's contribution to the said project was based, the state highway commission shall take said fact into account when computing the county's contribution to the next project approved under this act for construction in said county. Said county's contribution to the said succeeding project shall be reduced in an amount equal to the unexpended portion of said county's contribution to the former project.

Sec. 27. The farm-to-market road fund allotted to any county as provided in this act, shall remain available for expenditure in said county for one year after the close of the calendar year during which said sums respectively were allocated. Any sum remaining unexpended at the end of the period during which it is available for expenditure, shall be re-apportioned among all the counties as provided in Section five (5) of this act for original allocations.

For the purposes of this section, any sums of the farm-to-market road fund allotted to any county shall be presumed to have been "expended" when a contract shall have been let by the state highway commission obligating said sums.

Sec. 28. Engineering, inspection and administration expense in connection with any farm-to-market road projects may be paid from said county's allotment of the farm-to-market road fund. Any such expense incurred by the state highway commission may in the first instance be advanced out of the commission's support fund or out of the primary road fund, said amounts later being reimbursed to said funds out of the farm-to-market road fund.

Provided, that no part of the salary or expense of the county engineer, any member of the county board of supervisors, any member of the state highway commission, the chief engineer, or any department head or district engineer of the commission shall be paid out of the farm-to-market road fund.

Sec. 29. Any farm-to-market road constructed under the provisions of this act shall be maintained by the county in a manner satisfactory to the federal authorities and to the state highway commission. Should

any county fail to so maintain any such road, the state highway commission shall give the board of supervisors notice of that fact. If within sixty days after receipt of such notice the said highway has not been placed in proper condition of maintenance the commission shall proceed immediately to have such highway placed in proper condition of maintenance and charge the cost thereof against said county's allotment of the farm-to-market road fund.

Sec. 30. The use of any county's allotment of the motor vehicle fuel license fees, or any portion thereof, for the purpose of this act, shall, subject to the approval of the county board of supervisors, take precedence over any other use of said funds specified by law.

Senator Donohue moved the previous question on the motion by Senator Millhone, which motion prevailed.

Roll call was requested.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 29:

Beardsley	Edwards	Hoeven	Pelzer
Berg	Elthon	Hopkins	Schadt
Billingsley	Gillette	Husted	Shaw
Byers	Goetsch	Kirketeg	Smith
Corwin	Grunewald	Levis	Stewart
Dewey	Hart	Lundy	Whitehill
Donohue	Hill	Parker	Zeigler
Doran			

Nays, 15:

Augustine	Geske	Mason	Moore
Bell of Crawford	Gillespie	Mighell	Murray
Breen	Guernsey	Miller	Stevens
Ellis	Kimberly	Millhone	

Absent or not voting, 6:

Baldwin	Bell of Des Moines	Chrystal Dean	Evans Irwin
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The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Millhone, Senate File 143, a bill for an act to designate a farm-to-market road system, to provide a comprehensive plan for the improvement of farm-to-market roads, to authorize the board of supervisors of any county to cooperate with the Federal Government and the State Highway Commission in the improvement of farm-to-market roads, to secure for the State of Iowa and the several counties thereof the benefit of

all funds allotted or to be allotted to this state by the Federal Government in the aid of secondary roads, to create a farm-to-market road fund and to provide for the disbursement of said fund in the improvement of farm-to-market roads, as amended, was taken up and considered.

Senator Millhone moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Dewey	Hart	Millhone
Beardsley	Donohue	Hill	Parker
Bell of	Doran	Hoeven	Pelzer
Des Moines	Edwards	Husted	Schadt
Berg	Ellis	Irwin	Shaw
Billingsley	Elthon	Kimberly	Smith
Byers	Gillette	Kirketeg	Stewart
Chrystal	Goetsch	Levis	Whitehill
Corwin	Grunewald	Lundy	Zeigler
Dean	Guernsey		

Nays, 10:

Bell of Crawford	Gillespie	Miller	Murray
Breen	Hopkins	Moore	Stevens
Geske	Mason		

Present, 1:

Mighell

Absent or not voting, 2:

Baldwin Evans

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

Senator Beardsley moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

SIFTING COMMITTEE APPOINTED

Senator Hopkins, chairman of the committee on committees, offered the following report and moved its adoption:

MR. PRESIDENT: We the members of the committee on committees at the direction of the Senate and pursuant to the rules of the Senate beg leave to report that we have named the following Senators as members of the sifting committee for the 47th General Assembly:

Byers, chairman, Kimberly, Hoeven, Zeigler, Husted, Corwin, Augustine, Stevens, Gillette.

GEORGE M. HOPKINS, *Chairman*
FRANK C. BYERS.
WM. S. BEARDSLEY.
SAM D. GOETSCH.
ROY E. STEVENS.

The report was adopted.

CONSIDERATION OF MOTION BY SENATOR BYERS RESUMED

The motion of Senator Byers relating to the withdrawal of a bill from the sifting committee, appearing on page 695 of the Journal, was taken up and considered.

Senator Byers moved, as a substitute for his motion, that the rules be suspended and that no bill be withdrawn from the sifting committee except upon an affirmative vote of not less than two-thirds of the members of the Senate.

Senator Hopkins moved to amend the motion by Senator Byers by striking therefrom the words "two-thirds of the" and insert- ing in lieu thereof the word "thirty".

Senator Donohue moved the previous question on the pending amendment to the motion and the motion.

The motion by Senator Donohue prevailed.

Roll call was requested.

On the question, "Shall the amendment to the motion be adopted?" the vote was:

Ayes, 35:

Augustine	Dewey	Guernsey	Miller
Beardsley	Doran	Hill	Millhone
Bell of Crawford	Edwards	Hoeven	Murray
Bell of	Ellis	Hopkins	Schadt
Des Moines	Elthon	Irwin	Shaw
Berg	Geske	Kirketeg	Smith
Breen	Gillespie	Lundy	Stevens
Chrystal	Gillette	Mason	Stewart
Dean	Goetsch	Mighell	Whitehill

Nays, 9:

Billingsley	Donohue	Hart	Parker
Byers	Grunewald	Levis	Zeigler
Corwin			

Absent or not voting, 6:

Baldwin	Husted	Moore	Pelzer
Evans	Kimberly		

The amendment to the motion was adopted.

The motion as amended prevailed, and no bill can be withdrawn from the sifting committee except by the affirmative vote of thirty members of the Senate.

Senator Donohue moved that the rules be suspended and that all bills except appropriations and claims bills introduced by all committees be referred to the sifting committee after their second reading, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Berg, Senate File 317, a bill for an act to impose a tax on the use in this state of tangible personal property, as such terms are defined herein, including gas, electricity, and water; to provide for the collection of such tax and the administration of this act; to fix interest, fines and penalties for the violation of the provisions of this act; to provide for the apportionment of the revenues derived from said tax; to appropriate funds for the administration of this act; to exempt from the tax imposed by Senate File 316, acts of the Forty-seventh General Assembly, gross receipts from the sale of new motor vehicles; and to amend Section five thousand ninety-three-f twenty-nine (5093-f29), Code, 1935, relating to the refund of the motor vehicle fuel tax, to forbid such refund for fuel used in certain machinery for which the tax imposed by this act or by Senate File 316, acts of the Forty-seventh General Assembly, has not been paid, a committee bill, was taken up and considered.

On motion of Senator Doran, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

INTRODUCTION OF BILLS

Senate File 426, by committee on judiciary 2, a bill for an act to amend Sections thirteen thousand six hundred nineteen (13619) and thirteen thousand six hundred twenty (13620) of the Code of Iowa, 1935, relating to qualifications of sureties on bail bonds; and to amend Section eighty-nine hundred forty (8940) of the Code of Iowa, 1935, relating to business that may be transacted

by insurance companies other than life, and to permit insurance companies other than life, qualified to do business in this state, to act as surety for bail in criminal cases.

Read first and second times and referred to the sifting committee.

Senate File 427, by committee on judiciary 2, a bill for an act relating to adverse examination of witness on trial or by deposition in civil proceedings.

Read first and second times and referred to the sifting committee.

Senate File 428, by committee on judiciary 2, a bill for an act to amend Section ten thousand two hundred twelve (10212), Code of 1935, relative to the investment of cemetery funds.

Read first and second times and referred to the sifting committee.

Senate File 429, by committee on conservation, a bill for an act to amend Section seventeen hundred three "e" ten (1703-e10), Code of 1935, relating to the penalties for violation of navigation laws.

Read first and second times and referred to the sifting committee.

Senate File 430, by committee on claims, a bill for an act to make an appropriation to Jones county, Iowa.

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

Senate File 431, by committee on claims, a bill for an act to make appropriations to Vera D. Tripp and Will Wickett.

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

MESSAGE FROM THE GOVERNOR

March 19, 1937

TO THE HONORABLE MEMBERS OF THE SENATE:

Upon the all important question of Conservation, I wish to convey my conclusions, after much study and research. The President of the United States has forwarded to the Governors of the various states plans for a permanent conservation program and has asked that we consider enabling legislation. I have concluded that the requirements in the original draft

are too drastic and ill-advised at this time, and have further been assured by members of the federal departments that Iowa's interests will not be jeopardized by failure to enact such legislation at this session, providing that the state inaugurate a coordinating force to guide the program, when, and if, such state legislation is required. This can be done either by the Interim Committee, or by the limited personnel operating from my office, which has been included in my budget askings for that purpose.

At the present time, Iowa has thirty-seven (37) C.C.C. camps located within its borders, each representing an annual payroll and expenditure by the federal government of two hundred thousand dollars (\$200,000.00) per year. Sponsorship money must be provided if we are to retain them. I am advised by Robert Fehner, director of emergency conservation work, and by representatives of the National Park Service, that, while there is to be a reduction in these camps after July first and more drastic restrictions, the program in Iowa is looked upon with favor, and, if we continue the support of this program, we will be enabled to maintain a program quite similar to the one of the last two years.

If the legislature will make an emergency appropriation similar to that made in the Forty-sixth General Assembly and in a similar amount, we can continue the sponsorship of camps and W.P.A. work for the improvement of our parks, lakes and streams. I do not look with favor upon the purchase of many more park areas. But from the fund thus created, we could acquire a substantial acreage of land that has come to county tax bidder sale, which would enable the counties to return the tax money to their treasury.

The acquiring of this land by the state, when in suitable tracts, would afford an ideal location for forestation camps, not only for planting trees where needed, but for treating the land for soil erosion and seeding to permanent grass. A very worthwhile wild game and bird refuge program could be developed on the same land. It would be the objective of this program, finally, to possess land at such price and of such grazing value that it would ultimately return a profit to the state from that use. I consider it highly desirable, in the interests of conservation, sportsmen and the many beneficial effects of retaining C. C. C. Camps and affording labor for W. P. A. projects, that the legislature consider favorably the renewal of this emergency conservation appropriation.

The recent Supreme Court decision, nullifying the Conservation Board's rules and regulations, creates serious doubts in the minds of sportsmen whether or not the entire state is now open for fishing or permanently closed. The legislature should reenact into law such permanent rules and regulations governing fishing and hunting as in your judgment constitute good law, and I suggest that as a temporary measure you immediately pass an act opening the state for the legalized fishing of trout on April first; the southern half of Iowa for cat fish on April first, and the north half of Iowa on April fifteenth, limiting the size and number as, heretofore, has been the rule. This Act should, also, include definite closing of the state to all other game fish and to all hunting until a permanent law is enacted.

Respectfully submitted,

NELSON G. KRASCHEL.

CONSIDERATION OF SENATE FILE 317 RESUMED

Senator Berg, chairman of the special committee on tax revision, offered the following amendment and moved its adoption:

Amend Senate File 317 by inserting in Section twenty-three thereof after the comma following the figures "1935" in line nine thereof the following: "or any amendments which may hereafter be made thereto,".

The amendment was adopted.

Senator Berg called up the following committee amendment and moved its adoption:

Amend Senate File 317 by striking from lines seven and eight of Section ten thereof the words "may, by regulation, provide a uniform method of adding such tax", and by inserting in lieu thereof the following: "shall have the power to adopt and promulgate rules and regulations for adding such tax, or the average equivalent thereof, by providing different methods applying uniformly to retailers within the same general classification for the purpose of enabling such retailers to add and collect, as far as practicable, the amount of such tax".

The amendment was adopted.

The following committee amendment was taken up, and Senator Berg moved its adoption:

Amend Senate File 317 by striking the period at the end of line thirteen (13) of Section One (1), and inserting in lieu thereof a comma and by adding immediately after said comma the following: "and fuel which is consumed in creating power or steam for processing or generating electric current."

Senator Berg moved to amend the pending amendment by adding the word "for" following the word "or" in the last line thereof.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Zeigler asked and received unanimous consent to withdraw the following amendment:

Amend Section one (1) of Senate File 317 by substituting a comma for the period at the end of the thirteenth line of said section, and by adding thereto, immediately following the comma so substituted, the following words: "or which is employed or consumed in processing, or which contains processed articles intended to be sold ultimately at retail."

Senator Donohue offered the following amendment, and moved its adoption:

Amend sub-section 2 of Section 3 of Senate File 317 by inserting before the word "contract" in line eleven (11) the following: "building or construction".

Amend Senate File 317 by striking the words "on public works" from line eleven (11) of sub-section 2 of Section 3.

The amendment was adopted.

Senator Berg offered the following committee amendment and moved its adoption:

Amend Senate File 317 by striking all of Section 24 and inserting in lieu thereof the following:

"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 provided for by Senate File 184, Acts of the 47th General Assembly of the state of Iowa, provided further, however, that if for any reason the revenues derived under the operation of this act cannot be apportioned for homestead relief as provided for by Senate File 184, Acts of the 47th General Assembly, then that portion of such revenues as is apportioned to homestead relief by said Senate File 184 shall be retained in such special tax fund and shall not be disbursed for any purpose without the further direction of the legislature of the state of Iowa."

The amendment was adopted.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Ellis	Hoeven	Moore
Beardsley	Elthon	Hopkins	Murray
Bell of Crawford	Evans	Husted	Parker
Berg	Geske	Kimberly	Shaw
Breen	Gillespie	Kirketeg	Smith
Corwin	Gillette	Levis	Stevens
Dean	Goetsch	Lundy	Stewart
Donohue	Grunewald	Mighell	Whitehill
Doran	Guernsey	Millhone	Zeigler
Edwards	Hill		

Nays, 2:

Dewey Pelzer

Absent or not voting, 10:

Baldwin	Billingsley	Hart	Miller
Bell of	Byers	Irwin	Schadt
Des Moines	Chrystal	Mason	

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

Senator Berg moved that the vote by which the bill passed

the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Berg, Senate File 318, a bill for an act to amend Section six thousand nine hundred forty-three-e twenty-seven (6943-c27) and Chapter four hundred seventy-seven (477), Code, 1935, to authorize the state board of assessment and review to prosecute actions in the courts of other states to collect taxes legally due this state or any subdivision thereof, and to extend the jurisdiction of the district court of this state to like actions brought by authorized officials of other states which extend a like comity to this state, a committee bill, was taken up and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Doran	Hill	Moore
Beardsley	Edwards	Hoeven	Murray
Bell of	Ellis	Hopkins	Parker
Des Moines	Elthon	Husted	Pelzer
Berg	Evans	Kimberly	Shaw
Breen	Geske	Kirketeg	Smith
Byers	Gillespie	Lundy	Stevens
Corwin	Gillette	Mason	Stewart
Dean	Goetsch	Mighell	Whitehill
Dewey	Grunewald	Millhone	Zeigler
Donohue	Guernsey		

Nays, none.

Absent or not voting, 9:

Baldwin	Chrystal	Irwin	Miller
Bell of Crawford	Hart	Levis	Schadt
Billingsley			

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

Senator Berg moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Berg asked and received unanimous consent to have Senate Files 317 and 318 messaged to the House immediately.

On motion of Senator Shaw, Senate File 2, a bill for an act to amend Chapter 266-F1 of the Code of 1935, by repealing that part of Section 5296-f34 levying and providing for the collection of a two (2) dollar head tax, providing for cancellation of such a tax levied and collectible as of January 1, 1937, to remove forfeiture of claim for old age pension by reason of failure to pay said tax for more than three (3) years, and to repeal Section 5296-g5 of the Code, relating to taxes erroneously paid and application for refund thereof and limiting time in which claims may be filed therefor, and repealing Section 5296-f35 of the Code, relating to the taking of census of persons subject to the payment of such head tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Donohue moved to amend Senate File 2 by adding as Section 5 the following:

"Sec. 5. This act shall be in immediate force and effect upon its publication, as provided by law, in the Storm Lake Pilot-Tribune, a newspaper published at Storm Lake, Iowa, and in The Evening Journal, a newspaper published at Washington, Iowa."

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 2, by inserting after the word "tax" in line one (1) of Section 2, the following: "for the year 1937."

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 2 by adding after the word "tax" in line four (4) of Section 3, the following: "levied for the year 1937 and".

Senator Donohue moved as a substitute amendment:

Amend Senate File 2 by striking all of Section 3, and inserting in lieu thereof the following:

"The board of supervisors of each county shall proceed by resolution and direct the county treasurer of each county to refund to each taxpayer the tax he has paid under the Old Age Assistance Act for the year 1937."

The motion prevailed and the amendment was substituted.

The amendment was adopted.

Senator Shaw moved to amend the title to Senate File 2 as follows:

By striking all of line 5 following the comma after the figures "1937" and all of lines 6, 7, 8, and 9 up to and including the comma following the word "therefor" and by inserting in lieu thereof the following: "providing for the refund of such tax for the year 1937 as has heretofore been paid,".

The amendment was adopted.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Donohue	Grunewald	Mighell
Beardsley	Doran	Guernsey	Millhone
Bell of Crawford	Edwards	Hart	Moore
Bell of	Ellis	Hill	Murray
Des Moines	Elthon	Hoeven	Parker
Berg	Evans	Hopkins	Pelzer
Billingsley	Geske	Kimberly	Shaw
Breen	Gillespie	Kirketeg	Smith
Corwin	Gillette	Lundy	Whitehill
Dean	Goetsch	Mason	Zeigler
Dewey			

Nays, none.

Absent or not voting, 10:

Baldwin	Husted	Miller	Stevens
Byers	Irwin	Schadt	Stewart
Chrystal	Levis		

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

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shaw asked and received unanimous consent to have Senate File 2 messaged to the House immediately.

On motion of Senator Kimberly, House File 32, by Dietz and Engel, a bill for an act to amend, revise and repeal Section six thousand seven hundred eighty-eight (6788) of the Code of Iowa, 1935 and to enact a substitute therefor in order to make the statutes applicable to cities and towns in general apply to cities acting under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimberly offered the following amendment and moved its adoption:

Amend House File 32 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That Section six thousand seven hundred ninety-one (6791), Code, 1935, is amended by striking out all of said section following the word "authorized" in line eleven (11), and substituting in lieu thereof the following: "unless a majority of the electors voting thereon shall vote in favor of same at a general or special election."

Further amend by striking all after the word "act" in line one (1) of the title and inserting in lieu thereof the following:

"to amend Section six thousand seven hundred ninety-one (6791), Code, 1935, relating to the granting of franchises in cities acting under special charter, and to require the approval of the electors therefor.

The amendment was adopted.

Senator Kimberly moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Dean	Gillette	Mason
Beardsley	Dewey	Goetsch	Mighell
Bell of Crawford	Donohue	Grunewald	Moore
Bell of	Doran	Guernsey	Murray
Des Moines	Edwards	Hart	Parker
Berg	Ellis	Hill	Pelzer
Billingsley	Elthon	Hoeven	Shaw
Breen	Evans	Hopkins	Smith
Byers	Geske	Kimberly	Whitehill
Corwin	Gillespie	Kirketeg	Zeigler

Nays, none.

Absent or not voting, 11:

Baldwin	Irwin	Miller	Stevens
Chrystal	Levis	Millhone	Stewart
Husted	Lundy	Schadt	

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

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Byers asked and received unanimous consent to have Mr. Lockhart, law research clerk, assigned to the sifting committee to assist in the classifying of bills.

HOUSE MESSAGES CONSIDERED

House File 253, a bill for an act to amend Section sixty-two hundred eleven (6211), Code, 1935, relating to the power of cities and towns to levy taxes for the building and maintenance of free public libraries.

Read first and second times and referred to sifting committee.

House File 428, a bill for an act to legalize a school election held by the Beebeetown Consolidated School District in Harrison and Pottawattamie counties on March 8, 1937.

Read first and second times and referred to sifting committee.

House File 478, a bill for an act providing that no real estate mortgage shall contain as a part thereof a chattel mortgage and providing for the invalidity of a chattel mortgage included as a part of a real estate mortgage.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled; Senate Files 184, 40, 193, and House File 61.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 184, 40, 193 and House File 61.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 19th day of March, 1937, sent to the governor for his approval, Senate Files 184, 40 and 193. FRANK PELZER, *Chairman.*

Passed on file.

State of Iowa
Department of Banking
Des Moines
March 18, 1937.

HONORABLE JOHN K. VALENTINE,
PRESIDENT OF THE SENATE,
BUILDING.

SIR:—I have the pleasure to submit to you for consideration of the Senate the report of the State Banking Board on Small Loan Companies in Iowa as provided for under Section 9438-f13 of the 1935 Code of Iowa.

D. W. BATES, *Superintendent.*

COMMUNICATION FROM THE DEPARTMENT OF BANKING

The following communication was received from the superintendent of banking:

REPORT OF FINDINGS OF THE STATE BANKING BOARD COVERING SMALL LOAN INDUSTRY 1936

LICENSED SMALL LOAN COMPANIES IN IOWA

In accordance with the provisions of Chapter 419, F-1 of the Code of Iowa, we have through sworn statements made on blanks supplied by our office, conferences, and examinations by our representatives, investigated the "Small Loan" business in Iowa, and respectfully submit the following facts and comments as our Report to the Forty-seventh General Assembly.

* * * * *

On December 31, 1936, there were 120 licensees—39 licenses issued to individuals and partnerships, 58 licenses issued to Iowa corporations, and 23 licenses issued to out-of-state corporations.

DISTRIBUTION

The offices are distributed as the following tables show:

TABLE NO. I

	1 office	2 offices	3 offices	4 offices	5 or more offices
Cities served by Number of cities	24	6	5	2	7

TABLE NO. II

	Under 3,000	3,000 to 5,000	5,000 to 10,000	10,000 to 25,000	Over 25,000
Offices located in cities with population of Number of offices	4	13	15	24	64

INVESTMENT IN SMALL LOAN BUSINESS

It is recognized that the making of loans under our Small Loan Law is a definite part of our commercial and economic system, and that efficiently managed capital should be attracted to meet the needs of our state.

On December 31, 1936, the total assets employed in the business were \$7,883,268.55, which represented \$6,890,060.58 unpaid balance on 70,539 loans and \$499,681.27 cash on hand and in banks.

The full extent of capital available or the source of all capital can not be definitely determined as many of our licensees operate as individuals and have investments not used in their small loan business, and other licensees are corporations having similar investments or using some of their capital in the business in other states.

The total of assets reported by all licensees as of December 31, 1936, amounted to \$16,780,619.89, and represents a distribution of capital as shown by:

TABLE NO. III

Type of Licensee	Number	Total Assets
Individuals & Partnerships	35	\$ 988,147.88
Out-of-State Corporations	23	2,236,846.85
Iowa Corporations	44	4,426,708.91
Misc. Companies (whose reports were either incomplete or covered a period of less than one year)	18	231,564.91
Total Assets Used & Useful in Small Loan Business.....		\$ 7,883,268.55
Assets Not Used in Small Loan Businesses.....		8,897,351.34
Total Assets		\$16,780,619.89

The record for 1936 is really the first to fairly and truly represent operation under the provisions of the present law. The law originally passed by the 45th Extra General Assembly was effective March 23, 1934, but was rendered inoperative by Court Injunction until November 1, 1934, and consequently the figures for 1935 included a large volume of business that originated under the former law. The three annual surveys now completed constitute the only authentic and reliable data upon which to base a scientific study of the costs and risks of this industry, as well as the returns that may be anticipated.

CLASSIFICATION OF LOANS

On December 31, 1936, reports 102 licensees used in the 1936 Small Loan Survey and representing 97.1% of the total dollars used in the small loan business showed that there were 69,634 loans with unpaid balances aggregating \$6,699,920.69, which makes \$96.22 average balance per loan.

TABLE NO. IV

Number of various size loan balances outstanding on December 31, 1936, and per cent of each group to total.

Loan Balance	Number of Loans	Per Cent of Total	
		Group	Cumulative
\$ 50.00 or less	23,581	44.70	44.70
\$ 50.01 to \$100.00	20,689	26.75	71.45
\$100.01 to \$150.00	11,330	14.66	86.11
\$150.01 to \$200.00	6,646	8.03	94.14
\$200.01 to \$300.00	7,388	5.86	100.00
	69,634	100.00	

It will be noted that small loans account for a large percentage of loans in numbers, but this does not hold true in dollars as shown by the following table:

TABLE NO. V

Dollar value of various size loan balances outstanding on December 31, 1936, and per cent of each group to total.

Loan Balance	Dollar Value	Per Cent of Total	
		Group	Cumulative
\$ 50.00 or less	\$ 692,264.74	10.33	10.33
\$ 50.01 to \$100.00	1,558,576.68	23.26	33.59
\$100.01 to \$150.00	1,413,357.41	21.10	54.69
\$150.01 to \$200.00	1,165,797.41	17.40	73.09
\$200.01 to \$300.00	1,869,924.45	27.91	100.00
	\$6,699,920.69	100.00	

Loans of \$50.00 or less constitute 44.7% of the total number, but represent only 10.33% of dollar value, whereas, loans of \$200.01 to \$300.00 are only 5.85% of the number but represent 27.91% of dollar value. It is also interesting to note that loans of \$150.00 or less constitute 86.11% of the number of loans, but employ only 54.69% of the loaned capital.

ANALYSIS OF LOANS

The credit represented by 96,078 loans made during 1936 was extended on the following basis:

Type of Security Taken	TABLE NO. VI		Amount Dollars	%
	Number	%		
Chattel Mortgages on				
Household Goods	57,349	59.69	\$ 7,443,213.58	62.97
Automobiles	17,745	18.47	2,030,735.84	17.18
Other Chattels	2,417	2.54	295,257.04	2.50
Unsecured Notes	6,996	7.28	818,074.25	6.92
Endorsed and/or Co-				
maker Notes	3,453	3.59	459,061.98	3.88
Wage Assignments	6,872	7.15	686,418.46	5.81
Other Considerations	1,246	1.30	87,366.46	.74
Totals	96,078	100.00	\$11,820,147.11	100.00

With 82.65% of the loans secured by chattel mortgages, it is rather remarkable that in only 652 cases did the companies require possession to enforce payment, and in nearly half of these cases, the property was not in use and was either abandoned or released. In only 26 cases was the property taken when in use without the borrower's consent, and 24 of these were automobiles.

TABLE NO. VII

SUITS AND FORECLOSURES

Suits and Foreclosures	Number of Accounts	Amount Due
Suits for recovery pending at close of previous year	14	\$ 881.88
Suits instituted during year	108	12,715.89
Suits on which judgment was secured		
during year	39	4,268.12
Suits settled before judgment during year.....	22	1,991.76
Suits pending at close of current year.....	61	4,586.94

Considering the unusual conditions existing, it is apparent that the extension of small loan credit has been developed scientifically and has reached a point of efficiency that deserves commendation. That the licensees work carefully with the borrowers to avoid foreclosures or suits is shown by the reports of delinquencies:

TABLE NO. VIII

Delinquent Accounts	Number of Accounts	Principal Balance Unpaid
Accounts with no payment of either principal or of charges for:		
One month	5,631	\$478,643.79
Two months	1,516	120,629.21
Three months or more.....	2,537	213,047.52
Total	9,684	\$812,320.52
Accounts on which interest only is being paid	3,546	369,039.19

HISTORICAL DATA

After the foregoing review of capital employed, classification and analysis of loans, we want to present a summary of the volume and operation of the industry for seven years as shown by our annual reports.

Year	Loan Balances	Total Assets Used and Useful	No. of Loans Receivable	No. of Licensees
1930	7,164,931.61	8,236,853.37	62,016	136
1931	7,774,891.48	9,342,281.24	72,008	164
1932	6,666,583.56	8,537,041.15	73,647	167
1933	5,861,330.15	7,608,142.64	68,200	155
1934	5,339,173.22	6,534,015.72	60,543	109
1935	6,403,186.04	7,195,486.20	69,099	114
1936	6,890,080.58	7,883,263.56	71,675	120

Year	Taxes Paid	Interest Paid	Bad Debts	Uncollected Earnings
1930	69,415.45	85,586.23	190,103.51	196,191.73
1931	88,776.35	254,927.30	342,352.08	273,189.01
1932	87,650.84	220,978.92	617,845.70	396,271.48
1933	89,414.57	157,316.98	370,147.31	382,854.81
1934	67,668.44	108,972.11	308,155.31	194,107.79
1935	97,886.32	111,718.11	254,856.46	138,243.98
1936	134,868.70	226,001.65	229,817.26	133,470.59

Year	% Profit Earned	Avg. Rate Collected Monthly
1930	9.20	3.09
1931	6.97	2.99
1932	4.15	2.97
1933	3.78	2.85
1934	4.98	2.88
1935	6.59	2.80
1936	6.69	2.74

SCHEDULE A

CONSOLIDATED BALANCE SHEET AS OF DECEMBER 31, 1936

ITEM	Individuals & Partnerships	Iowa Corporations	Outside Corporations	TOTAL	Misc. Reports not used in Survey	GRAND TOTAL
	35	44	23	102	18	120
Number of Offices						
Assets Used in Small Loan Business						
Cash	80,126.60	270,082.11	119,321.11	469,529.82	30,151.45	499,681.27
Loans Receivable	877,038.08	3,878,791.09	1,944,091.52	6,699,920.69	190,139.89	6,890,060.58
Real Estate	3,900.00	10,050.93	1,413.73	15,364.66	2,500.00	17,864.66
Furniture & Fixtures	16,975.39	48,927.39	19,565.29	85,468.07	3,487.73	88,955.80
Deferred Charges	1,581.35	89,985.15	15,152.73	106,719.23	3,164.34	109,883.57
Other Assets	8,526.46	128,872.24	137,302.47	274,701.17	2,121.50	276,822.67
Total Assets (Used & Useful)	988,147.88	4,426,708.91	2,236,846.85	7,651,703.64	231,564.91	7,883,268.55
Assets Not Used in Small Loan Business	211,644.70	5,599,792.38	1,259,755.93	7,071,193.01	1,826,158.33	8,897,351.34
GRAND TOTAL	1,199,792.58	10,026,501.29	3,496,602.78	14,722,896.65	2,057,723.24	16,780,619.89
Liabilities and Capital						
Borrowed Money	310,572.05	5,336,045.72	967,750.38	6,614,368.15	784,867.25	7,399,235.40
Bonds		33,441.85		33,441.85		33,441.85
Other Liabilities	4,587.50	344,077.56	1,710.57	350,375.63	409,832.31	760,207.94
Reserve for Bad Debts	5,860.56	49,464.45	37,599.23	92,924.24	31,389.45	124,313.69
Res. for Licenses & Taxes	410.49	80,713.18	55,591.41	136,715.08	12,537.11	149,252.19
Other Reserves	4,099.96	77,114.44	51,837.83	133,052.23	106,695.48	239,747.71
Branch Office Capital		34,000.00	1,446,395.70	1,480,395.70	9,700.81	1,490,096.51
Net Worth	861,957.14		183,648.72	1,045,605.86	64,993.54	1,110,599.40
Capital Stock		3,028,030.18	519,175.09	3,547,205.27	535,010.00	4,082,215.27
Capital Reserve					2,250.00	2,250.00
Surplus	12,304.88	1,043,613.91	232,893.85	1,288,812.64	100,447.29	1,389,259.93
GRAND TOTAL	1,199,792.58	10,026,501.29	3,496,602.78	14,722,896.65	2,057,723.24	16,780,619.89

CONSOLIDATED PROFIT AND LOSS STATEMENT FOR YEAR 1936

Total Earnings derived from Small Loan Business	Individuals & Partnerships	Iowa Corporations	Outside Corporations	TOTAL	Misc. Reports not used in Survey	GRAND TOTAL
Number of Offices	35	44	23	102	18	120
Interest Earned on Loans \$300 or Less.....	315,250.24	1,337,963.48	651,894.58	2,305,108.30	38,278.52	2,343,386.82
Deduct Interest Earned but not Collected	32,356.22	66,881.64	24,714.23	123,952.09	9,518.50	133,470.59
Interest Collected on Loans of \$300 or Less.....	282,894.02	1,271,081.84	627,180.35	2,181,156.21	28,760.02	2,209,916.23
Collections on Accounts Pre- viously Charged Off.....	13,139.04	81,595.90	35,621.87	130,356.81	273.11	130,629.92
Other Income	717.77	4,148.44	631.38	5,497.59	127.16	5,624.75
Total Gross Earnings from Small Loan Business	296,750.83	1,356,826.18	663,433.60	2,317,010.61	29,160.29	2,346,170.90
Bad Debt Loss	28,205.57	152,367.08	41,877.97	222,450.62	7,366.64	229,817.26
Misc. Operating Costs.....	1,874.84	3,459.97	2,954.95	8,289.76	554.81	8,844.57
General Item Costs	163,216.19	760,541.38	324,052.25	1,247,809.82	25,773.69	1,273,583.51
Taxes (State and Federal)..	8,238.84	82,885.45	43,310.45	134,434.74	433.96	134,868.70
Expenses and Losses of Small Loan Business	201,535.44	999,253.88	412,195.62	1,612,984.94	34,129.10	1,647,114.04
TOTAL NET EARNINGS (Before Interest)	95,215.39	357,572.30	251,237.98	704,025.67	—4,968.81OD	699,056.86
Deduct Interest Paid.....	16,444.82	136,725.86	54,775.87	207,946.55	18,055.10	226,001.65
TOTAL NET EARNINGS (After Interest)	78,770.57	220,846.44	196,462.11	496,079.12	—23,023.91OD	473,055.21

The schedules submitted herewith show the condition of the Small Loan Licensees as of December 31, 1936, and the gross and net of their income, disbursements and earnings for the year of 1936. Schedule "A" indicates that Iowa individuals, partnerships or corporations handle 71.63% and outside corporations account for 28.37% of the total volume and that Iowans hold 80% of the total number of licenses.

The annual reports submitted by licensees indicate progress and advancement during the year. Assets increased \$500,000.00 and loans increased \$453,000.00. The average size of new loans was \$123.03 in comparison with \$118.72 in 1935, and the average loan balance due was \$96.22 in comparison with \$93.14 in 1935, which shows that an increasing percentage of loans made are for larger amounts and consequently come within the lower interest bracket. The average net profit for the year was 6.69% excluding recoveries on loans charged-off as losses in former years and allowing for the payment of interest on borrowed money.

During the year 98,208 new loans were made for a total of \$12,049,-267.28, and at the end of the year, the licensees held 71,675 loans for a total of \$6,890,060.58, which indicates a good percentage of liquidation of loan contracts by regular monthly payments. Of the 71,675 loans only 2,790 were delinquent more than 60 days, and only 3,702 borrowers failed to make a principal payment in the month of December. This number was undoubtedly increased by Christmas spending, as our examinations throughout the year show a smaller number of loans upon which interest only is being paid.

One outstanding point is the fact that in connection with all the loans handled during the year only 113 suits were commenced and 22 of these were settled before any court action was had. Only 14 of these cases involved household goods and of these only in one case was the property in use. 54 of the cases were upon loans secured by automobiles and in 30 instances the car was not in use.

In keeping with the statutory provisions the Department is making an annual survey and study of all the items of cost and other phases of the business effecting the interest rate and the classification of loans. These statistical records are becoming increasingly valuable and informative as each year's tabulations are added. The record for 1936 is really the first to fairly and truly represent operation under the provisions of the present law. The law originally passed by the 45th Extra General Assembly was effective March 23, 1934, but was rendered inoperative by Court Injunction until November 1, 1934, and consequently the figures for 1935 included a large volume of business that originated under the former law. The three annual surveys now completed constitute the only authentic and reliable data upon which to base a scientific study of the costs and risks of this industry, as well as the returns that may be anticipated.

Generally speaking the licensees have evidenced a sincere willingness to respect not only the letter of the law but the spirit as well, and with one exception, have promptly complied with every request of the Depart-

ment. The one exception is the basis for an action now pending in the District Court and depends upon a legal interpretation of one clause contained in the present Small Loan Act.

During the year only four or five complaints have come to the Department from any borrower, and in each instance a careful investigation disclosed no legal or moral reason for a complaint. No approach would have been made to the Department if the borrower had first given consideration to the provisions of the law and to recognized and established good business practices.

Licensed offices are not required to maintain any permanent record of the occupations of borrowers or the purposes for which money is borrowed, but many offices do keep such records. A compilation of these figures representing more than 50% of all loans made in 1936 follows:

OCCUPATION	
Skilled and Semi-skilled Workers.....	26.42%
Office and Non-manual Workers.....	11.29
Owners, Managers, Superintendents and Foremen.....	15.08
Unskilled Workers	20.86
Farmers	5.15
Salesmen	6.80
School Teachers	5.34
Other Professional Persons	3.50
Miscellaneous	1.48
Not Reported	4.08

PURPOSE		100.00%
Rent	2.78%	
Medical, Dental and Hospital Bills.....	8.75	
Business Needs	6.94	
Taxes	5.30	
Clothing	4.54	
Fuel	4.50	
Food	3.06	
Vacations	3.01	
Furnishings	3.29	
Repairs and Insurance	6.24	
Assist Relatives	2.59	
Sundry Overdue Bills	15.22	
Real Estate Mortgages and Interest.....	2.22	
Education	1.56	
Moving	1.56	
Miscellaneous	5.36	
Pay Off Other Loans.....	2.57	
Not Reported	8.55	
Autos	11.96	

100.00%

Consideration of these tables together with the total number of loans as shown in the third paragraph indicates a distinct field for the Special Credit Agency created under the Small Loan Act. Apparently the need still exists for licensed and supervised lenders and the figures gathered show that this need is being recognized and satisfied.

Therefore, from the examinations and investigations made and the analyzation compiled in the foregoing report, it is the conclusion and

opinion of the Banking Board that the rates of interest permitted to be charged by licensees as provided for in Chapter 419-F 1 of the Code of 1935, should continue for another period, and we recommend such continuation.

Respectfully submitted,

D. W. BATES.
H. P. DOWLING.
L. J. SCHUSTER.
J. L. CAMPBELL.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 294 as follows:

By adding after the word "school" in line 6 of Section 2 the following: "said commission shall be under the supervision and direction of the Department of Public Health".

By striking the words "five" and "three" in line 3 of Section 2 and substituting therefor the words "three" and "two" respectively.

By striking the word "two" in line 3 of Section 3 and substituting therefor the word "one". Also by striking the word "three" in line 4 of Section 3 and substituting therefor the word "two".

By striking in lines 7 and 8 of Section 22, the words "to be a graduate of a high school" and substituting in lieu thereof "shall have received a tenth (10th) grade education."

By striking in lines 4 and 5 of Section 26 the words "with the exception of ten (10) percentum thereof" and by adding at the end of said section following the period after the word "fund" in line 13 the following, "at the end of each year all sums remaining in the cosmetology fund shall be transferred to the general fund".

By striking all of Sections 5, 33, 34 and renumbering the sections.

C. COLFAX SMITH.

MR. PRESIDENT: I move to amend House File 342 by striking the comma at the end of line eight (8) in Section one (1), and substituting in lieu thereof a period.

Further amend Section one (1) by striking all of lines nine (9), ten (10), and eleven (11).

G. R. HILL.

The Journal of March 18th was corrected and approved.

On motion of Senator Elthon, the Senate adjourned until 9:00 a. m., Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 20, 1937.

The Senate met in regular session, President pro tem Byers presiding.

Prayer was offered by Rev. Raymond M. Shipman, pastor of the Wesley Methodist church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee:

By Senator Byers, from citizens of Mount Vernon, favoring enactment of Senate File 197.

By Senator Byers, from citizens of Marion, favoring enactment of House File 238.

By Senator Billingsley, from residents of Jasper county, favoring enactment of Senate File 101.

By Senator Millhone, from residents of Shenandoah, favoring passage of Senate File 197 and House File 238.

By Senator Millhone, from residents of Coin, opposing passage of Senate File 203.

By Senator Mason, from Farm Bureau women of Keokuk, opposing passage of Senate File 17.

By Senator Stevens from Farm Bureau women of Keokuk, opposing passage of Senate File 17.

By Senator Baldwin, from residents of Dubuque, favoring passage of Senate File 17.

By Senator Doran, from residents of Ames, favoring passage of Senate File 290.

By Senator Murray, from residents of Woodbury county, favoring passage of House File 41.

By Senator Baldwin, from residents of Dubuque, favoring passage of House File 130.

By Senator Gillespie, from residents of Des Moines, favoring passage of Senate File 197.

By Senator Schadt, from residents of Johnson county, opposing passage of Senate File 203.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

House File 290, a proposed bill to legalize the establishment of a swimming pool in Dubuque.

House File 308, a proposed bill to legalize action of the board of supervisors of Muscatine county.

WALTER H. BEAM, *Secretary*.

Senator Elthon asked and received unanimous consent to consider Senate File 228 at this time.

THIRD READING OF BILLS

On motion of Senator Elthon, Senate File 228, a bill for an act to amend Chapter one hundred twenty-four-C one (124-C1) of the 1935 Code of Iowa, by providing for a widow, heir, or any legal representative of a deceased embalmer to operate a funeral home for a stipulated period of time for the purpose of disposing of same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 228 by striking from line five and line six the words "one year" and inserting in lieu thereof the words "two years".

The amendment was adopted.

The bill was read for information.

Senator Elthon moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine
Baldwin
Bell of
Des Moines

Berg
Breen
Byers
Corwin

Dean
Doran
Ellis
Elthon

Gillespie
Gillette
Goetsch
Grunewald

Hart	Kirketeg	Parker	Smith
Hoeven	Mason	Pelzer	Stevens
Hopkins	Millhone	Schadt	Whitehill
Husted	Murray	Shaw	Zeigler
Kimberly			

Nays, none.

Absent or not voting, 18:

Beardsley	Donohue	Hill	Mighell
Bell of Crawford	Edwards	Irwin	Miller
Billingsley	Evans	Levis	Moore
Chrystal	Geske	Lundy	Stewart
Dewey	Guernsey		

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

Senator Elthon moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Millhone asked and received unanimous consent to consider House File 49 at this time.

On motion of Senator Millhone, House File 49, a bill for an act to repeal Sections one hundred thirteen (113) and one hundred twenty-four (124), both of the Code, 1935, and to enact substitutes therefor, relating to the auditing of financial records of counties, schools, townships and cities, including cities under special charter, and other municipalities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Millhone moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Corwin	Grunewald	Murray
Baldwin	Dean	Hart	Parker
Beardsley	Donohue	Hoeven	Pelzer
Bell of	Doran	Hopkins	Schadt
Des Moines	Ellis	Husted	Shaw
Berg	Elthon	Kimberly	Smith
Breen	Gillespie	Kirketeg	Stevens
Byers	Gillette	Mason	Whitehill
Chrystal	Goetsch	Millhone	Zeigler

Nays, none.

Absent or not voting, 15:

Bell of Crawford	Evans	Irwin	Miller
Billingsley	Geske	Levis	Moore
Dewey	Guernsey	Lundy	Stewart
Edwards	Hill	Mighell	

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

On request of Senator Millhone, Senate File 47, companion bill to House File 49, was withdrawn from the further consideration of the Senate.

On motion of Senator Husted, House Joint Resolution 1, by Morrow and Lookingbill, a joint resolution fixing the compensation of the chaplains of the Forty-seventh General Assembly and making an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The resolution was read for information.

Senator Husted moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 35:

Augustine	Dean	Hart	Murray
Baldwin	Donohue	Hoeven	Parker
Beardsley	Doran	Hopkins	Pelzer
Bell of	Ellis	Husted	Schadt
Des Moines	Elthon	Kimberly	Shaw
Berg	Gillespie	Kirketeg	Smith
Breen	Gillette	Lundy	Stevens
Byers	Goetsch	Mason	Whitehill
Corwin	Grunewald	Millhone	Zeigler

Nays, none.

Absent or not voting, 15:

Bell of Crawford	Edwards	Hill	Miller
Billingsley	Evans	Irwin	Moore
Chrystal	Geske	Levis	Stewart
Dewey	Guernsey	Mighell	

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Doran asked and received unanimous consent to consider Senate Files 392 and 393 at this time.

On motion of Senator Doran, Senate File 392, a bill for an act to repeal Section eighty-seven hundred thirty-seven (8737), Code,

1935, and enact a substitute therefor, relating to investments of funds by life insurance companies and associations, a committee bill, was taken up and considered.

Senator Doran offered the following amendments and moved their adoption:

1. Amend Section 1, page two (2), line twenty (20), by substituting the word "or" for the word "of" following the word "insure".

2. Amend Section 1, page three (3), following the word "least" at the end of line fifty-one (51), by inserting: "\$250,000 for each of the three fiscal years next preceding the date of purchase, and average net annual earnings for the five years next preceding purchase shall have been equal to at least".

3. Further amend Section 1, page five (5), line one hundred five (105), by substituting the word "cost" for the word "most" following the word "the".

The amendments were adopted.

By unanimous consent, on request of Senator Doran, the Secretary of the Senate was instructed to correct Senate File 392 by correcting the spelling of the word "guaranteeing" in line 2 of Section 7 and of the word "eligible" in line 18 of Section 7 in the original bill.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Donohue	Hoeven	Parker
Baldwin	Doran	Hopkins	Pelzer
Beardsley	Ellis	Husted	Schadt
Bell of	Elthon	Kimberly	Shaw
Des Moines	Gillespie	Kirketeg	Smith
Berg	Gillette	Lundy	Stevens
Breen	Goetsch	Mason	Whitehill
Byers	Grunewald	Millhone	Zeigler
Corwin	Hart	Murray	

Nays, none.

Absent or not voting, 16:

Bell of Crawford	Dewey	Guernsey	Mighell
Billingsley	Edwards	Hill	Miller
Chrystal	Evans	Irwin	Moore
Dean	Geske	Levis	Stewart

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

On motion of Senator Doran, Senate File 393, a bill for an act to amend Section eighty-six hundred fifty-two (8652), Code, 1935, relating to the amount of capital or surplus required of foreign companies to transact business in this state, and the type of securities authorized for the investment of capital or surplus, a committee bill, was taken up and considered.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Donohue	Hopkins	Parker
Baldwin	Doran	Husted	Pelzer
Beardsley	Ellis	Kimberly	Schadt
Bell of	Elthon	Kirketeg	Shaw
Des Moines	Gillette	Lundy	Smith
Berg	Goetsch	Mason	Stevens
Breen	Grunewald	Millhone	Whitehill
Byers	Hart	Murray	Zeigler
Corwin	Hoeven		

Nays, none.

Absent or not voting, 17:

Bell of Crawford	Edwards	Guernsey	Mighell
Billingsley	Evans	Hill	Miller
Chrystal	Geske	Irwin	Moore
Dean	Gillespie	Levis	Stewart
Dewey			

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

Senator Corwin asked and received unanimous consent to consider Senate File 195 at this time.

By unanimous consent, on request of Senator Corwin, House File 308 was substituted for Senate File 195.

On motion of Senator Corwin, House File 308, by Latchaw, a bill for an act to legalize action of the board of supervisors of Muscatine county, Iowa, in making expenditures from the Muscatine county insane fund to the poor relief fund, substituted for Senate File 195, was taken up and considered.

Senator Corwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Augustine	Corwin	Grunewald	Parker
Baldwin	Donohue	Hart	Pelzer
Beardsley	Doran	Hoeven	Schadt
Bell of	Ellis	Hopkins	Shaw
Des Moines	Elthon	Kimberly	Smith
Berg	Gillespie	Kirketeg	Stevens
Breen	Gillette	Millhone	Whitehill
Byers	Goetsch	Murray	Zeigler

Nays, none.

Absent or not voting, 19:

Bell of Crawford	Edwards	Husted	Mighell
Billingsley	Evans	Irwin	Miller
Chrystal	Geske	Levis	Moore
Dean	Guernsey	Lundy	Stewart
Dewey	Hill	Mason	

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

By unanimous consent on request of Senator Corwin, Senate File 195, companion bill to House File 308, was withdrawn from the further consideration of the Senate.

Senator Kimberly asked and received unanimous consent that Senate File 172 be considered at this time.

On motion of Senator Kimberly, Senate File 172, a bill for an act to amend Section five thousand six hundred ninety-four (5694), Code, 1935, relating to the applicability of civil service and exceptions thereto by adding a provision as to the applicability of civil service to certain officials in cities acting under special charter with a population of over fifty thousand (50,000), with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimberly moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Donohue	Hoeven	Murray
Baldwin	Doran	Hopkins	Parker
Beardsley	Ellis	Husted	Pelzer
Bell of	Elthon	Irwin	Schadt
Des Moines	Gillespie	Kimberly	Shaw
Berg	Gillette	Kirketeg	Smith
Breen	Goetsch	Lundy	Stevens
Byers	Grunewald	Mason	Whitehill
Corwin	Hart	Millhone	Zeigler
Dean			

Nays, none.

Absent or not voting, 14:

Bell of Crawford	Edwards	Hill	Miller
Billingsley	Evans	Levis	Moore
Chrystal	Geske	Mighell	Stewart
Dewey	Guernsey		

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

Senator Stevens asked and received unanimous consent to consider Senate File 80 and the House amendments thereto.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens called up for consideration Senate File 80, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 80, Section 1, line 14, by striking the semicolon (;) after the word "therein" and inserting in lieu thereof a period (.) and striking the following words: "provided that nothing in this act shall be construed to authorize cities and towns to extend the maturity date of bonds or obligations originally issued to pay for any such plant, if such bonds are in default in payment of principal or interest, nor to authorize issuance of refunding bonds in excess of the unpaid balance or the expenditure authorized by the electors for the establishment of such plant."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 29:

Augustine	Corwin	Hart	Millhone
Baldwin	Dean	Hoeven	Murray
Beardsley	Donohue	Hopkins	Pelzer
Bell of	Doran	Husted	Schadt
Des Moines	Ellis	Irwin	Smith
Breen	Gillespie	Kimberly	Stevens
Byers	Gillette	Kirkekteg	Whitehill
Chrystal	Grunewald		

Nays, none.

Absent or not voting, 21:

Bell of Crawford	Evans	Levis	Moore
Berg	Geske	Lundy	Parker
Billingsley	Goetsch	Mason	Shaw
Dewey	Guernsey	Mighell	Stewart
Edwards	Hill	Miller	Zeigler
Elthon			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 80, a bill for an act to amend Section sixty-one hundred thirty-four-f one (6134-f1), Code of Iowa, 1935, and providing for the issuance by cities and towns of refunding bonds, payable only out of the net earnings of municipally owned heating plants, waterworks, gas works, or electric light or power plants, providing that such refunding bonds shall conform to the provisions of Chapter three hundred twelve (312) of the Code of Iowa, 1935, and providing for the exchange of such refunding bonds for outstanding bonds or the sale of such refunding bonds, and providing for the disposition of the proceeds of such refunding bonds, as amended, was taken up and considered.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30:

Augustine	Corwin	Hart	Murray
Baldwin	Dean	Hoeven	Parker
Beardsley	Donohue	Hopkins	Pelzer
Bell of	Doran	Husted	Schadt
Des Moines	Ellis	Irwin	Smith
Breen	Gillespie	Kimberly	Stevens
Byers	Gillette	Kirketeg	Whitehill
Chrystal	Grunewald	Millhone	

Nays, none.

Absent or not voting, 20:

Bell of Crawford	Elthon	Hill	Miller
Berg	Evans	Levis	Moore
Billingsley	Geske	Lundy	Shaw
Dewey	Goetsch	Mason	Stewart
Edwards	Guernsey	Mighell	Zeigler

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

Senator Baldwin asked and received unanimous consent to consider Senate File 273 at this time.

By unanimous consent, on request of Senator Baldwin, House File 290 was substituted for Senate File 273.

On motion of Senator Baldwin, House File 290, by Reilly, a bill for an act to legalize the establishment of a swimming pool in the

city of Dubuque without the formality of a special election, substituted for Senate File 273, was taken up and considered.

Senator Baldwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Augustine	Dean	Hart	Murray
Baldwin	Donohue	Hopkins	Parker
Beardsley	Doran	Irwin	Pelzer
Bell of	Ellis	Kimberly	Schadt
Des Moines	Gillespie	Kirketeg	Smith
Breen	Gillette	Lundy	Stevens
Corwin	Grunewald	Millhone	Whitehill

Nays, none.

Absent or not voting, 23:

Bell of Crawford	Edwards	Hill	Miller
Berg	Elthon	Hoeven	Moore
Billingsley	Evans	Husted	Shaw
Byers	Geske	Levis	Stewart
Chrystal	Goetsch	Mason	Zeigler
Dewey	Guernsey	Mighell	

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

By unanimous consent, on request of Senator Baldwin, Senate File 273, companion bill to House File 290, was withdrawn from the further consideration of the Senate.

Senator Kirketeg asked and received unanimous consent that Senate File 183 be considered at this time.

On motion of Senator Kirketeg, Senate File 183, a bill for an act to amend Senate File fifteen (15), passed by the Forty-seventh General Assembly, entitled "an emergency act relating to foreclosure of real estate mortgages and deeds of trust; providing for the continuances of such action"; amending said Senate File by clarifying Section eight (8) of said act as to what original notices shall contain, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kirketeg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30:

Augustine	Dean	Hoeven	Murray
Baldwin	Donohue	Hopkins	Parker
Beardsley	Doran	Husted	Pelzer
Bell of	Ellis	Irwin	Schadt
Des Moines	Gillespie	Kimberly	Smith
Byers	Gillette	Kirketeg	Stevens
Chrystal	Grunewald	Lundy	Whitehill
Corwin	Hart	Millhone	

Nays, none.

Absent or not voting, 20:

Bell of Crawford	Edwards	Guernsey	Miller
Berg	Elthon	Hill	Moore
Billingsley	Evans	Levis	Shaw
Breen	Geske	Mason	Stewart
Dewey	Goetsch	Mighell	Zeigler

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

Senator Hoeven asked and received unanimous consent to consider Senate File 253 at this time.

On motion of Senator Hoeven, Senate File 253, a bill for an act to create a fund to be known as the World War Orphans' Educational Aid Fund and to authorize and empower the bonus boards to administer said fund, a committee bill, was taken up and considered.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Augustine	Donohue	Hoeven	Murray
Baldwin	Doran	Hopkins	Parker
Beardsley	Ellis	Irwin	Schadt
Bell of	Gillespie	Kimberly	Smith
Des Moines	Gillette	Kirketeg	Stevens
Byers	Grunewald	Lundy	Whitehill
Corwin	Hart	Millhone	Zeigler
Dean			

Nays, none.

Absent or not voting, 22:

Bell of Crawford	Edwards	Hill	Miller
Berg	Elthon	Husted	Moore
Billingsley	Evans	Levis	Pelzer
Breen	Geske	Mason	Shaw
Chrystal	Goetsch	Mighell	Stewart
Dewey	Guernsey		

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

Senator Murray asked and received unanimous consent to consider Senate File 121 at this time.

On motion of Senator Murray, Senate File 121, a bill for an act to prohibit the harboring or concealing of persons charged with a crime, and to provide a penalty for the violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 121 by adding in line 6, after the word "and", the following: "/or".

The amendment was adopted.

Senator Murray moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Donohue	Hoeven	Moore
Baldwin	Doran	Hopkins	Murray
Beardsley	Ellis	Husted	Parker
Berg	Elthon	Irwin	Schadt
Breen	Gillespie	Kimberly	Shaw
Byers	Gillette	Kirketeg	Smith
Chrystal	Goetsch	Lundy	Stevens
Corwin	Grunewald	Mason	Whitehill
Dean	Hart	Millhone	Zeigler

Nays, none.

Absent or not voting, 14:

Bell of Crawford	Dewey	Guernsey	Miller
Bell of	Edwards	Hill	Pelzer
Des Moines	Evans	Levis	Stewart
Billingsley	Geske	Mighell	

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

The Journal of March 19th was corrected and approved.

On motion of Senator Breen, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 22, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. H. S. Mitchell, pastor of the Methodist Church of Earlham.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Edwards, from citizens of Lamoni, favoring enactment of House File 48.

By Senator Hopkins, from citizens of Perry, favoring enactment of Senate File 87, the "full crew" bill.

By Senator Levis, from citizens of Chariton, opposing enactment of Senate File 203, relative to itinerant merchants.

By Senator Hart, from citizens of Argyle, favoring enactment of Senate File 197, relative to local option in the sale of liquor.

By Senator Baldwin, from citizens of Dubuque, favoring enactment of House File 130.

By Senator Berg, from citizens of Cedar Falls, favoring enactment of House File 130.

By Senator Murray, from members of the Pierson Methodist Episcopal Church, favoring enactment of Senate File 197.

By Senator Murray, from citizens of Sioux City, favoring enactment of legislation to amend Chapter 213, Section 4233-e4, of the Code of Iowa, 1935.

The following petition was received and referred to the appropriations committee:

By Senator Schadt, from employees of the State University of

Iowa, favoring enactment of legislation to provide for the restoration of salaries and wages to the 1932 status.

MEMORIAL RESOLUTIONS CONSIDERED

Senator Hopkins called up the memorial resolutions for Governor Clarke, Senator Foster and Senator Hotchkiss, appearing on pages 386 and 387 of the Journal.

Senator Hopkins moved the adoption of each resolution.

The motion prevailed, the resolutions were adopted, and the President appointed as the committee, Senators Hopkins, Husted and Chrystal.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 19, 1937, he had approved the following: Senate File 125, a legalizing act for Mount Pleasant.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 368, a proposed bill to legalize the proceedings of the town of Manning.

WALTER H. BEAM, *Secretary.*

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 25, a bill for an act to prohibit the sale, offering or exposing for sale of fireworks.

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

Senate File 104, a bill for an act to make permanent certain temporary transfers of certain funds of Monroe county, Iowa.

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

Senate File 207, a bill for an act to legalize warrants issued by the board of supervisors of Jones county, Iowa, against the county general fund.

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

Senate File 354, a bill for an act legalizing corporate renewal of the Weber & Sons Button Company of Muscatine.

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

House File 413, a bill for an act to legalize proceedings of the board of directors of Concordia school district.

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

House File 457, a bill for an act to legalize a \$500.00 payment made by the city of Waukon to the Pioneer Fire Company of Waukon.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Lundy called up for consideration Senate File 151, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 1, line 14, by striking the period (.) after the word "plant" and inserting in its place a comma (,) and adding the following: "nor to mines employing miners not now under the provisions of the Workmen's Compensation Act or who permit the miners to work in individual units in their own rooms."

Amend Section 2, line 3, by striking the words and figures "two hundred (\$200.00) dollars" and inserting in lieu thereof "three hundred (\$300.00) dollars".

Amend Section 5, line 2, by striking the period (.) and adding the following: "nor to school townships and rural independent districts."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 36:

Augustine	Edwards	Hart	Mighell
Beardsley	Ellis	Hill	Miller
Bell of	Elthon	Hopkins	Millhone
Des Moines	Evans	Husted	Moore
Berg	Geske	Kimberly	Murray
Billingsley	Gillespie	Kirketeg	Schadt
Breen	Gillette	Levis	Smith
Corwin	Goetsch	Lundy	Whitehill
Dewey	Grunewald	Mason	Zeigler
Donohue			

Nays, 1:

Guernsey

Absent or not voting, 13:

Baldwin	Dean	Irwin	Shaw
Bell of Crawford	Doran	Parker	Stevens
Byers	Hoeven	Pelzer	Stewart
Chrystal			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On motion of Senator Lundy, Senate File 151, a bill for an act to amend Chapter sixty-two-B one (62-B1), Code, 1935, relating to preference for domestic products and labor, as amended, was taken up and considered.

Senator Beardsley took the chair at 10:25 a. m.

Senator Lundy moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Augustine	Dewey	Grunewald	Lundy
Beardsley	Donohue	Guernsey	Mighell
Bell of	Edwards	Hart	Millhone
Des Moines	Ellis	Hoeven	Moore
Berg	Elthon	Hopkins	Murray
Billingsley	Evans	Husted	Schadt
Breen	Geske	Kimberly	Smith
Chrystal	Gillespie	Kirketeg	Whitehill
Corwin	Gillette	Levis	Zeigler
Dean	Goetsch		

Nays, none.

Absent or not voting, 13:

Baldwin	Hill	Miller	Shaw
Bell of Crawford	Irwin	Parker	Stevens
Byers	Mason	Pelzer	Stewart
Doran			

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

Senator Lundy moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Dean called up for consideration Senate File 21, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking all following the comma (,) after the figures "(4644-c58)" in line 2, and substituting in lieu thereof the following: "to forty-six hundred forty-four-c sixty-four (4644-c64), inclusive, and Sections forty-six hundred forty-four-e one (4644-e1) to forty-six hundred forty-four-e seven (4644-e7), inclusive, all of the Code of Iowa, 1935, are hereby repealed."

Amend the title by striking all after the word "Act" in line 1 and substituting in lieu thereof the following:

"to repeal Sections forty-six hundred forty-four-c fifty-eight (4644-c58) to forty-six hundred forty-four-e seven (4644-e7), inclusive, Code, 1935, relating to the levy of a road poll tax."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 40:

Augustine	Dewey	Guernsey	Lundy
Baldwin	Edwards	Hart	Mighell
Bell of Crawford	Ellis	Hill	Miller
Bell of	Elthon	Hoeven	Millhone
Des Moines	Evans	Hopkins	Moore
Berg	Geske	Husted	Schadt
Billingsley	Gillespie	Irwin	Smith
Breen	Gillette	Kimberly	Stevens
Chrystal	Goetsch	Kirketeg	Whitehill
Corwin	Grunewald	Levis	Zeigler
Dean			

Nays, 1:

Beardsley

Absent or not voting, 9:

Byers	Mason	Parker	Shaw
Donohue	Murray	Pelzer	Stewart
Doran			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On motion of Senator Dean, Senate File 21, a bill for an act to amend Section forty-six hundred forty-four-c fifty-eight (4644-c58), Code, 1935, relating to the levy of a road poll tax, as amended, was taken up and considered.

Senator Dean moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Dean	Guernsey	Lundy
Baldwin	Dewey	Hart	Mighell
Beardsley	Doran	Hill	Miller
Bell of Crawford	Edwards	Hoeven	Millhone
Bell of	Ellis	Hopkins	Moore
Des Moines	Elthon	Husted	Schadt
Berg	Evans	Irwin	Smith
Billingsley	Geske	Kimberly	Stevens
Breen	Gillespie	Kirketeg	Whitehill
Chrystal	Gillette	Levis	Zeigler
Corwin	Grunewald		

Nays, none.

Absent or not voting, 9:

Byers	Mason	Parker	Shaw
Donohue	Murray	Pelzer	Stewart
Goetsch			

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

Senator Dean moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

President Valentine returned to the chair at 11:14 a. m.

THIRD READING OF BILLS

On motion of Senator Levis, Senate File 144, a bill for an act to amend Section seventy-eight hundred thirty-nine (7839) of the 1935 Code of Iowa, relating to appeals from the assessment of damages made by condemnation commissioners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Donohue	Guernsey	Mighell
Baldwin	Doran	Hart	Miller
Beardsley	Edwards	Hill	Millhone
Bell of Crawford	Ellis	Hoeven	Moore
Bell of	Elthon	Hopkins	Murray
Des Moines	Evans	Husted	Schadt
Berg	Geske	Irwin	Shaw
Breen	Gillespie	Kimberly	Smith
Chrystal	Gillette	Kirketeg	Whitehill
Dean	Goetsch	Levis	Zeigler
Dewey	Grunewald		

Nays, none.

Absent or not voting, 9:

Billingsley	Lundy	Parker	Stevens
Byers	Mason	Pelzer	Stewart
Corwin			

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

Senator Levis moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Breen, Senate File 201, a bill for an act concerning declaratory judgments and decrees and to make uniform the law relating thereto, a committee bill, was taken up and considered.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Dewey	Guernsey	Miller
Baldwin	Doran	Hill	Millhone
Beardsley	Edwards	Hopkins	Murray
Bell of Crawford	Ellis	Kirketeg	Schadt
Berg	Geske	Levis	Shaw
Billingsley	Gillespie	Lundy	Smith
Breen	Gillette	Mason	Stevens
Chrystal	Goetsch	Mighell	Whitehill
Dean	Grunewald		

Nays, 4:

Donohue	Elthon	Evans	Zeigler
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Absent or not voting, 12:

Bell of	Hart	Irwin	Parker
Des Moines	Hoeven	Kimberly	Pelzer
Byers	Husted	Moore	Stewart
Corwin			

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gillespie, Senate File 154, a bill for an act to repeal Sections thirty-one hundred fifty-one (3151) to thirty-one hundred sixty-nine (3169), inclusive, of the Iowa Code, 1935, relating to narcotic drugs and the possession, sale and distribution thereof, and to enact a substitute therefor to prohibit manufacture, possession, sale, and dispensing of narcotic drugs, with certain exceptions, and to provide for licensing and revocation of licenses in connection therewith; prescribing conditions under which purchases and sales may be made; and to provide for the return of unused portions of the same; also providing for the

keeping of records in connection therewith and providing exemptions under this Act to persons and corporations; declaring what is a nuisance under this Act and providing for forfeiture and destruction in certain cases; providing records to be confidential and prescribing upon whom the burden of proof rests and providing for penalties for violation of the Act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gillespie offered the following amendments and moved their adoption:

Amend Senate File 154 by striking the word "and" in line 30 of Section 5; also the word "to" in line 58 of Section 5.

Strike the word "or" following the word "quantities" in line 8 of Section 9 and insert in lieu thereof the word "of".

Insert in line 10 of Section 10, after the word "pharmacist" the words: "or pharmacy owner".

Strike from line 5 of Section 22 the word "commission" and insert in lieu thereof the word "omission".

The amendments were adopted.

Senator Moore offered the following amendment:

Insert in line 5 of Section 6, after the word "issued", the words "or the following day".

The amendment was adopted.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Doran	Hill	Moore
Baldwin	Edwards	Hoeven	Murray
Beardsley	Ellis	Hopkins	Parker
Bell of Crawford	Elthon	Husted	Schadt
Berg	Evans	Irwin	Shaw
Billingsley	Geske	Kimberly	Smith
Breen	Gillespie	Kirketeg	Stevens
Chrystal	Grunewald	Levis	Whitehill
Corwin	Guernsey	Miller	Zeigler
Dewey	Hart	Millhone	

Nays, none.

Absent or not voting, 11:

Bell of	Dean	Goetsch	Mighell
Des Moines	Donohue	Lundy	Pelzer
Byers	Gillette	Mason	Stewart

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

Senator Gillespie moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Whitehill, Senate File 136, a bill for an act to make an appropriation to reimburse the National Guard of Iowa for funds expended in the organization of two new units of the National Guard at Sibley, Iowa, and Newton, Iowa, and two new regimental headquarters, organized at the direction of the Federal Government, during the present fiscal year; and to reimburse the National Guard of Iowa for the rental and installation of an emergency pump to provide water during the Field Training Period, 1936, a committee bill, was taken up and considered.

Senator Whitehill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dewey	Grunewald	Mighell
Beardsley	Donohue	Guernsey	Miller
Bell of Crawford	Doran	Hill	Millhone
Bell of	Edwards	Hoeven	Murray
Des Moines	Ellis	Hopkins	Parker
Berg	Elthon	Husted	Schadt
Billingsley	Geske	Irwin	Shaw
Breen	Gillespie	Kimberly	Stevens
Chrystal	Gillette	Kirketeg	Whitehill
Corwin	Goetsch	Levis	Zeigler
Dean			

Nays, none.

Absent or not voting, 10:

Baldwin	Hart	Moore	Smith
Byers	Lundy	Pelzer	Stewart
Evans	Mason		

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

Senator Whitehill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Chrystal, Senate File 198, a bill for an

act to amend Section nineteen hundred twenty-one-f ninety-nine (1921-f99), Code, 1935, relating to the issuance of beer permits so as to forbid the future issuance of such permits to certain persons, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 198, Section 1, line 8, by striking the word "business".

The amendment was adopted.

Senator Whitehill offered the following amendment and moved its adoption:

Amend Senate File 198 by inserting in line 10 thereof, after the word "park", the words: "or any state institution".

Senator Whitehill moved to amend his amendment by adding thereto the words:

"under the board of control".

The amendment to the amendment was adopted.

Senator Donohue offered, as a substitute for the amendment of Senator Whitehill, as amended, the following:

Strike the period after the word "park" in line 10 and add thereto the following: "or any building occupied by inmates and which building is under the control of the state board of control."

Senator Hopkins moved the previous question on all pending amendments and the main bill.

Senator Baldwin moved that the Senate recess until 1:30 p. m.

Roll call was requested.

On the question, "Shall the Senate recess until 1:30 p. m.?" the vote was:

Ayes, 20:

Baldwin	Chrystal	Goetsch	Miller
Bell of	Corwin	Hill	Moore
Des Moines	Donohue	Irwin	Murray
Berg	Geske	Kimberly	Schadt
Billingsley	Gillespie	Mason	Shaw
Breen			

Nays, 21:

Beardsley	Elthon	Husted	Parker
Dean	Grunewald	Levis	Smith
Dewey	Hart	Lundy	Stevens
Doran	Hoeven	Mighell	Whitehill
Edwards	Hopkins	Millhone	Zeigler
Ellis			

Absent or not voting, 9:

Augustine	Evans	Guernsey	Pelzer
Bell of Crawford	Gillette	Kirketeg	Stewart
Byers			

The motion to recess did not prevail.

Senator Donohue moved the substitution of his amendment. The substitute motion of Senator Donohue did not prevail.

Roll call was requested.

On the question, "Shall the amendment offered by Senator Whitehill be adopted?" the vote was:

Ayes, 36:

Augustine	Doran	Hill	Millhone
Beardsley	Edwards	Hoeven	Murray
Berg	Ellis	Hopkins	Parker
Billingsley	Elthon	Husted	Schadt
Breen	Evans	Kirketeg	Shaw
Byers	Gillespie	Levis	Smith
Corwin	Goetsch	Lundy	Stevens
Dean	Guernsey	Mason	Whitehill
Dewey	Hart	Mighell	Zeigler

Nays, 7:

Baldwin	Bell of	Chrystal	Miller
Bell of Crawford	Des Moines	Grunewald	Moore

Present, 5:

Donohue	Gillette	Irwin	Kimberly
Geske			

Absent or not voting, 2:

Pelzer	Stewart
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The amendment was adopted.

Senator Chrystal moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Berg	Byers	Dean
Beardsley	Billingsley	Chrystal	Dewey
Bell of Crawford	Breen	Corwin	Donohue

Doran	Grunewald	Kimberly	Murray
Edwards	Guernsey	Kirketeg	Parker
Ellis	Hart	Levis	Schadt
Elthon	Hill	Lundy	Shaw
Evans	Hoeven	Mason	Smith
Geske	Hopkins	Mighell	Whitehill
Gillette	Husted	Millhone	Zeigler
Goetsch			

Nays, 2:

Baldwin	Bell of Des Moines
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Absent or not voting, 7:

Gillespie	Miller	Pelzer	Stewart
Irwin	Moore	Stevens	

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

Senator Chrystal moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Geske, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 143, 216, 67 and 80.

M. X. GESKE, *Acting Chairman Senate Committee.*
JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 143, 216, 67, and 80.

BILLS SENT TO THE GOVERNOR

Senator Geske, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 22nd day of March, 1937, sent to the Governor for his approval, Senate Files 143, 216, 67 and 80.

M. X. GESKE, *Acting Chairman.*

Passed on file.

On motion of Senator Husted, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

HOUSE MESSAGES CONSIDERED

House File 413, a bill for an act to legalize and validate proceedings taken by the board of directors of Concordia school district, Concordia township, Des Moines county, in connection with the certification of taxes for collection during the calendar year ending December 31, 1937, and the levy of taxes therefor.

Read first and second times and referred to sifting committee.

House File 457, a bill for an act to legalize a five hundred dollar (\$500.00) payment made by the city of Waukon to the Pioneer Fire Company of Waukon, Iowa.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Evans, Senate File 212, a bill for an act to create a state planning board, to prescribe its powers and duties and to amend Section three hundred two (302), Code, 1935, a committee bill, was taken up and considered.

Senator Evans offered the following amendment and moved its adoption:

Amend Senate File 212 by striking from line 1 of Section 5 thereof the word "assistance" and inserting in lieu thereof the word "assistants".

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 212, Section one (1), by inserting in line 12, after the word "Governor", the following: "one of whom shall be the chairman of the Greater Iowa Committee".

By unanimous consent, on request of Senator Elthon, the word "Committee" in the pending amendment was stricken and the word "Commission" inserted in lieu thereof.

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend Senate File 212 by striking from Section six (6) the following: "The board is hereby authorized to expend such state funds as may be specifically appropriated by the general assembly for the use of the board."

Senator Smith offered the following amendment to his amendment and moved its adoption:

Amend the amendment by adding thereto the following:

Further amend Section 6 by striking from line 4 the word "further".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Hoeven offered the following amendment and moved its adoption:

Amend Senate File 212 by striking from lines four (4), five (5) and six (6) of Section three (3) thereof the following: "The office of the board shall be designated, supplied, and furnished by the Executive Council."

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 212 by adding to Section 6 thereof the following: "However, neither the said board nor its employees shall have the authority to obligate the State of Iowa for the payment of any sum of money."

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 212 by striking all of paragraph 7 of Section 7 and substituting in lieu thereof the following:

"7. To report the activities and findings of the board to the Governor and the Legislature not later than December 1st of each year, and also to report the expenditure of all money allotted to the said board and the said report shall include a list of all employees employed by the said board and the salaries and expenses of said employees."

Roll call was requested.

On the question, "Shall the amendment by Senator Donohue be adopted?" the vote was:

Ayes, 29:

Beardsley	Dewey	Hoeven	Millhone
Bell of Des Moines	Donohue	Hopkins	Parker
Berg	Doran	Husted	Pelzer
Billingsley	Edwards	Kimberly	Schadt
Breen	Ellis	Kirketeg	Shaw
Byers	Goetsch	Levis	Smith
Corwin	Hart	Lundy	Zeigler
	Hill		

Nays, 15:

Augustine	Geske	Irwin	Moore
Baldwin	Gillette	Mason	Murray
Chrystal	Grunewald	Mighell	Stevens
Elthon	Guernsey	Miller	

Absent or not voting, 6:

Bell of Crawford	Evans	Stewart	Whitehill
Dean	Gillespie		

The motion prevailed and the amendment was adopted.

Senator Breen moved the previous question on Senate File 212, which motion prevailed.

Senator Evans moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Ellis	Hart	Mighell
Baldwin	Elthon	Hill	Miller
Bell of Crawford	Evans	Hoeven	Millhone
Breen	Geske	Irwin	Moore
Byers	Gillespie	Kimberly	Murray
Chrystal	Gillette	Kirketeg	Schadt
Dean	Goetsch	Levis	Shaw
Doran	Grunewald	Lundy	Stevens
Edwards	Guernsey	Mason	

Nays, 5:

Dewey	Parker	Pelzer	Zeigler
Hopkins			

Absent or not voting, 10:

Beardsley	Berg	Donohue	Stewart
Bell of Des Moines	Billingsley	Husted	Whitehill
	Corwin	Smith	

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

Senator Evans moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 422, a bill for an act to make an appropriation to Iver Hopperstad, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 430, a bill for an act to make an appropriation to Jones County, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 431, a bill for an act to make appropriations to Vera D. Tripp and Will Wickett, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File one hundred ninety (190) by striking all after the enacting clause and substituting in lieu thereof the following section:

Section 1. Sub-paragraph sixteen (16) of Section sixty-two hundred eleven (6211), Code, 1935, is hereby amended by striking the period following the word "therein" at the end of line 6 and substituting in lieu thereof the following:

"provided that any city of one hundred twenty-five thousand (125,000) population or over shall have power to levy not exceeding three-fourths ($\frac{3}{4}$) mill for such purposes."

A. J. SHAW.

MR. PRESIDENT: Amend House File 147 by inserting after the word "any" in line four of Section one thereof the word "limestone", and by inserting after the period at the end of said Section one the following: "Such quarry shall not be so established, located, acquired, or leased unless and until the board has determined by actual investigation that the county can produce by such method lime at less cost than lime of the same quality may be purchased by the county and delivered in the county from other sources."

WM. S. BEARDSLEY.

MR. PRESIDENT: I move to amend Senate File 132 by striking from Section 1, line eleven (11), the words "The funds" and inserting in lieu thereof the following: "Eighty-five per cent of the funds".

Further amend by inserting following the semicolon in line fifteen (15), the following: "the remaining fifteen (15) per cent of the funds shall revert to the general fund of the state of Iowa;"

Further amend by striking from line fifteen (15) the words "such funds" and inserting in lieu thereof the following: "eighty-five per cent of the funds".

Further amend by inserting following the comma in line eighteen (18) the following: "the remaining fifteen (15) per cent of the funds shall revert to the general fund of the State of Iowa,". C. COLFAX SMITH.

The Journal of March 20th was corrected and approved.

On motion of Senator Baldwin, the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 23, 1937.

The Senate met in regular session, President pro tem Frank C. Byers presiding.

Prayer was offered by Rev. W. R. Keeseey, pastor of the First Methodist Episcopal Church of Albia.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Lundy for the day, on request of Senator Kirketeg.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Breen, from citizens of Webster county, opposing enactment of Senate File 203, relating to itinerant merchants.

By Senator Dean, from the Mason City Parent-Teachers Association, favoring enactment of House File 130.

By Senator Dean, from citizens of Cerro Gordo county, favoring enactment of House File 238.

By Senator Dean, from citizens of Hampton, favoring enactment of House Files 194, 238, and 4, and opposing enactment of Senate File 100.

By Senator Dewey, from merchants of Winfield, opposing the enactment of legislation to prohibit "bank night" and similar trade practices.

By Senator Edwards, from the Epworth League of Tingley, favoring enactment of Senate File 197.

By Senator Gillette, from citizens of Armstrong, favoring enactment of House File 130.

By Senator Hill, from citizens of Hamilton, Hardin and Wright counties, favoring enactment of House File 238.

By Senator Hopkins, from citizens of Panora, favoring enactment of Senate File 197.

By Senator Husted, from citizens of Casey and Norwalk, favoring enactment of Senate File 197.

By Senator Mason, from citizens of Gibson, favoring enactment of Senate File 197.

By Senator Mighell, from the board of supervisors of Ida county, favoring enactment of House File 286 and Senate File 235.

By Senator Moore, from teachers of Pottawattamie county, favoring-enactment of House Files 48 and 130.

By Senator Schadt, from members of the Congregational Church of Williamsburg, favoring enactment of Senate File 197.

By Senator Smith, from voters of Butler county, opposing enactment of Senate File 197.

By Senator Zeigler, from citizens of Bonaparte and Fairfield, opposing enactment of Senate File 197, and/or any similar legislation making any change in the present liquor administration.

INTRODUCTION OF BILLS

Senate File 432, by committee on social security, a bill for an act to amend Senate File one (1) of the laws of the Forty-sixth General Assembly, Extraordinary Session, commonly known as the "Unemployment Compensation Law" relating to the definition of "Wages" as contained in Section nineteen (19) (m) thereof.

Read first and second times and referred to sifting committee.

Senate File 433, by committee on appropriations, a bill for an act to make an appropriation to Robert Collatt, fire chief, Burlington, Iowa, Roy Shitley, fire chief, New London, Iowa, and Claude C. Taft, fire chief, Mt. Pleasant, Iowa.

Read first and second times and placed on the calendar.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on March 20, 1937, he had approved the following:

Senate File 184, relating to taxation, income and retail sales and the allocation and distribution therefrom.

Senate File 40, relating to interest on permanent school fund.

Senate File 193, relating to legalization of actions of the city council and auditor of Dubuque.

SMITH MEMORIAL RESOLUTION

Senator Pelzer offered the following resolution:

Whereas, the Honorable Thomas H. Smith, who was a member of the Thirty-fourth General Assembly, from the Eighteenth District, composed of Cass and Shelby counties, died at Harlan, Iowa, on the seventeenth day of September, 1936.

Be It Resolved by the Senate of the Forty-seventh General Assembly, that a committee of three (3) be appointed to draft suitable resolutions commemorating his life, character and service to the state.

Senator Mason asked unanimous consent to consider the claim bills on the calendar at this time.

There were objections.

Senator Elthon moved that the claim bills on the calendar be taken up and considered at this time.

Roll call was requested.

On the question, "Shall the Senate take up and consider claim bills at this time?" the vote was:

Ayes, 22:

Baldwin	Donohue	Hart	Millhone
Berg	Doran	Hill	Moore
Billingsley	Ellis	Kimberly	Pelzer
Byers	Elthon	Kirketeg	Whitehill
Chrystal	Evans	Mason	Zeigler
Corwin	Geske		

Nays, 22:

Augustine	Gillespie	Husted	Schadt
Beardsley	Gillette	Levis	Shaw
Breen	Goetsch	Mighell	Smith
Dean	Grunewald	Miller	Stevens
Dewey	Hoeven	Murray	Stewart
Edwards	Hopkins		

Present, 2:

Bell of Des Moines	Guernsey
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Absent or not voting, 4:

Bell of Crawford	Irwin	Lundy	Parker
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The motion did not prevail.

Senator Hoeven moved that the claims bills be considered on Thursday, March 25th.

Roll call was requested.

On the question, "Shall the Senate take up and consider claims bills on Thursday, March 25th?" the vote was:

Ayes, 16:

Chrystal	Edwards	Hill	Parker
Dewey	Ellis	Husted	Pelzer
Donohue	Elthon	Kirketeg	Whitehill
Doran	Goetsch	Mason	Zeigler

Nays, 25:

Augustine	Corwin	Guernsey	Murray
Baldwin	Evans	Hopkins	Schadt
Beardsley	Geske	Kimberly	Shaw
Berg	Gillespie	Levis	Smith
Billingsley	Gillette	Miller	Stevens
Breen	Grunewald	Moore	Stewart
Byers			

Absent or not voting, 9:

Bell of Crawford	Dean	Irwin	Mighell
Bell of	Hart	Lundy	Millhone
Des Moines	Hoeven		

The motion did not prevail.

SENATE INSISTS ON AMENDMENTS

Senator Elthon called up the following Senate amendments to House Joint Resolution 8 and moved that the Senate insist on its amendments:

Amend the title by striking from line 2 the word and figure "five (5)" in both places where it appears and inserting in lieu thereof the word and figure "three (3)".

Amend House Joint Resolution 8 as follows:

1. By inserting, after the third paragraph of the preamble, the following: "Whereas, the institutional buildings under the board of control are in dire need of repair, rebuilding and enlarging, and".

2. By striking all of Section 1, and inserting in lieu thereof the following:

"Section 1. A committee is hereby created to be composed of three members of the Senate, not more than two of whom shall be of the same political party, and three members of the House, not more than two of

whom shall be of the same political party. Said committee shall organize and select a chairman and a secretary from its members and perfect such other organization as the members shall determine. The said committee shall have the authority to inquire into the conditions surrounding the housing of state departments, boards, bureaus, commissions, institutions and other state offices, and the possible future need for additional space and to inquire into the advisability of providing a permanent housing, repair and building program and make such preliminary report and recommendations to the Forty-seventh General Assembly relative thereto as it may deem advisable.

The committee shall further investigate the possibilities of the state of Iowa availing itself of Federal funds now available and to become available to PWA and other Federal agencies in financing a building program. The committee shall also investigate the possibility of using building material such as stone, brick, cement, and other building materials produced and manufactured in Iowa."

3. By striking from Sec. 2, line three (3), the words and figures "five hundred (\$500.00) dollars", and inserting in lieu thereof the words and figures "one thousand (\$1,000.00) dollars,".

On the question, "Shall the Senate insist?" the vote was:

Ayes, 44:

Augustine	Dewey	Grunewald	Millhone
Baldwin	Donohue	Guernsey	Moore
Beardsley	Doran	Hart	Murray
Bell of	Edwards	Hill	Parker
Des Moines	Ellis	Hoeven	Schadt
Berg	Elthon	Hopkins	Shaw
Billingsley	Evans	Husted	Smith
Breen	Geske	Kimberly	Stevens
Byers	Gillespie	Kirketeg	Stewart
Chrystal	Gillette	Levis	Whitehill
Corwin	Goetsch	Miller	Zeigler
Dean			

Nays, none.

Absent or not voting, 6:

Bell of Crawford	Lundy	Mighell	Pelzer
Irwin	Mason		

The motion prevailed and the Senate insisted upon its amendments to House Joint Resolution 8.

On motion of Senator Mason, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

SENATE RESOLUTION 7 CONSIDERED

Senator Mason moved the adoption of Senate Resolution 7, which appears on page 651 of the Journal.

Roll call was requested.

On the question, "Shall Senate Resolution 7 be adopted?" the vote was:

Ayes, 27:

Beardsley	Edwards	Hoeven	Pelzer
Berg	Elthon	Kimberly	Shaw
Billingsley	Evans	Kirketeg	Smith
Byers	Gillespie	Mason	Stewart
Corwin	Goetsch	Mighell	Whitehill
Dewey	Hart	Millhone	Zeigler
Doran	Hill	Parker	

Nays, 17:

Augustine	Chrystal	Guernsey	Moore
Baldwin	Dean	Hopkins	Murray
Bell of	Donohue	Husted	Schadt
Des Moines	Ellis	Levis	Stevens
Breen	Elske		

Absent or not voting, 6:

Bell of Crawford	Grunewald	Lundy	Miller
Gillette	Irwin		

The resolution was adopted.

Senator Stevens moved that when adjournment is had on Thursday, it be until 1 p. m., Monday, March 29th.

The motion prevailed.

Senator Baldwin moved that the Senate recess until 1:30 p. m.

The motion did not prevail.

Senator Mason moved that the vote by which Senate Resolution 7 passed the Senate be reconsidered, and that the motion to reconsider be laid on the table.

Roll call was requested.

On the question, "Shall the vote be reconsidered and the motion to reconsider be laid on the table?" the vote was:

Ayes, 27:

Beardsley	Byers	Doran	Elthon
Berg	Corwin	Edwards	Evans
Billingsley	Dewey	Ellis	Gillespie

Goetsch
Grunewald
Hart
Hill

Hoeven
Kimberly
Kirketeg
Mason

Millhone
Parker
Pelzer
Shaw

Smith
Whitehill
Zeigler

Nays, 17:

Augustine
Baldwin
Bell of
Des Moines
Breen

Chrystal
Dean
Geske
Gillette
Guernsey

Hopkins
Levis
Miller
Moore

Murray
Schadt
Stevens
Stewart

Absent or not voting, 6:

Bell of Crawford
Donohue

Husted
Irwin

Lundy

Mighell

The motion prevailed and the motion to reconsider was laid on the table.

EXTRA COPIES OF SENATE FILES

On request of Senator Parker, unanimous consent was given to have printed two hundred extra copies each of Senate Files 373, 374, 375, 376, and 377, all relating to social security.

On motion of Senator Beardsley, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President pro tem Byers presiding.

INTRODUCTION OF BILLS

Senate File 434, by committee on highways, a bill for an act to amend Section forty-seven hundred forty-six (4746), Code, 1935, relating to financing primary and secondary roads.

Read first and second times and referred to the sifting committee.

HOUSE AMENDMENT CONSIDERED

Senator Donohue called up for consideration the following House amendment to Senate Concurrent Resolution 15:

Amend Senate Concurrent Resolution 15 by striking from the last line thereof the words and figures, "Tuesday, April 13, 1937." and inserting in lieu thereof the words and figures: "Tuesday, April 20, 1937."

Senator Donohue offered the following amendment to the House amendment to Senate Concurrent Resolution 15, and moved its adoption:

Strike from the last line thereof the words and figures: "Tuesday, April 20, 1937." and insert in lieu thereof the words and figures: "Friday, April 16, 1937."

The amendment to the amendment was adopted.

Senator Donohue moved that the Senate concur in the House amendment as amended.

The motion prevailed and the Senate was declared to have concurred in the amendment as amended.

THIRD READING OF BILLS

On motion of Senator Grunewald, House File 147, by greater Iowa committee, a bill for an act authorizing county supervisors to purchase agricultural lime and resell same to farmers and to locate, purchase or acquire by condemnation for county use limestone quarries for the production of agricultural lime, and for the sale of such agricultural lime to the farmers, and the transportation of same; and levying of a special assessment tax against the farmer so benefited, the issuance of anticipatory warrants secured by such special assessment, payable in installments over a five year period, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend House File 147 by inserting after the word "any" in line four of Section one thereof the word "limestone", and by inserting after the period at the end of said section one the following: "Such quarry shall not be so established, located, acquired, or leased unless and until the board has determined by actual investigation that the county can produce by such method lime at less cost than lime of the same quality may be purchased by the county and delivered in the county from other sources."

The amendment was adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend House File 147 by adding at the end of Section four (4) the following: "The special assessment shall, by consent, be a lien prior to any lien or liens upon said real estate."

The amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend House File 147 by inserting after the word "county" in line one of Section one the following: "where there is no privately owned quarry".

Senator Elthon was excused from voting on House File 147 and all amendments thereto, because, as he stated, he is personally and directly interested in the limestone business.

Senator Augustine offered the following amendment to the amendment by Senator Baldwin, and moved its adoption:

Amend the amendment to House File 147 by striking the period at the end thereof and inserting the following: ", or when a privately owned quarry is unable to supply limestone in the same amount and at the same price and terms,".

Senator Gillette moved the previous question on the amendment to the amendment and the amendment.

The motion prevailed.

The amendment to the amendment was adopted.

Roll call was requested.

On the question, "Shall the amendment as amended be adopted?" the vote was:

Ayes, 21:

Baldwin	Byers	Guernsey	Murray
Bell of Crawford	Corwin	Hill	Parker
Bell of Des Moines	Dewey	Husted	Schadt
Billingsley	Donohue	Levis	Smith
Breen	Doran	Moore	Zeigler
	Ellis		

Nays, 16:

Augustine	Gillette	Kimberly	Shaw
Beardsley	Goetsch	Kirketeg	Stevens
Dean	Grunewald	Mighell	Stewart
Edwards	Hopkins	Miller	Whitehill

Absent or not voting, 13:

Berg	Geske	Hoeven	Mason
Chrystal	Gillespie	Irwin	Millhone
Elthon	Hart	Lundy	Pelzer
Evans			

The motion prevailed and the amendment as amended was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend House File 147 by striking the following words from line eight (8) of Section 3: "it shall be the duty of" and the word "to" after the word "board", and inserting in lieu of the word "to" the word "may".

Senator Beardsley moved the previous question on the amendment, which motion prevailed.

The amendment was adopted.

Leave of absence was granted as follows: Senator Billingsley for the remainder of the day, on request of Senator Doran.

Senator Baldwin offered the following amendment and moved its adoption:

Amend House File 147 by striking Section 11 and inserting in lieu thereof the following:

"Sec. 11. The board shall not operate under the provisions of this act by using WPA and/or relief labor."

Senator Baldwin asked and received unanimous consent to correct his amendment to read:

"Sections 11 and 12".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 14:

Baldwin	Corwin	Ellis	Parker
Bell of	Dewey	Evans	Pelzer
Des Moines	Donohue	Hill	Zeigler
Byers	Doran	Moore	

Nays, 29:

Augustine	Gillespie	Husted	Millhone
Bell of Crawford	Gillette	Kimberly	Murray
Berg	Goetsch	Kirketeg	Schadt
Breen	Grunewald	Levis	Shaw
Chrystal	Guernsey	Mason	Smith
Dean	Hoeven	Mighell	Stevens
Edwards	Hopkins	Miller	Stewart
Geske			

Absent or not voting, 7:

Beardsley	Elthon	Irwin	Whitehill
Billingsley	Hart	Lundy	

The amendment was not adopted.

Senator Smith offered the following amendment and moved its adoption:

Strike all of House File 147 after the enacting clause and insert in lieu thereof the following:

Section 1. The board of supervisors of any county may buy or lease land for the purpose of operating lime stone quarries and may purchase and operate machinery adapted to the production of agricultural lime, and may produce and sell said agricultural lime only within said county. Said lime stone quarries shall be operated, so far as is practicable, with labor furnished from relief rolls of said county for the purpose of furnishing relief employment.

Sec. 2. This act being deemed of immediate importance, it shall be in effect upon its publication in the Clarksville Star, a newspaper published in Clarksville, Iowa, and in the Allison Times, a newspaper published in Allison, Iowa.

The amendment was lost.

Senator Grunewald moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26:

Augustine	Edwards	Hopkins	Millhone
Beardsley	Gillespie	Husted	Murray
Bell of Crawford	Gillette	Kimberly	Schadt
Breen	Goetsch	Kirketeg	Shaw
Chrystal	Grunewald	Levis	Stevens
Dean	Guernsey	Mighell	Stewart
Dewey	Hoeven		

Nays, 18:

Baldwin	Corwin	Geske	Parker
Bell of Des Moines	Donohue	Hill	Pelzer
Berg	Doran	Mason	Whitehill
Byers	Ellis	Miller	Zeigler
	Evans	Moore	

Present, 1:

Smith

Absent or not voting, 5:

Billingsley	Hart	Irwin	Lundy
Elthon			

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

Senator Baldwin moved that the Senate adjourn until 10:00 a. m., Wednesday.

Roll call was requested.

On the question, "Shall the Senate adjourn?" the vote was:

Ayes, 18:

Baldwin	Donohue	Kimberly	Parker
Bell of Des Moines	Doran	Kirketeg	Schadt
Berg	Ellis	Miller	Smith
Corwin	Geske	Moore	Zeigler
	Hill	Murray	

Nays, 28:

Augustine	Dewey	Guernsey	Mighell
Beardsley	Edwards	Hart	Millhone
Bell of Crawford	Elthon	Hoeven	Pelzer
Breen	Evans	Hopkins	Shaw
Byers	Gillette	Husted	Stevens
Chrystal	Goetsch	Levis	Stewart
Dean	Grunewald	Mason	Whitehill

Absent or not voting, 4:

Billingsley	Gillespie	Irwin	Lundy
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The motion to adjourn did not prevail.

Senator Grunewald moved that the vote by which House File 147 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Roll call was requested.

On the question, "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 26:

Augustine	Edwards	Hopkins	Murray
Beardsley	Gillespie	Husted	Schadt
Bell of Crawford	Gillette	Kimberly	Shaw
Breen	Goetsch	Levis	Stevens
Chrystal	Grunewald	Mighell	Stewart
Dean	Guernsey	Millhone	Whitehill
Dewey	Hoeven		

Nays, 19:

Baldwin	Corwin	Geske	Moore
Bell of Des Moines	Donohue	Hill	Parker
Berg	Doran	Kirketeg	Pelzer
Byers	Ellis	Mason	Smith
	Evans	Miller	Zeigler

Absent or not voting, 5:

Billingsley	Hart	Irwin	Lundy
Elthon			

The motion prevailed and the motion to reconsider was laid on the table.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 30 as follows: Strike the words "Dows Reporter, a newspaper published at Dows" in line three (3), Section Six (6), and insert in lieu thereof the words "Livermore Gazette, a newspaper published at Livermore". G. R. HILL.

The Journal of March 22nd was corrected and approved.

On motion of Senator Gillette, the Senate adjourned until 10:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 24, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. E. D. Calkins, pastor of the Dodge Memorial Congregational Church of Council Bluffs.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Lundy for the day, on request of Senator Kirketeg.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Ellis, from citizens of Maquoketa, favoring enactment of Senate File 101.

By Senator Hill, from voters of Hubbard, favoring enactment of Senate File 197.

By Senator Kimberly, from members of the Parent Teacher Associations of Davenport, favoring enactment of House File 130.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 301, a proposed bill to legalize action of the county auditor and county board of supervisors of Taylor county.

WALTER H. BEAM, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files

21, 25, 104, 151, 207, and 354, House Files 49, 290 and 308, and House Joint Resolution 1.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 21, 25, 104, 151, 207, and 354, House Files 49, 290 and 308, and House Joint Resolution 1.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 24th day of March, 1937, sent to the Governor for his approval, Senate Files 151, 25, 104, 207, 354, and 21.

FRANK PELZER, *Chairman.*

Passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Husted called up for consideration Senate File 117, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 1 by inserting in line 7, immediately following the word "weather" the words "and phenological."

Further amend Section 1 by inserting in line 8 a comma (,) after the word "meteorology" and adding the word "phenology."

Also amend Section 1 by inserting in line 18 immediately after the word "weather" the words "and crop".

Also amend Section 1, by striking from line 21 the words "of public interest" and inserting in lieu thereof the following: "in its relationship to agriculture, transportation, commerce and the general public".

Further amend Senate File 117 by striking all of Section 2.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 37:

Augustine	Dewey	Gillespie	Hoeven
Baldwin	Doran	Goetsch	Hopkins
Beardsley	Edwards	Grunewald	Husted
Breen	Ellis	Guernsey	Irwin
Corwin	Evans	Hart	Kimberly
Deane	Geske	Hill	Kirketeg

Levis	Parker	Shaw	Stewart
Miller	Pelzer	Smith	Whitehill
Millhone	Schadt	Stevens	Zeigler
Murray			

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Billingsley	Elthon	Mason
Bell of	Eyers	Gillette	Mighell
Des Moines	Chrystal	Lundy	Moore
Berg	Donohue		

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On motion of Senator Husted, Senate File 117, a bill for an act to recodify paragraphs four (4), five (5), six (6), and seven (7) of Section twenty-five hundred ninety (2590), Code, 1935, relating to the powers and duties of the secretary of agriculture; to provide for the maintenance of a weather division in cooperation with the United States weather bureau and to define its duties and the manner of the director's appointment; to establish volunteer weather stations and to provide for the supervision of such weather stations and the tabulation of reports of such stations; to provide for the issuance of weekly weather bulletins and their publication; to provide for the maintenance of a division of agricultural statistics in cooperation with the United States bureau of agricultural economics and to define its duties and the manner of appointment of the director in the division of agricultural statistics, as amended, was taken up and considered.

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Evans	Hopkins	Parker
Baldwin	Geske	Husted	Pelzer
Beardsley	Gillespie	Kimberly	Schadt
Breen	Gillette	Kirketeg	Shaw
Corwin	Goetsch	Levis	Smith
Dean	Grunewald	Mighell	Stevens
Dewey	Guernsey	Miller	Stewart
Doran	Hart	Millhone	Whitehill
Edwards	Hill	Murray	Zeigler
Ellis			

Nays, 1:

Donohue

Absent or not voting, 12:

Bell of Crawford	Billingsley	Elthon	Lundy
Bell of	Byers	Hoeven	Mason
Des Moines	Chrystal	Irwin	Moore
Berg			

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

SENATE FILES INDEFINITELY POSTPONED

Senator Donohue called up the committee report on Senate File 285, a bill for an act providing for limiting the requirements of a merchantable title to real estate, and moved that the report, recommending indefinite postponement, be adopted.

The report was adopted and Senate File 285 was indefinitely postponed.

Senator Donohue called up the committee report on Senate File 326, relating to chattel mortgages, and moved the adoption of the report recommending indefinite postponement.

The report was adopted and Senate File 326 was indefinitely postponed.

Senator Berg called up the committee report on Senate File 247, relating to compensation for civil service commissioners of cities and towns, and moved the adoption of the report recommending indefinite postponement.

The report was adopted and Senate File 247 was indefinitely postponed.

THIRD READING OF BILLS

On motion of Senator Breen, Senate File 153, relating to building and loan associations, with report of committee recommending passage, was taken up, and the report of the committee adopted.

Senator Breen asked and received unanimous consent to suspend the rules and to withdraw House File 155, companion bill to Senate File 153, from the sifting committee.

Senator Breen moved that the rules be suspended and that House File 155 be substituted for Senate File 153 on the calendar, which motion prevailed.

On motion of Senator Breen, House File 155, by Kohlhaas, Hickenlooper, Hultman and Christoffersen, a bill for an act to amend Sections nine thousand three hundred nineteen (9319), nine thousand three hundred twenty-nine (9329), nine thousand three hundred forty-eight (9348), nine thousand three hundred eighty-two (9382), and twelve thousand seven hundred seventy-two (12772), Code, 1935, all relating to building and loan associations and investments therein; to authorize such associations to insure members' investments in Federal Savings and Loan Insurance Corporation; to provide for conversion of Federal Savings and Loan Associations into state associations; to prescribe plans, terms and conditions under which loans may be made and funds invested by such associations; to provide for associations' liens on shares of members and for enforcement thereof; to provide for publishing annual statements; to prescribe contents of annual statement to auditor of state; to provide for bonding employees and officers thereof; to specify classes of shares which may be issued; to limit their expenses; to make shares in federal savings and loan associations authorized investments for fiduciaries; to give the executive council authority to approve or disapprove of articles of incorporation and by-laws and grant or refuse permission to organize such associations and to provide for appeal from executive council's action; to authorize establishing proper reserves for losses before declaring dividends; and to repeal all laws in conflict therewith, and to repeal Sections nine thousand three hundred fourteen (9314), nine thousand three hundred fifteen (9315), nine thousand three hundred thirty (9330), nine thousand three hundred thirty-three (9333), nine thousand three hundred thirty-six (9336), nine thousand three hundred thirty-nine (9339), nine thousand three hundred forty (9340), nine thousand three hundred forty-one (9341), nine thousand three hundred forty-seven (9347), nine thousand three hundred fifty (9350), and nine thousand three hundred sixty-five (9365), Code, 1935, and to enact substitutes therefor, substituted for Senate File 153, was taken up and considered.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Dean	Guernsey	Mighell
Baldwin	Dewey	Hart	Miller
Beardsley	Doran	Hill	Millhone
Bell of Crawford	Edwards	Hoeven	Murray
Bell of	Ellis	Hopkins	Pelzer
Des Moines	Evans	Husted	Schadt
Berg	Geske	Irwin	Shaw
Billingsley	Gillespie	Kimberly	Smith
Breen	Gillette	Kirketeg	Stewart
Byers	Goetsch	Levis	Whitehill
Corwin	Grunewald	Mason	Zeigler

Nays, none.

Absent or not voting, 7:

Chrystal	Elthon	Moore	Stevens
Donohue	Lundy	Parker	

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered, and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent, Senator Breen withdrew Senate File 153, companion bill to House File 155, from the further consideration of the Senate.

On motion of Senator Gillespie, Senate File 20, a bill for an act to amend Section eleven thousand six hundred twenty-six (11626), Code of 1935, relating to the liability of successful party for costs in actions where judgments have been rendered, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

1. Amend Senate File 20 by striking all of Sections 1 and 2 of the bill.
2. Renumber the remaining section as Section 1.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 20 by striking all of Section 1 as it now appears and by inserting in lieu thereof the following:

Section 1. Section eleven thousand six hundred twenty-six (11626), Code, 1935, is amended by inserting preceding the word "entitled" in line five (5) the words "persons, associations, copartnerships, corporations private and municipal".

The amendment was adopted.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Doran	Hill	Mighell
Baldwin	Edwards	Hoeven	Miller
Beardsley	Ellis	Hopkins	Millhone
Bell of Crawford	Geske	Husted	Murray
Billingsley	Gillespie	Irwin	Schadt
Breen	Gillette	Kimberly	Shaw
Corwin	Goetsch	Kirketeg	Smith
Dean	Grunewald	Levis	Whitehill
Dewey	Guernsey	Mason	Zeigler
Donohue			

Nays, 1:

Evans

Absent or not voting, 12:

Bell of	Chrystal	Lundy	Pelzer
Des Moines	Elthon	Moore	Stevens
Berg	Hart	Parker	Stewart
Byers			

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

Senator Gillespie moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Murray, Senate File 158, a bill for an act to exempt certain corporations from certain provisions of Chapter Ninety-three (93), acts of the Forty-sixth General Assembly, and to permit such exempted corporations to renew when renewal is unanimously voted by the stockholders, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Murray moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Dean	Evans	Guernsey
Baldwin	Dewey	Geske	Hart
Bell of Crawford	Donohue	Gillespie	Hill
Breen	Doran	Gillette	Hoeven
Byers	Edwards	Goetsch	Hopkins
Corwin	Ellis	Grunewald	Kimberly

Kirketeg	Millhone	Schadt	Stewart
Mason	Murray	Shaw	Whitehill
Mighell	Pelzer	Smith	Zeigler
Miller			

Nays, none.

Absent or not voting, 13:

Beardsley	Billingsley	Irwin	Moore
Bell of	Chrystal	Levis	Parker
Des Moines	Elthon	Lundy	Stevens
Berg	Husted		

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

Senator Murray moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gillespie, Senate File 225, a bill for an act to amend Chapter three hundred fifty-one (351), Code, 1935, by adding a new section to be known as Section seventy-three hundred thirty-d one (7330-d1), relating to the compensation of inheritance tax appraisers, and relating to the mileage and expenses of such appraisers, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from line six (6) of Section 1 the word and figure "ten (10)" and inserting in lieu thereof the word and figure "five (5)".

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Corwin	Grunewald	Miller
Baldwin	Dean	Guernsey	Millhone
Beardsley	Dewey	Hart	Murray
Bell of Crawford	Edwards	Hill	Pelzer
Bell of	Ellis	Hopkins	Schadt
Des Moines	Geske	Husted	Stewart
Berg	Gillespie	Kirketeg	Whitehill
Billingsley	Gillette	Levis	Zeigler
Breen	Goetsch	Mighell	

Nays, 4:

Donohue	Doran	Evans	Hoeven
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Absent or not voting, 12:

Byers	Irwin	Mason	Smith
Chrystal	Kimberly	Moore	Shaw
Elthon	Lundy	Parker	Stevens

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

Senator Gillespie moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Edwards moved that the rules be suspended and that House File 4, companion bill to Senate File 39, be substituted for Senate File 39 and considered at this time.

Senator Hopkins moved the previous question on the motion of Senator Edwards, which motion prevailed.

Roll call was requested.

After completion of the roll call but before the result was announced, Senator Beardsley moved that the record of the vote be expunged and that the roll be called again.

The President ruled the motion of Senator Beardsley out of order, but called for a verification of the roll call.

On the question, "Shall House File 4 be substituted for Senate File 39?" the vote was:

Ayes, 25:

Augustine	Ellis	Husted	Shaw
Beardsley	Gillette	Kirketeg	Smith
Breen	Grunewald	Levis	Stevens
Dean	Hill	Millhone	Stewart
Dewey	Hoeven	Pelzer	Whitehill
Doran	Hopkins	Schadt	Zeigler
Edwards			

Nays, 21:

Baldwin	Byers	Goetsch	Mason
Bell of Crawford	Corwin	Guernsey	Mighell
Bell of	Donohue	Hart	Miller
Des Moines	Evans	Irwin	Murray
Berg	Geske	Kimberly	Parker
Billingsley	Gillespie		

Absent or not voting, 4:

Chrystal	Elthon	Lundy	Moore
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The motion did not prevail and House File 4 was not substituted.

On motion of Senator Edwards, Senate File 39, a bill for an act to amend Section thirteen thousand two hundred ten (13210), Code, 1935, relating to the possession of gambling devices, placed on the calendar under Rule 35, was taken up and considered.

Senator Edwards moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Doran	Hoeven	Millhone
Baldwin	Edwards	Hopkins	Murray
Beardsley	Ellis	Husted	Pelzer
Bell of Crawford	Evans	Irwin	Schadt
Billingsley	Geske	Kimberly	Shaw
Breen	Gillespie	Kirketeg	Smith
Byers	Gillette	Levis	Stevens
Corwin	Goetsch	Mason	Stewart
Dean	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 8:

Bell of	Chrystal	Hart	Moore
Des Moines	Elthon	Lundy	Parker
Berg			

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

Senator Edwards moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Breen, Senate File 24, a bill for an act to repeal Section one thousand three hundred eighty-seven (1387) of the Code of Iowa, 1935, and to enact a substitute therefor relating to medical, surgical aid, hospitalization and other relief for employees by employers, where the employee comes within the provisions of the Workmen's Compensation Act, and to provide the manner for the determination of the reasonableness of charges made therefor by submission to the industrial commissioner, placed on the calendar under Rule 35, was taken up and considered.

Action was deferred temporarily.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: Senate Files 301, 425; House Files 329, 413, 428, 457, 314, 306, 36, 39, 82, 88, 89, 111, and 133.

FRANK C. BYERS, *Chairman.*

On motion of Senator Irwin, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

Senator Elthon moved that the Senate recess for fifteen minutes, which motion prevailed.

The Senate resumed session at 1:50 p. m.

INTRODUCTION OF BILLS

Senate File 435, by committee on federal co-ordination, a bill for an act authorizing municipalities to acquire, construct, reconstruct, improve, better, and extend certain revenue-producing undertakings; to maintain and operate the same and to prescribe, revise and collect rates, fees, tolls, and charges for the services, facilities, and commodities furnished thereby, and, in anticipation of the collection of the revenues thereof, to issue bonds payable solely from such revenues; regulating the issuance of such bonds and providing for their payment and for the rights of the holders thereof, and other matters necessary in the premises.

Read first and second times and referred to sifting committee.

Senate File 436, by committee on federal co-ordination, a bill for an act to authorize cities, towns, counties, and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks, playgrounds, streets, and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; to authorize cities, towns, counties and other political subdivisions to contract with respect to the sums to be paid them for improvements, services and facilities to be provided for the benefit of housing projects; to require certain cities and counties to make an appropriation for the first year's administrative expenses of

housing authorities; and to authorize certain cities, towns and counties to pay moneys to housing authorities.

Read first and second times and referred to sifting committee.

Senate File 437, by committee on federal co-ordination, a bill for an act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities of the first class and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide that housing authorities, their property and securities shall be exempt from taxation and assessment, but to authorize certain payments in lieu of taxes; and to confer remedies on obligees of housing authorities.

Read first and second times and referred to sifting committee.

Senate File 438, by committee on military affairs, a bill for an act to make an appropriation to National Guard of Iowa for the rehabilitation of the water supply system at Camp Dodge.

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

Senate File 439, by committee on manufacturing, commerce and trade, a bill for an act to repeal Chapter seventy-eight (78) and all amendments thereto, of the Code, 1935, relating to cigarettes and tobacco, and to enact a substitute therefor; also relating to cigarettes and tobacco, to provide for the administration and enforcement thereof and to provide penalties for the violation of this Act.

Read first and second times and referred to sifting committee.

CONFERENCE COMMITTEE ON HOUSE JOINT RESOLUTION 8

Senator Hopkins moved that the rules be suspended and that the President appoint the conference committee on the part of the Senate on House Joint Resolution 8.

The motion prevailed and the President appointed Senators

Elthon, Bell of Des Moines, Donohue, and Augustine as members of the conference committee on the part of the Senate.

SENATE FILE 407 REREFERRED

Senator Elthon moved that Senate File 407, a claim bill, be rereferred to the committee on appropriations, which motion prevailed and Senate File 407 was rereferred.

REPORT OF COMMITTEE ON MILEAGE

Senator Parker, chairman of the committee on mileage, offered the following report and moved its adoption:

MR. PRESIDENT: Your committee appointed to determine the mileage for the members of the Senate, submits the following report: Stanley L. Hart, 210 miles, \$21.00.

GEORGE L. PARKER, *Chairman.*

JAMES M. BELL.

H. D. MILLER.

The motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 79, a bill for an act relating to the levy allowed for improvement and maintenance of county public hospitals.

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

Senate File 88, a bill for an act authorizing river front improvement commissions to acquire river channels.

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

Senate File 192, a bill for an act authorizing cities over 30,000 population to incur indebtedness and make expenditures in excess of the amount set forth in their budget appropriations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 316, a bill for an act to impose a tax on gross receipts from retail sales.

Also: That the House has concurred in the Senate amendments to, and has passed, the following bill in which the concurrence of the House was asked:

House File 32, a bill for an act making statutes applicable to cities and towns in general apply to cities acting under special charter.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 316

Amend Senate File 316 by striking the period in line 17, Section 2, and adding the following:

"The owner of every motor vehicle or trailer purchased within sixty days previous to an application for original registration in this state shall furnish to the county treasurer a sworn statement from the firm, person, or corporation from which such vehicle was purchased, stating that the state sales tax has been paid thereon. In the absence of said sworn statement the county treasurer shall refuse registration until the applicant pays to the treasurer a sum equal to the state sales tax on a like vehicle when purchased in this state. The county treasurer shall remit all sums collected under this section to the state."

Amend Section 1, line 16, by changing the period after the word "users" to a comma and adding the following: "will not include commercial fertilizer or agricultural limestone."

Further amend Section 1 by striking the period at the end of line 21 and inserting in lieu thereof a comma, and by adding after said comma the following: "or shall be consumed as fuel in creating power or steam for processing or for generating electric current."

Amend by striking all of Section 21 and inserting in lieu thereof the following:

"Apportionment of revenue. 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 provided for by Section six thousand nine hundred forty-three-f sixty-three (6943-f63), Code, 1935, as amended by Senate File 184, Acts of the 47th General Assembly, and as is further provided for by Senate File 184, Acts of the 47th General Assembly of the State of Iowa, provided further, however, that if for any reason the revenues derived under the operation of this act can not be apportioned for homestead relief as provided for by Senate File 184, Acts of the 47th General Assembly, then that portion of such revenues as is apportioned to homestead relief by said Senate File 184 shall be retained in such special tax fund and shall not be disbursed for any purpose without the further direction of the legislature of the state of Iowa."

CONSIDERATION OF SENATE FILE 24 RESUMED

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 24 by changing the period at the end of line nine (9) of Section one (1) to a semicolon, and by adding immediately thereafter the following: "provided, however, that in all cases involving expenditures in excess of Three Hundred Dollars (\$300.00), they shall first be ordered, and the amount fixed, by the commissioner, but, in no

event shall the total liability of the employer for all services and supplies provided for in this section exceed Five Hundred Dollars (\$500.00)."

Senator Breen offered the following amendment to the amendment by Senator Donohue, and moved its adoption:

Amend the amendment by striking the words: "in all cases involving expenditures in excess of three hundred dollars (\$300.00), they shall first be ordered and the amount fixed by the commissioner, but,".

Roll call was requested.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 29:

Augustine	Dewey	Goetsch	Mason
Beardsley	Doran	Grunewald	Mighell
Bell of Crawford	Edwards	Guernsey	Moore
Bell of	Ellis	Hill	Schadt
Des Moines	Elthon	Hoeven	Shaw
Billingsley	Geske	Hopkins	Smith
Breen	Gillespie	Levis	Stewart
Dean	Gillette		

Nays, 18:

Baldwin	Evans	Kirketeg	Pelzer
Berg	Hart	Miller	Stevens
Byers	Husted	Millhone	Whitehill
Corwin	Irwin	Parker	Zeigler
Donohue	Kimberly		

Absent or not voting, 3:

Chrystal	Lundy	Murray
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The amendment to the amendment was adopted.

Senator Breen offered the following amendment to the amendment by Senator Donohue and moved its adoption:

Amend the amendment by striking the words and figures, "five hundred dollars (\$500.00)", and inserting in lieu thereof, "seven hundred and fifty dollars (\$750.00)".

Senator Byers moved the previous question on the amendment to the amendment and the amendment, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 28:

Beardsley	Billingsley	Doran	Gillespie
Bell of Crawford	Breen	Edwards	Goetsch
Bell of	Dean	Elthon	Guernsey
Des Moines	Dewey	Geske	Hart

Hill
Hoeven
Hopkins
Kimberly

Levis
Mason
Mighell

Moore
Murray
Schadt

Shaw
Smith
Stewart

Nays, 19:

Baldwin
Berg
Byers
Chrystal
Corwin

Donohue
Ellis
Evans
Grunewald
Husted

Irwin
Kirketeg
Miller
Millhone
Parker

Pelzer
Stevens
Whitehill
Zeigler

Present, 2:

Augustine Gillette

Absent or not voting, 1:

Lundy

The amendment to the amendment was adopted.

The amendment offered by Senator Donohue, as amended, was lost.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 24 by striking out all of Section one (1) following the semicolon in the thirteenth line thereof, and by substituting a period for such semicolon.

The amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 24 by striking from Section one, lines 7, 8 and 9, the following: "including crutches, apparatus and artificial members, or any other appropriate treatment".

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 24 by striking from lines 7 and 8 the words "apparatus and artificial members,".

By unanimous consent, Senator Husted withdrew his amendment.

Senator Stevens offered the following amendment and moved its adoption:

Amend Section one (1) by inserting, after the comma following the word "medical" in line six (6), the word "osteopathic,".

The amendment was adopted.

Senator Mason offered the following amendment and moved its adoption:

Amend Senate File 24 by inserting in line 6, after the comma following the word "osteopathic", the following: "chiropractic,".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 23:

Augustine	Corwin	Goetsch	Miller
Baldwin	Dewey	Guernsey	Millhone
Bell of Crawford	Edwards	Husted	Murray
Bell of	Ellis	Kimberly	Pelzer
Des Moines	Elthon	Kirketeg	Shaw
Byers	Geske	Mason	Stewart

Nays, 18:

Berg	Donohue	Irwin	Parker
Billingsley	Doran	Levis	Schadt
Breen	Gillespie	Mighell	Smith
Chrystal	Hart	Moore	Whitehill
Dean	Hopkins		

Absent or not voting, 9:

Beardsley	Grunewald	Hoeven	Stevens
Evans	Hill	Lundy	Zeigler
Gillette			

The amendment was adopted.

Senator Irwin moved that the Senate adjourn until 10:00 a. m., Thursday.

Roll call was requested.

On the question, "Shall the motion to adjourn prevail?" the vote was:

Ayes, 16:

Baldwin	Byers	Hill	Moore
Bell of	Corwin	Irwin	Parker
Des Moines	Donohue	Kirketeg	Pelzer
Berg	Evans	Levis	Stewart
Billingsley			

Nays, 29:

Augustine	Dean	Elthon	Guernsey
Beardsley	Dewey	Geske	Hart
Bell of Crawford	Doran	Gillette	Hoeven
Breen	Edwards	Goetsch	Hopkins
Chrystal	Ellis	Grunewald	Husted

Mighell
Miller
Millhone

Murray
Schadt

Shaw
Smith

Whitehill
Zeigler

Absent or not voting, 5:

Gillespie
Kimberly

Lundy

Mason

Stevens

The motion did not prevail.

COMMITTEE APPOINTED

Senator Mason moved that the rules be suspended and that the President appoint the committee provided for in Senate Resolution 7.

The motion prevailed and the President appointed Senators Gillespie, Mason, Grunewald, Whitehill, Lundy, and Hart as such committee.

CONSIDERATION OF SENATE FILE 24 RESUMED

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 24 by inserting in line seven (7) of Section one (1) following the comma (,) after the word "therefor" the following: "provided, however; that in exceptional cases in which the liability under this act exceeds \$300, the industrial commissioner shall first fix the amount to be expended for medical, surgical and hospital services and supplies."

Senator Breen raised the point of order that the amendment by Senator Donohue was out of order as the subject matter contained therein had previously been acted upon.

The point of order was sustained, and the amendment ruled out of order.

Senator Donohue then offered the following amendment and moved its adoption:

Amend Senate File 24 by changing the period at the end of line seven (7) of Section one (1) to a semicolon (;), and by adding immediately thereafter the following: "provided, however, that in exceptional cases the industrial commissioner shall first fix the amount to be expended for medical, surgical and hospital services and supplies."

Senator Doran offered as a substitute for the amendment offered by Senator Donohue the following amendment:

Amend Senate File 24 by changing the period at the end of line seven (7) of Section one (1) to a semicolon (;), and by adding immediately

thereafter the following: "provided, however, that in exceptional cases the industrial commissioner shall fix the amount, which in no event shall exceed eight hundred and fifty dollars (\$850.00), to be expended for medical, surgical and hospital services and supplies."

Senator Donohue raised the point of order that since the subject matter in the amendment offered as a substitute was additional, and did not cover the same subject matter as that contained in the original amendment, the substitute was out of order.

The President sustained the point of order raised by Senator Donohue and ruled the substitute amendment out of order.

Senator Doran moved to amend the amendment offered by Senator Donohue as follows:

Strike the word "first" in line 5, and insert after the word "amount" the following: "which in no event shall exceed eight hundred fifty dollars (\$850.00),".

Senator Berg offered as a substitute for the amendment to the amendment, the following:

Strike the word "first" in line 5 and insert after the word "amount" the following: ", which in no event shall exceed six hundred dollars (\$600.00),".

Roll call was requested.

On the question, "Shall the amendment offered by Senator Berg be substituted for the amendment offered by Senator Doran?" the vote was:

Ayes, 23:

Augustine	Donohue	Hoeven	Parker
Baldwin	Ellis	Husted	Pelzer
Berg	Elthon	Kirketeg	Stewart
Byers	Evans	Levis	Whitehill
Chrystal	Gillette	Miller	Zeigler
Corwin	Grunewald	Millhone	

Nays, 20:

Beardsley	Doran	Hill	Moore
Bell of Crawford	Edwards	Hopkins	Murray
Billingsley	Geske	Kimberly	Schadt
Breen	Gillespie	Mason	Shaw
Dean	Goetsch	Mighell	Smith

Absent or not voting, 7:

Bell of	Dewey	Hart	Lundy
Des Moines	Guernsey	Irwin	Stevens

The motion prevailed and the amendment was substituted.

The amendment to the amendment as substituted was adopted.

The amendment by Senator Donohue as amended was adopted

Senator Husted moved the previous question on the main bill, which motion prevailed.

Senator Breen moved that Senate File 24 be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Dewey	Grunewald	Millhone
Baldwin	Donohue	Hart	Moore
Beardsley	Doran	Hill	Murray
Bell of Crawford	Edwards	Hoeven	Parker
Berg	Ellis	Hopkins	Schadt
Billingsley	Elthon	Husted	Shaw
Breen	Evans	Kimberly	Smith
Byers	Geske	Kirketeg	Stewart
Chrystal	Gillespie	Levis	Whitehill
Corwin	Gillette	Mason	Zeigler
Dean	Goetsch		

Nays, none.

Absent or not voting, 8:

Bell of	Irwin	Mighell	Pelzer
Des Moines	Lundy	Miller	Stevens
Guernsey			

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hopkins, Senate File 89, a bill for an act to amend the law as it appears in Chapter twenty-four (24) of the Code, 1935, known as the local budget law; to create a state board to review upon appeal certain budgets, proposed expenditures and tax levies; to provide for the organization of such state appeal board, and to prescribe its powers and specify its duties; to provide for the employment of qualified deputies and necessary help; to provide for appeal to such board; to make appropriation therefor, and to repeal all acts, or parts of acts, in conflict therewith, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

HAMMILL MEMORIAL RESOLUTION

Senator Dean offered the following resolution:

Whereas, the Honorable John Hammill, who served as State Senator from the Forty-third District, composed of Cerro Gordo, Hancock and Franklin counties, from 1916 to 1920, as Lieutenant Governor from 1920 to 1924, and as Governor of this state from 1924 to 1930, died at Minneapolis, Minnesota, April 6, 1936, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to state and nation.

DUTCHER MEMORIAL RESOLUTION

Senator Schadt offered the following resolution:

Whereas, the Honorable Charles M. Dutcher, who was a member of the Senate in the Thirty-ninth, Fortieth and Fortieth Extra General Assemblies, from the district composed of Iowa and Johnson counties, died on November 17, 1936, in Des Moines, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

GOVERNOR VETOES SENATE FILE 143

State of Iowa,
Executive Office, Des Moines
March 24, 1937.

TO THE HONORABLE, THE MEMBERS OF THE SENATE OF THE FORTY-SEVENTH GENERAL ASSEMBLY OF IOWA:

I am returning, herewith, Senate File 143 without my signature.

The objectives of this purported Farm-to-Market road bill have long been desired by the people of Iowa. I have, from the beginning, advocated such effective legislation, so my objections to this bill are confined solely to its mechanics. It is completely unworkable. There are no Farm-to-Market roads in it. If this authority should be used to build Farm-to-Market roads, it would result in Iowa losing the six hundred and fifty-eight thousand dollars (\$658,000.00) federal allotment for that purpose and might jeopardize our three million, two hundred thousand dollars (\$3,200,000.00) primary allotment for 1938. I submit the following detailed objections:

1. The federal government has inaugurated a program of appropriating funds to the states for Farm-to-Market or Secondary road construction. This year, Iowa is receiving its first allotment in the amount of \$658,000.00. A similar amount will be available next year, and there are bills pending in the Congress to increase these amounts. There are three definite requirements of the state if these funds are to be available.

a. They must be matched dollar for dollar with state funds.

b. They must be expended under the direction of the Iowa State Highway Commission.

c. The counties in which the roads are constructed must make a satisfactory showing to the Federal Bureau of Roads that they have made adequate provisions to insure the maintenance of the roads when built.

Senate File 143, in its original form, was submitted to the United States Bureau of Public Roads, and the Legal Department approved its form. Since the amendments were adopted to which I object, I find that in Section 20 the county is limited to the expenditure of not to exceed twenty-five per cent (25%) annually of the county's motor vehicle fuel license fees for the improvement, construction and maintenance of Farm-to-Market roads created under this bill, and then only by resolution of the board of supervisors directing the state treasurer to allocate not more than that amount in any one year to the Farm-to-Market road fund. Under the provisions of this bill, the Farm-to-Market road fund can be expended only for construction. Therefore, it is plainly apparent that the counties are not permitted to expend any of this money on maintenance. There are no other provisions in the existing law for maintenance costs. These restrictions upon the county board of supervisors would nullify requirement "c" of the federal government's requirements, (which is proper provision for maintenance), and, in my opinion, would prevent the federal government from allocating any funds to Iowa Farm-to-Market roads.

The federal law provides that if the state or any political subdivision thereof has failed to maintain any roads in accordance with their specifications that are constructed by the aid of federal funds, such federal funds shall be withdrawn from the state. It, therefore, follows that failure to properly maintain roads, constructed under this bill, would cause not only the withdrawal of Iowa's \$658,000.00 allotment for Farm-to-Market roads in 1938, but might jeopardize our allotment of \$3,200,000.00 to the primary road funds in 1938.

2. Section 3 transfers four per cent (4%) of all primary road funds to the newly created Farm-to-Market road funds.

From its creation this fund has been zealously guarded by all legislators, executives, and administrators of state government, and its use restricted to the purposes for which it was originally intended. It is expended in the following manner:

- (1) The payment of interest on all county primary road bonds.
- (2) The retirement of eight million dollars (\$8,000,000.00) annually of these bonds.
- (3) The maintenance of the primary road system, and
- (4) New construction.

It is a well known fact that the primary road system of Iowa is only partially completed. Every county in the state is soliciting more permanent improvements. There are many gaps in main highways yet to be filled, and many communities are not served at all. The rapidly increasing high speed and truck traffic demands elimination of traffic hazards, such as narrow bridges and grade crossings. It will require many years to complete our primary road system in complete detail.

Ninety-six (96) counties have voted primary road bonds in the total amount of one hundred and eleven million dollars (\$111,000,000.00).

There is still unpaid eighty-six million dollars (\$86,000,000.00). When the counties voted these primary bonds, they authorized a property tax with which to retire them, but, by solemn agreement, it was definitely understood that these bonds would be retired from the receipts of the primary road fund. If the diversion of four per cent (4%) of these funds, as authorized in Section 3 of this bill, is made it will jeopardize the payment of these bonds and subject the farmers of this state to the risk of having to pay the obligation themselves from property taxes. If it does not lead to the point of actually causing the counties to levy the property tax authorized when the bonds were voted, it would certainly disturb the investing public's confidence in the pledges and promises, heretofore made, and would add to the cost and difficulty in obtaining new financing and refinancing, which is in constant need by this department of government.

I am, therefore, unwilling to endorse the diversion of primary road funds for this or any other purpose, regardless of how desirable the objectives may be. Iowa government in the future, in my opinion, should maintain this same policy until all primary road bonds are paid in full and the primary road system completed to the last detail.

3. If the preceding objections could be waived, there would still remain a fundamental objection. The bill does not create any new source of revenue. It merely permits the use of funds now available for primary roads and county secondary roads to be used under another authority of law. If four per cent (4%) of the primary fund is set over into the Farm-to-Market road fund for matching the federal aid, there is nothing gained, because that money is now used for matching federal funds dollar for dollar in the primary road fund. The money the counties are authorized to use is taken from their share of the present gasoline tax. It should be remembered that the present Iowa gasoline tax law is divided—five-ninths going to the primary road fund and four-ninths divided among the counties on an area basis for maintenance and construction of secondary roads. In 1936, there was approximately five million dollars (\$5,000,000.00) received by the counties for this purpose.

A satisfactory Farm-to-Market road law must first meet the requirements of federal aid grants, and, secondly, the money Iowa raises for matching these funds should be from a new source of revenue and in a sufficient amount to match all probable federal aid. These funds should be placed in the hands of the Iowa Highway Commission, who are certified by the Federal Bureau of Roads as their official agency in Iowa. The Farm-to-Market road fund thus created is ready for use in the respective counties and upon such terms as we, the people of Iowa, dictate.

There are many new sources of revenue which the state can command from commercial users of the highways for this matching purpose. Since the counties receive five million dollars (\$5,000,000.00) from the gasoline tax fund for secondary roads, it is fitting and proper that they pay a portion of the cost by matching the Farm-to-Market road fund on some equitable basis. Only in this way can we conserve and consolidate avail-

able funds for Farm-to-Market road construction that will complete the system within a reasonable length of time and not interfere with the primary system. The counties should, also, have all the authority possible in the establishment of the routes, types of construction, and all other details insofar as the federal regulations permit. The type of construction should be the lowest possible cost, in order to gain the greatest mileage possible with the funds available.

Senate File 143, in its original form, met all of these requirements, but it has been so amended as to invite the objections above set out. The impelling demand from the public for Farm-to-Market roads is such that I hope this session of the legislature will answer that demand by a proper and sound law. I pledge my co-operation to that end. Neglect of that duty now will delay the beginning of Farm-to-Market roads for another two years, at least.

Respectfully submitted,

NELSON G. KRASCHEL.

AMENDMENTS FILED

MR. PRESIDENT: 1. I move to amend Senate File 382, Section one (1), line twelve (12), by adding after the word "members" the following: "of the Board shall be regularly employed librarians in Iowa, and one of the appointive members".

2. Further amend Senate File 382 by striking Section three (3) and inserting in lieu thereof the following:

"Sec. 3. The Library Certification Board shall issue certificates to librarians applying for same who may be residents or non-residents of Iowa, but who shall meet the following requirements:

Grade A: Life certificate, twelve or more credits.

Grade B: Five-year certificate, eight credits.

Grade C: Three-year certificate, five credits.

Grade D: One-year certificate, two and one-half credits.

"1. Credits will be allowed by the board on the following basis:

4 year college course.....	4 credits
3 year college course.....	3 credits
2 year college course.....	2 credits
1 year college course.....	1 credit
1 year library school course.....	4 credits
1 year post-graduate college work.....	1 credit
1 year post-graduate library course.....	2 credits
Summer library course.....	2 credits
Library apprentice or training course.....	1 credit
For each year of administrative library experience.....	1 credit
For each year of other library experience.....	½ credit

"2. The Library Certification Board shall have the right to require satisfactory proof that applicants are entitled to any credits claimed in accordance with the above scheme. It shall also have the right to define the requirements as listed above and to determine what may be accepted as equivalents of college work offered by special schools, normal schools,

foreign schools or universities or other institutions not accredited by the North Central Association.

"3. Library school work offered for credits must be in schools accredited by the Board of Education for Librarianship of the American Library Association.

"4. Apprentice or training course work offered for credits must consist of at least six months' apprenticeship in a library approved by the board or an intensive course of not less than six weeks in an approved library of more than 100,000 volumes.

"5. Administrative library experience shall be defined as experience involving the direction or supervision of the work of one or more full time assistants.

"6. Defining a full time assistant or allowing credits for library experience, a minimum basis of a working week of not less than thirty hours, per week, for not less than forty-two weeks in a year shall be considered."

JOHN W. BILLINGSLEY.

The Journal of March 23d was corrected and approved.

On motion of Senator Baldwin, the Senate adjourned until 10:00 a. m., Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 25, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. S. V. Williams, pastor of the Methodist church of Laurel.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Lundy for the day, on request of Senator Kirketeg.

PETITIONS AND MEMORIALS

The following petition was received and referred to the sifting committee:

By Senator Corwin, from voters of Louisa county, opposing enactment of Senate File 203.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 428, a proposed bill to legalize a school election held by the Beebeetown Consolidated School District in Harrison and Pottawattamie counties on March 8, 1937.

WALTER H. BEAM, *Secretary.*

INTRODUCTION OF BILLS

Senate File 440, by committee on livestock and dairying, a bill for an act relating to false labels or false claims with regard to certain articles.

Read first and second times and referred to sifting committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed as members of the conference com-

mittee on the part of the House, on House Joint Resolution 8, providing for the appointment of a committee to investigate the housing situation of the state departments, the following: Representatives Reilly, Hickenlooper, Mercer and Moore of Taylor.

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

House Joint Resolution 11, expressing the assent of the General Assembly to the provisions and purpose of the Bankhead-Jones Act of June 29, 1935.

Also: That the House has concurred in Senate amendments to and passed House File 147, a bill for an act authorizing county supervisors to purchase and resell agricultural lime.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 226, a bill for an act to legalize the action of the county board of supervisors of Appanoose County.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 226

Amend Section 1 by striking from lines 5, 6, and 7 the following: "and said claims are hereby declared to constitute legal, valid and binding obligations and indebtedness of said county".

Amend the title by striking therefrom the following: "to make the expenditures and the approving of the claims by said board of supervisors legal, valid and binding obligations of said county";

INTRODUCTION OF JEAN TROWBRIDGE

Miss Jean Trowbridge, of Stuart, who won the national spelling contest in 1936, was present in the Senate Chamber, and was introduced to the Senate by Senator Hopkins of Guthrie county.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 117, 79, 88 and 192.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 117, 79, 88 and 192.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 25th day of March, 1937, sent to the Governor for his approval, Senate Files 117, 79, 88 and 192. FRANK PELZER, *Chairman*.

Passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Berg called up for consideration Senate File 316, amended by the House as follows:

Amend Senate File 316 by striking the period in line 17, Section 2, and adding the following:

"The owner of every motor vehicle or trailer purchased within sixty days previous to an application for original registration in this state shall furnish to the county treasurer a sworn statement from the firm, person, or corporation from which such vehicle was purchased, stating that the state sales tax has been paid thereon. In the absence of said sworn statement the county treasurer shall refuse registration until the applicant pays to the treasurer a sum equal to the state sales tax on a like vehicle when purchased in this state. The county treasurer shall remit all sums collected under this section to the state."

Amend Section 1, line 16, by changing the period after the word "users" to a comma and adding the following: "will not include commercial fertilizer or agricultural limestone."

Further amend Section 1 by striking the period at the end of line 21 and inserting in lieu thereof a comma, and by adding after said comma the following: "or shall be consumed as fuel in creating power or steam for processing or for generating electric current."

Amend by striking all of Section 21 and inserting in lieu thereof the following:

"Apportionment of revenue. 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 provided for by Section six thousand nine hundred forty-three-f sixty-three (6943-f63), Code, 1935, as amended by Senate File 184, Acts of the Forty-seventh General Assembly, and as is further provided for by Senate File 184, Acts of the Forty-seventh General Assembly of the State of Iowa, provided further, however, that if for any reason the revenues derived under the operation of this act can not be apportioned for homestead relief as provided for by Senate File 184, Acts of the Forty-

seventh General Assembly, then that portion of such revenues as is apportioned to homestead relief by said Senate File 184 shall be retained in such special tax fund and shall not be disbursed for any purpose without the further direction of the legislature of the state of Iowa."

Senator Berg moved to amend the House amendments as follows:

Amend the House amendments to Senate File 316 as follows:

1. Amend the amendment to line 17 of Section 2 as follows:

(a) Insert both before the words "motor vehicle" and before the word "trailer" in the first line of said amendment the word "new".

(b) Insert before the words "state sales tax" both in line 5 and line 8 of said amendment the word "Iowa".

(c) Strike the word "state" at the end of said amendment and insert in lieu thereof the word "board".

2. Amend the amendment to line 16 of Section 1 by striking from such amendment the word "will" and inserting in lieu thereof the words "but does".

The motion prevailed.

Senator Berg moved that the Senate concur in the House amendments to Senate File 316, as amended.

On the question, "Shall the Senate concur in the House amendments, as amended?" the vote was:

Ayes, 30:

Augustine	Ellis	Hill	Pelzer
Bell of	Evans	Hoeven	Shaw
Des Moines	Geske	Hopkins	Smith
Berg	Gillette	Husted	Stevens
Breen	Goetsch	Kirketeg	Stewart
Corwin	Grunewald	Levis	Whitehill
Dean	Guernsey	Millhone	Zeigler
Edwards	Hart	Murray	

Nays, none.

Absent or not voting, 20:

Baldwin	Chrystal	Gillespie	Mighell
Beardsley	Dewey	Irwin	Miller
Bell of Crawford	Donohue	Kimberly	Moore
Billingsley	Doran	Lundy	Parker
Byers	Elthon	Mason	Schadt

The House amendments, as amended, having received a constitutional majority, were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Berg, Senate File 316, a bill for an act to impose a tax on the gross receipts from retail sales as defined herein; to provide for the collection of such taxes and the administration of said Act; to fix fines and penalties for the violation of the provisions of this Act; to provide for the apportionment of the revenues derived from said tax; to appropriate funds for the administration of this Act; and to repeal all laws or parts of laws in conflict herewith, as amended, was taken up and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26:

Augustine	Gillette	Hopkins	Schadt
Berg	Goetsch	Husted	Shaw
Corwin	Grunewald	Kirketeg	Smith
Dean	Guernsey	Levis	Stevens
Edwards	Hart	Millhone	Stewart
Ellis	Hill	Murray	Whitehill
Evans	Hoeven		

Nays, 2:

Billingsley	Dewey
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Absent or not voting, 22:

Baldwin	Byers	Gillespie	Miller
Beardsley	Chrystal	Irwin	Moore
Bell of Crawford	Donohue	Kimberly	Parker
Bell of	Doran	Lundy	Pelzer
Des Moines	Elthon	Mason	Zeigler
Breen	Geske	Mighell	

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

Senator Berg moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Bell of Des Moines asked and received unanimous consent to suspend the rules and consider House File 413 at this time.

On motion of Senator Bell of Des Moines, House File 413, by Dodds, a bill for an act to legalize and validate proceedings taken by the board of directors of Concordia school district, Concordia township, Des Moines county, in connection with the certification

of taxes for collection during the calendar year ending December 31, 1937, and the levy of taxes therefor, was taken up and considered.

Senator Bell moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Evans	Hopkins	Murray
Beardsley	Geske	Husted	Pelzer
Bell of	Gillespie	Kimberly	Schadt
Des Moines	Gillette	Kirketeg	Shaw
Breen	Goetsch	Levis	Smith
Chrystal	Grunewald	Mason	Stevens
Corwin	Guernsey	Mighell	Stewart
Dean	Hart	Miller	Whitehill
Dewey	Hill	Millhone	Zeigler
Ellis	Hoeven		

Nays, none.

Absent or not voting, 13:

Baldwin	Byers	Edwards	Lundy
Bell of Crawford	Donohue	Elthon	Moore
Berg	Doran	Irwin	Parker
Billingsley			

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

By unanimous consent on request of Senator Bell, Senate File 284, companion bill to House File 413, was withdrawn from the further consideration of the Senate.

CONSIDERATION OF SENATE FILE 89 RESUMED

On motion of Senator Hopkins, Senate File 89, a bill for an act to amend the law as it appears in Chapter twenty-four (24) of the Code, 1935, known as the local budget law; to create a state board to review upon appeal certain budgets, proposed expenditures and tax levies; to provide for the organization of such state appeal board, and to prescribe its powers and specify its duties; to provide for the employment of qualified deputies and necessary help; to provide for appeal to such board; to make appropriation therefor, and to repeal all acts, or parts of acts, in conflict therewith, with report of the committee on ways and means recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

1. Amend Section 3 by striking therefrom all that part commencing with the word "Each" in line 27 thereof up to and including the period (.) after the word "duties" in line 30 and inserting in lieu thereof, the following:

"Each deputy appointed by the State Board shall be entitled to receive the amount of his traveling and other necessary expenses actually incurred while engaged in the performance of his official duties as hereinafter set out. Such expenses to be audited and approved by the State Board and proper receipts filed therefor."

2. Amend Section 3 by striking from the proposed new Section 390-h2 the word "one" in line 9 of said proposed new section and inserting in lieu thereof the word "three".

3. Amend Section 3 by striking from the proposed new Section 390-h5 the following words, "so far as possible", as found in line 14 of said proposed section. Also strike from said proposed Section 390-h5 all that part remaining after the period (.) following the word "Board" in line 16 of said proposed section.

Senator Breen offered the following amendment and moved its adoption:

Amend Section 3, lines 31 and 32, by striking the words "ten or more" and inserting in lieu thereof the words "a number of", and by inserting in line 32 after the word "municipality" the following words: "equal to $\frac{1}{4}$ of 1 per cent of those voting for the office of Governor at the last general election in said municipality".

Senator Breen asked and received unanimous consent to correct his amendment by adding immediately following the word "municipality" the words: "but in no event less than ten".

Senator Levis moved the previous question on all amendments and the main bill, which motion prevailed.

The amendment was adopted.

Senator Breen called up the following amendment on file and moved its adoption:

Amend Senate File 89 by striking the word "three" in line 39 of the proposed new Section 390-h2 and substituting in lieu thereof the word "ten".

Senator Donohue raised the point of order that an amendment containing the same subject matter had previously been acted upon.

By unanimous consent, Senator Breen withdrew his amendment.

Senator Hopkins moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Dewey	Hill	Millhone
Beardsley	Donohue	Hoeven	Moore
Bell of	Doran	Hopkins	Murray
Des Moines	Edwards	Husted	Schadt
Berg	Evans	Kimberly	Shaw
Billingsley	Geske	Kirketeg	Smith
Breen	Gillespie	Levis	Stevens
Byers	Gillette	Mason	Stewart
Chrystal	Grunewald	Mighell	Whitehill
Corwin	Guernsey	Miller	Zeigler
Dean	Hart		

Nays, 4:

Ellis	Goetsch	Irwin	Pelzer
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Absent or not voting, 5:

Baldwin	Elthon	Lundy	Parker
Bell of Crawford			

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

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments to House amendments to Senate File 316, a bill for an act to impose a tax on the gross receipts from retail sales.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House Joint Resolution 11, a joint resolution expressing the assent of the General Assembly of the State of Iowa to the provisions and purpose of the Bankhead-Jones Act of June 29, 1935 (Public No. 182-74th Congress).

Read first and second times.

Senator Dean asked and received unanimous consent to sus-

pend the rules and consider House Joint Resolution 11 at this time.

Senator Dean asked and received unanimous consent to suspend the rule which prohibits the second and third readings of a bill on the same day.

THIRD READING OF BILLS

On motion of Senator Dean, House Joint Resolution 11, a joint resolution expressing the assent of the General Assembly of the State of Iowa to the provisions and purpose of the Bankhead-Jones Act of June 29, 1935 (Public No. 182-74th Congress), a committee resolution, was taken up and considered.

The rules were suspended and Senator Dean moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 43:

Augustine	Donohue	Hill	Millhone
Beardsley	Doran	Hoeven	Moore
Bell of Crawford	Edwards	Hopkins	Murray
Bell of	Ellis	Husted	Parker
Des Moines	Geske	Irwin	Schadt
Berg	Gillespie	Kimberly	Shaw
Billingsley	Gillette	Kirketeg	Smith
Breen	Goetsch	Levis	Stevens
Corwin	Grunewald	Mason	Stewart
Dean	Guernsey	Mighell	Whitehill
Dewey	Hart	Miller	Zeigler

Nays, none.

Absent or not voting, 7:

Baldwin	Chrystal	Evans	Pelzer
Byers	Elthon	Lundy	

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dean moved that the vote by which the resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Guernsey asked and received unanimous consent that the rules be suspended and that the House amendments to Senate File 226 be considered at this time.

HOUSE AMENDMENTS CONSIDERED

Senator Guernsey called up for consideration Senate File 226, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 1 by striking from lines 5, 6, and 7 the following: “, and said claims are hereby declared to constitute legal, valid and binding obligations and indebtedness of said county”.

Amend the title by striking therefrom the following: “to make the expenditures and the approving of the claims by said Board of Supervisors legal, valid and binding obligations of said county;”.

On the question, “Shall the Senate concur?” the vote was:

Ayes, 38:

Augustine	Corwin	Hill	Murray
Beardsley	Dean	Hoeven	Parker
Bell of Crawford	Dewey	Hopkins	Pelzer
Bell of	Doran	Irwin	Schadt
Des Moines	Edwards	Kimberly	Smith
Berg	Ellis	Kirketeg	Stevens
Billingsley	Geske	Levis	Stewart
Breen	Grunewald	Mighell	Whitehill
Byers	Guernsey	Millhone	Zeigler
Chrystal	Hart	Moore	

Nays, none.

Absent or not voting, 12:

Baldwin	Evans	Goetsch	Mason
Donohue	Gillespie	Husted	Miller
Elthon	Gillette	Lundy	Shaw

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Guernsey, Senate File 226, a bill for an act to legalize the action of the County Board of Supervisors of Appanoose County, Iowa, in making expenditures and approving claims against the General Fund of said county; to make the expenditures and the approving of the claims by said Board of Supervisors legal, valid and binding obligations of said county; to authorize the County Auditor of said county to issue anticipatory warrants in 1937 against the General Fund, and to authorize the County Treasurer of said county to pay said warrants out of any funds coming into his hands in 1937 and belonging to the General Fund of said county, as amended, was taken up and considered.

Senator Guernsey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Dean	Hart	Moore
Bell of Crawford	Dewey	Hill	Murray
Bell of	Donohue	Hoeven	Parker
Des Moines	Doran	Irwin	Pelzer
Berg	Edwards	Kimberly	Schadt
Billingsley	Ellis	Kirketeg	Shaw
Breen	Geske	Levis	Smith
Byers	Goetsch	Mighell	Stewart
Chrystal	Grunewald	Miller	Whitehill
Corwin	Guernsey	Millhone	Zeigler

Nays, none.

Absent or not voting, 11:

Baldwin	Evans	Hopkins	Mason
Beardsley	Gillespie	Husted	Stevens
Elthon	Gillette	Lundy	

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

MEMORIAL RESOLUTIONS CONSIDERED

Senator Augustine offered the following resolution and moved its adoption:

Whereas, the Honorable L. T. Shangle, who was a member of this body in the Forty-fifth and Forty-sixth General Assemblies, from the Fourteenth District, Mahaska County, died at Oskaloosa, Iowa, on the second day of September, 1935, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That a committee of three (3) be appointed to draft suitable resolutions commemorating his life, character and service to the state.

The resolution was adopted.

Senator Dean moved the adoption of the Hammill Memorial Resolution, which appears on page 792 of the Journal.

The motion prevailed and the resolution was adopted.

Senator Hopkins moved that the rules be suspended and that the President appoint the committees provided for in the Hammill and Shangle memorial resolutions.

The motion prevailed and the President appointed Senators Dean, Stewart and Hill to draft the Hammill resolutions; and

Senators Augustine, Stevens and Mason to draft the Shangle resolutions.

On motion of Senator Breen, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

INTRODUCTION OF BILLS

Senate File 441, by committee on claims, a bill for an act to make appropriations to Joe H. Smith; Earl, Leonard and Mrs. Bonnie Frisk; and Patrick Lynch.

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

Senate File 442, by committee on claims, a bill for an act to make an appropriation to W. L. Murphy.

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

Senate File 443, by committee on claims, a bill for an act to make an appropriation to Harry R. Frankle.

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

Senate File 444, by committee on claims, 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 referred to committee on appropriations.

Senate File 445, by committee on claims, a bill for an act to make an appropriation to W. J. Steckel.

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

Senate File 446, by committee on claims, a bill for an act to make an appropriation to Ella Talbott.

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

THIRD READING OF BILLS

On motion of Senator Corwin, Senate File 234, a bill for an act to make an appropriation to Muscatine county, Iowa, and Louisa county, Iowa, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend Senate File 234 by striking from lines two (2) and three (3) of Section two (2), the words and figures "nine hundred fifty dollars and ninety-two cents (\$950.92)," and inserting in lieu thereof the words and figures "one thousand five hundred forty-eight dollars and forty-two cents (\$1,548.42)."

Also amend Senate File 234 by striking the words "auditor of state" in line one (1) of Section three (3), and inserting in lieu thereof the words "state comptroller".

Senator Corwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Dean	Guernsey	Millhone
Baldwin	Dewey	Hart	Moore
Beardsley	Donohue	Hill	Murray
Bell of Crawford	Doran	Hoeven	Pelzer
Bell of	Edwards	Irwin	Schadt
Des Moines	Ellis	Kimberly	Shaw
Berg	Elthon	Kirketeg	Smith
Billingsley	Evans	Levis	Stevens
Breen	Gillespie	Mason	Stewart
Byers	Goetsch	Mighell	Whitehill
Chrystal	Grunewald	Miller	Ziegler
Corwin			

Nays, none.

Absent or not voting, 6:

Geske	Hopkins	Lundy	Parker
Gillette	Husted		

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

Senator Corwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Levis, Senate File 227, a bill for an act to make an emergency appropriation for the purpose of paying

the expense of reporting fires, and for the inspection of state owned liquor stores, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Edwards	Husted	Murray
Baldwin	Ellis	Irwin	Pelzer
Beardsley	Elthon	Kimberly	Schadt
Bell of Crawford	Geske	Kirketeg	Shaw
Berg	Gillespie	Levis	Smith
Breen	Goetsch	Mason	Stevens
Byers	Grunewald	Mighell	Stewart
Chrystal	Guernsey	Miller	Whitehill
Corwin	Hill	Millhone	Zeigler
Dean	Hopkins	Moore	

Nays, 1:

Billingsley

Present, 1:

Dewey

Absent or not voting, 9:

Bell of	Doran	Hart	Lundy
Des Moines	Evans	Hoeven	Parker
Donohue	Gillette		

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

Senator Levis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baldwin, Senate File 237, a bill for an act to provide for an emergency appropriation to the state printing board to pay for printing and supplies during the balance of the present biennium, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Baldwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Dean	Grunewald	Mighell
Baldwin	Dewey	Guernsey	Miller
Beardsley	Donohue	Hart	Millhone
Bell of Crawford	Doran	Hill	Moore
Bell of	Edwards	Hoeven	Murray
Des Moines	Ellis	Hopkins	Pelzer
Billingsley	Elthon	Irwin	Schadt
Breen	Evans	Kimberly	Smith
Byers	Geske	Kirketeg	Stewart
Chrystal	Gillespie	Levis	Whitehill
Corwin	Goetsch	Mason	Zeigler

Nays, none.

Absent or not voting, 7:

Berg	Husted	Parker	Stevens
Gillette	Lundy	Shaw	

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

On motion of Senator Kirketeg, Senate File 383, a bill for an act to make an appropriation to E. I. Mason, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kirketeg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Kirketeg moved that the vote by which Senate File 383 went to its third reading be reconsidered, which motion prevailed.

Senator Kirketeg moved to amend Senate File 383 by inserting immediately following the title, the following:

"Be it enacted by the General Assembly of the State of Iowa:":

The amendment was adopted.

Senator Kirketeg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Byers	Elthon	Hart
Baldwin	Chrystal	Evans	Hill
Beardsley	Corwin	Geske	Irwin
Bell of Crawford	Dewey	Gillespie	Kimberly
Bell of	Donohue	Goetsch	Kirketeg
Des Moines	Edwards	Grunewald	Levis
Berg	Ellis	Guernsey	Mighell

Miller	Murray	Shaw	Stewart
Millhone	Pelzer	Smith	Whitehill
Moore	Schadt	Stevens	Zeigler

Nays, none.

Absent or not voting, 11:

Billingsley	Doran	Hopkins	Mason
Breen	Gillette	Husted	Parker
Dean	Hoeven	Lundy	

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

On motion of Senator Mason, Senate File 384, a bill for an act to make appropriations to D. I. Goehring, Mrs. Kendall Burch, Willard Poland and Wallace A. Carr, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Dewey	Guernsey	Miller
Baldwin	Donohue	Hart	Millhone
Beardsley	Doran	Hill	Moore
Bell of Crawford	Edwards	Hoeven	Murray
Bell of	Ellis	Hopkins	Pelzer
Des Moines	Elthon	Irwin	Schadt
Berg	Evans	Kirkekteg	Shaw
Billingsley	Geske	Levis	Stewart
Byers	Gillespie	Mason	Whitehill
Corwin	Goetsch	Mighell	Zeigler
Dean	Grunewald		

Nays, none.

Absent or not voting, 9:

Breen	Husted	Lundy	Smith
Chrystal	Kimberly	Parker	Stevens
Gillette			

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

Senator Baldwin asked and received unanimous consent to have Senate File 237 messaged to the House immediately.

On motion of Senator Doran, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Mr. G. W. Heitkamp of Dubuque, Dubuque county, as a member of the board of examiners in the basic sciences, to complete the unexpired term of the Honorable Robert E. O'Brian, resigned, for the term ending July 4, 1939.

The Senate confirmed the appointment of Mr. Ivan O. Hasbrouck of Jefferson, Greene county, as a member of the old age assistance commission, to serve as a republican member to complete the unexpired term of the late A. L. Urick, ending July 1, 1937, and also for the term ending on July 1, 1941.

The Senate confirmed the appointment of Mrs. E. R. Meredith of Ames, Story county, as a member of the old age assistance commission, to serve as a democratic member of same for the term ending July 1, 1940.

The Senate confirmed the appointment of Mr. Joseph H. Bodine of Iowa City, Johnson county, as a member of the board of examiners in the basic sciences, to serve for the term ending July 4, 1943.

The Senate failed to confirm the appointment of Mr. Alvern S. Wendel of Bronson, Woodbury county, as a member of the state highway commission, to serve as a democratic member of the same for the term ending July 1, 1941.

The Senate arose from executive session and resumed regular session.

Senator Hill moved that when the Senate adjourn, it be until 1:00 p. m., Monday.

The motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File 316.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 316.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: Senate Files 30, 373, 374, 375, 376, 377, 167, and House Files 57 and 341.

FRANK C. BYERS, *Chairman.*

The Journal of March 24th was corrected and approved.

On motion of Senator Ellis, the Senate adjourned until 1:00 p. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. O. G. Orcutt, pastor of the Methodist Church of Dallas Center.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Breen, from citizens of Fort Dodge, favoring enactment of the farm-to-market road bill known as Senate File 143.

By Senator Edwards, from citizens of Redding, favoring enactment of Senate File 197.

By Senator Elthon, from truckers of Forest City, favoring enactment of Senate File 281.

By Senator Zeigler, from citizens of Sioux City, favoring enactment of Senate File 290.

By Senator Zeigler, from citizens of Farmington, members of the American Trappers Association, Inc., favoring discontinuance of the bounty system applying to fox.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of House File 414, a proposed bill to legalize actions of city clerk and city council of Humboldt.

WALTER H. BEAM, *Secretary*

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 26th day of March, 1937, sent to the Governor for his approval, Senate File 316.

FRANK PELZER, *Chairman*.

Passed on file.

INTRODUCTION OF BILLS

Senate File 447, by committee on social security, 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; 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; to repeal Senate File 1, enacted by the Forty-sixth General Assembly of Iowa in Extraordinary Session; to repeal Senate File 191 of the Forty-seventh General Assembly of Iowa; and to repeal Acts in conflict herewith, and for other purposes.

Read first and second times and referred to sifting committee.

Senator Billingsley offered the following resolution and moved its adoption:

MAYTAG MEMORIAL RESOLUTION

Whereas, the Honorable Fred L. Maytag, who served as State Senator from the Twenty-ninth District, Jasper county, during the Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-second Extra, and Thirty-third Sessions of the Iowa Legislature, died March 26, 1937, at Los Angeles, California, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character, and service to the State.

The resolution was adopted.

Senator Hopkins moved that the rules be suspended and that

the President appoint the committee provided for in the resolution.

The motion prevailed and the President appointed Senators Billingsley, Shaw and Breen.

Senator Billingsley moved that the Sergeant-at-Arms be instructed to fly the Senate Flag at half-mast during the funeral to be held at 2:30 p. m. Tuesday. The motion prevailed and the President so instructed the Sergeant-at-Arms.

MAYTAG MEMORIAL

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and services of the late Fred L. Maytag, begs leave to submit the following report and moves its adoption:

Fred L. Maytag was born at Elgin, Illinois, July 14, 1857, and died March 26, 1937, at Los Angeles, California.

He was the son of Daniel W. and Amelia (Tonebohn) Maytag, and moved with his parents to Iowa in 1866 in a prairie schooner, settling on a farm just about half way between Marshalltown and Newton. He received his early education in the rural schools, and in 1926 Parsons College conferred upon him an honorary degree of Doctor of Laws.

In 1882 he was united in marriage to Dena Bergman of Newton, Iowa, who preceded him in death in 1934. To this union were born four children, Lulu (Mrs. William H. Smith), Freda Louise (Mrs. H. I. Sparey), Elmer Henry and Lewis Bergman, all of whom survive him.

He was engaged in farming until 1880, and then in various other lines of business until 1907. At this time he founded the Maytag Company and began the manufacture of washing machines. As chairman of the board of the Maytag Company he has seen it attain a position of world leadership in its field.

He was a great philanthropist, having given \$4,000 to the Skiff hospital in Newton; \$75,000 to the Salvation Army citadel; \$7,000 to Sacred Heart church; \$10,000 each to Coe, Monmouth, and Parsons colleges. He created a \$50,000 perpetual endowment fund for students at Grinnell college; a \$500,000 construction and endowment fund for Maytag park, Newton; as well as giving thousands of unlisted dollars to Newton churches each Christmas. In 1931 he donated \$150,000 for the Maytag research laboratory for tuberculosis at Southwestern Presbyterian sanitarium in Albuquerque, New Mexico.

Even though his time was fully occupied in creating this amazing business success, yet he found time to serve his community and his state as a public servant. He served six years on the Newton city council, and was mayor for two years. In 1901, as a Republican, he was elected State Senator and served five sessions. In 1924 he was appointed Iowa's first budget director by the late Governor Kendall, therefore,

Be It Resolved, That in the passing of the Honorable Fred L. Maytag the State of Iowa mourns the loss of one of its most honored and distinguished citizens.

Be It Further Resolved, That a copy of this resolution be printed in the Journal of the Senate as a commemoration of the life and worth of the deceased, and that engrossed copies hereof be transmitted to the sons and daughters.

The resolution was unanimously adopted.

THIRD READING OF BILLS

On motion of Senator Mason, Senate File 385, a bill for an act to make appropriations to John Marth, George W. Smith, Mrs. S. L. Lieby, W. A. Gay, C. H. Otte, Mrs. Tillie Deater, H. R. Staats, and Henry E. Meis, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Evans	Hopkins	Millhone
Beardsley	Gillespie	Husted	Parker
Berg	Gillette	Irwin	Pelzer
Billingsley	Goetsch	Kirketeg	Schadt
Breen	Grunewald	Levis	Smith
Byers	Guernsey	Mason	Stewart
Dewey	Hart	Mighell	Whitehill
Edwards	Hill	Miller	Zeigler
Elthon	Hoeven		

Nays, none.

Absent or not voting, 16:

Baldwin	Corwin	Ellis	Moore
Bell of Crawford	Dean	Geske	Murray
Bell of Des Moines	Donohue	Kimberly	Shaw
Chrystal	Doran	Lundy	Stevens

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

On motion of Senator Mason, Senate File 386, a bill for an act to make appropriations to W. B. Lewis, M.D., Ben G. Budge, M.D., and E. F. Rambo, M.D., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Evans	Hopkins	Millhone
Beardsley	Gillespie	Husted	Parker
Berg	Gillette	Irwin	Pelzer
Billingsley	Goetsch	Kirketeg	Schadt
Breen	Grunewald	Levis	Smith
Byers	Guernsey	Mason	Stewart
Dewey	Hart	Mighell	Whitehill
Edwards	Hill	Miller	Zeigler
Elthon	Hoeven		

Nays, none.

Absent or not voting, 16:

Baldwin	Corwin	Ellis	Moore
Bell of Crawford	Dean	Geske	Murray
Bell of	Donohue	Kimberly	Shaw
Des Moines	Doran	Lundy	Stevens
Chrystal			

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

On motion of Senator Mason, Senate File 387, a bill for an act to make appropriations to Pointer Brewing Company, A. B. Hamilton, H. F. Voights, A. A. Thompson, Paul Delaplane, E. C. Sodergren, H. R. Pratt, Russell Jensen, Wayne Fisher, Steven Saxby, F. I. Easton and Continental Baking Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Evans	Hopkins	Millhone
Beardsley	Gillespie	Husted	Parker
Berg	Gillette	Irwin	Pelzer
Billingsley	Goetsch	Kirketeg	Schadt
Breen	Grunewald	Levis	Shaw
Byers	Guernsey	Mason	Smith
Dewey	Hart	Mighell	Whitehill
Edwards	Hill	Miller	Zeigler
Elthon	Hoeven		

Nays, none.

Absent or not voting, 16:

Baldwin	Corwin	Ellis	Moore
Bell of Crawford	Dean	Geske	Murray
Bell of Des Moines	Donohue	Kimberly	Stevens
Chrystal	Doran	Lundy	Stewart

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

On motion of Senator Mason, Senate File 388, a bill for an act to make appropriations to George W. Cox and Max E. King, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Gillespie	Husted	Parker
Beardsley	Gillette	Irwin	Pelzer
Berg	Goetsch	Kirketeg	Schadt
Billingsley	Grunewald	Levis	Shaw
Byers	Guernsey	Mason	Smith
Dewey	Hart	Mighell	Stewart
Edwards	Hill	Miller	Whitehill
Elthon	Hoeven	Millhone	Zeigler
Evans	Hopkins		

Nays, none.

Absent or not voting, 16:

Baldwin	Chrystal	Doran	Lundy
Bell of Crawford	Corwin	Ellis	Moore
Bell of Des Moines	Dean	Geske	Murray
Breen	Donohue	Kimberly	Stevens

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

On motion of Senator Mason, Senate File 389, a bill for an act to make appropriations to Elizabeth Maasdam, Younkin Automotive Service, Otis Rector, Joe Menges, Rev. F. W. McKinley, P. E. Graham, Ronald O. Cole, H. E. Pilon and Emmet L. Morris, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Gillespie	Husted	Parker
Beardsley	Gillette	Kimberly	Pelzer
Berg	Goetsch	Kirketeg	Schadt
Billingsley	Grunewald	Levis	Shaw
Byers	Guernsey	Lundy	Smith
Dewey	Hart	Mason	Stewart
Edwards	Hill	Miller	Whitehill
Elthon	Hoeven	Millhone	Zeigler
Evans	Hopkins		

Nays, 1:

Mighell

Absent or not voting, 15:

Baldwin	Breen	Donohue	Irwin
Bell of Crawford	Chrystal	Doran	Moore
Bell of	Corwin	Ellis	Murray
Des Moines	Dean	Geske	Stevens

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

On motion of Senator Mason, Senate File 390, a bill for an act to make an appropriation to Ivan T. Schultz, M.D., and Nelle T. Schultz, M.D., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Evans	Husted	Millhone
Beardsley	Gillespie	Irwin	Parker
Berg	Gillette	Kimberly	Pelzer
Billingsley	Goetsch	Kirketeg	Schadt
Breen	Grunewald	Levis	Smith
Byers	Guernsey	Lundy	Stewart
Dewey	Hart	Mason	Whitehill
Edwards	Hoeven	Mighell	Zeigler
Elthon	Hopkins		

Nays, none.

Absent or not voting, 16:

Baldwin	Corwin	Ellis	Moore
Bell of Crawford	Dean	Geske	Murray
Bell of	Donohue	Hill	Shaw
Des Moines	Doran	Miller	Stevens
Chrystal			

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

On motion of Senator Mason, Senate File 391, a bill for an act to make appropriations to Harry R. Denton, Vince Tellin, O. L. Smith, M. R. Terhune, and W. W. Stranahan, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Gillespie	Husted	Millhone
Beardsley	Gillette	Irwin	Parker
Berg	Goetsch	Kimberly	Pelzer
Billingsley	Grunewald	Kirketeg	Schadt
Breen	Guernsey	Levis	Smith
Byers	Hart	Lundy	Stewart
Dewey	Hill	Mason	Whitehill
Elthon	Hoeven	Mighell	Zeigler
Evans	Hopkins	Miller	

Nays, none.

Absent or not voting, 15:

Baldwin	Chrystal	Doran	Moore
Bell of Crawford	Corwin	Edwards	Murray
Bell of	Dean	Ellis	Shaw
Des Moines	Donohue	Geske	Stevens

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

On motion of Senator Elthon, House File 200, by appropriations committee, a bill for an act making an appropriation for payment of compensation in state cases under the workmen's compensation law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Breen	Doran	Gillespie
Beardsley	Byers	Ellis	Gillette
Berg	Corwin	Elthon	Goetsch
Billingsley	Dewey	Evans	Grunewald

Guernsey	Irwin	Mighell	Schadt
Hart	Kimberly	Miller	Stevens
Hill	Kirketeg	Millhone	Stewart
Hoeven	Levis	Parker	Whitehill
Hopkins	Lundy	Pelzer	Zeigler
Husted	Mason		

Nays, none.

Absent or not voting, 12:

Baldwin	Chrystal	Edwards	Murray
Bell of Crawford	Dean	Geske	Shaw
Bell of Des Moines	Donohue	Moore	Smith

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

By unanimous consent on request of Senator Elthon, Senate File 312, companion bill to House File 200, was withdrawn from the further consideration of the Senate.

On motion of Senator Mason, Senate File 406, a bill for an act to make an appropriation to the Howell-Schrader Drug Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Elthon	Hoeven	Millhone
Beardsley	Evans	Hopkins	Parker
Berg	Gillespie	Irwin	Pelzer
Billingsley	Gillette	Kimberly	Schadt
Breen	Goetsch	Kirketeg	Shaw
Byers	Grunewald	Levis	Smith
Corwin	Guernsey	Lundy	Stewart
Dewey	Hart	Mighell	Whitehill
Doran	Hill	Miller	Zeigler
Ellis			

Nays, none.

Absent or not voting, 13:

Baldwin	Chrystal	Geske	Moore
Bell of Crawford	Dean	Husted	Murray
Bell of Des Moines	Donohue	Mason	Stevens
	Edwards		

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

On motion of Senator Mason, Senate File 408, a bill for an act to make an appropriation to Ed Beeman, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Evans	Husted	Millhone
Billingsley	Gillespie	Irwin	Parker
Breen	Gillette	Kimberly	Pelzer
Byers	Goetsch	Kirketeg	Schadt
Corwin	Grunewald	Levis	Shaw
Dewey	Guernsey	Lundy	Smith
Donohue	Hart	Mason	Stewart
Doran	Hill	Mighell	Whitehill
Ellis	Hoeven	Miller	Zeigler
Elthon	Hopkins		

Nays, none.

Absent or not voting, 12:

Baldwin	Bell of	Dean	Moore
Beardsley	Des Moines	Edwards	Murray
Bell of Crawford	Berg	Geske	Stevens
	Chrystal		

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

On Motion of Senator Mason, Senate File 409, a bill for an act to make an appropriation to Richard Nelson, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Ellis	Hoeven	Millhone
Beardsley	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Billingsley	Gillespie	Irwin	Shaw
Breen	Gillette	Kimberly	Smith
Byers	Goetsch	Kirketeg	Stewart
Corwin	Grunewald	Levis	Whitehill
Dewey	Guernsey	Mason	Zeigler
Donohue	Hart	Mighell	

Nays, none.

Absent or not voting, 15:

Baldwin	Chrystal	Geske	Moore
Bell of Crawford	Dean	Hill	Murray
Bell of	Doran	Lundy	Parker
Des Moines	Edwards	Miller	Stevens

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

On motion of Senator Mason, Senate File 410, a bill for an act to make an appropriation to the Midwest Finance Corporation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Ellis	Hoeven	Millhone
Beardsley	Elthon	Hopkins	Parker
Berg	Evans	Husted	Pelzer
Billingsley	Gillespie	Irwin	Schadt
Breen	Gillette	Kimberly	Shaw
Byers	Goetsch	Kirketeg	Smith
Corwin	Grunewald	Levis	Stewart
Dewey	Guernsey	Mighell	Whitehill
Donohue	Hart	Miller	Zeigler
Doran	Hill		

Nays, none.

Absent or not voting, 12:

Baldwin	Chrystal	Geske	Moore
Bell of Crawford	Dean	Lundy	Murray
Bell of	Edwards	Mason	Stevens
Des Moines			

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

On motion of Senator Mason, Senate File 411, a bill for an act to make appropriations to C. H. White, Middle States Utilities Company, Callender Telephone Company, Gretus Asmus, Geraldine Satre, Palmer Publishing Company, John F. Shea, Bituminous Paving Mat. Corporation, D. M. Vandelinde and Mathieson Insurance Agency, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted. Further consideration was postponed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2, a bill for an act relating to head tax for old age assistance.

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

Senate File 12, a bill for an act to provide the manner in which absent voters' ballots shall be counted.

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

Senate File 253, a bill for an act to create a fund to be known as the World War Orphans' Educational Aid Fund.

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

Senate File 392, a bill for an act relating to investments of funds by life insurance companies.

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

Senate File 393, a bill for an act relating to capital required of foreign companies to transact business in this state.

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

House File 56, a bill for an act relating to the power of cities and towns to purchase land and buildings for hospital purposes.

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

House File 70, a bill for an act relating to abandonment of railway stations.

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

House File 242, a bill for an act authorizing the Governor to enter into reciprocal agreements with other states for supervision and return of persons on parole or probation.

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

House File 288, a bill for an act to permit honorably discharged disabled veterans of the nation's wars to operate news stands in the court houses of the various counties of Iowa.

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

House File 380, a bill for an act relating to the blasting of coal in coal mines.

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

House File 475, a bill for an act relating to loans on stock of life insurance companies.

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

House File 476, a bill for an act relating to the deposit of securities with the commissioner of insurance.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 2

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend Section fifty-two hundred ninety-six-f thirty-four (5296-f34) of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by inserting following the word "dollars" in line eleven (11) thereof the words and punctuation ", to and including December 31, 1936".

Further amend said section by striking from line nineteen (19) the words "each year thereafter" and inserting in lieu thereof the figure "1936".

Sec. 2. Amend Section fifty-two hundred ninety-six-f thirty-five (5296-f35) of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking from lines four (4) and five (5) thereof the words and punctuation "and each year thereafter,".

Further amend said section by striking from line nine (9) the words and punctuation ", and each year thereafter".

Sec. 3. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by adding as a new section and following Section fifty-two hundred ninety-six-g five (5296-g5), the following:

"Refund of 1937 Tax. The procedure outlined in the preceding section for the refund of an erroneously paid tax shall be followed by the county treasurer for the benefit of any taxpayer who shall have paid the per capita tax heretofore levied for the year 1937 between the date of January 1, 1937, and the publication and effectiveness of this section. No refund shall thus be allowed after January 1, 1938. No refund shall be allowed where the individual is delinquent for a preceding year but shall be credited for said delinquent year. The state comptroller shall return to the respective county treasurers the amount of the 1937 per capita tax which has been delivered to said state comptroller for the purpose of this refund. After January 1, 1938, the respective county treasurers shall remit any balance in said fund through the state comptroller to the old age pension fund."

Sec. 5. This act being deemed of immediate importance, shall be in force and effect from and after its publication in two newspapers of general circulation in this State, as provided by law.

Amend by striking the title to Senate File 2 and substituting in lieu thereof the following:

"An Act to amend Sections fifty-two hundred ninety-six-f thirty-four (5296-f34) and fifty-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 levy of said per capita tax after the date of December 31, 1936,

and further amending said chapter by providing for a limited period in which county treasurers may make refund of the per capita tax paid for the year 1937."

BILLS APPROVED BY THE GOVERNOR

Communications were received from the Governor announcing that, on March 24, 1937, he had approved the following:

Senate File 21, relating to levy of road poll tax.

Senate File 25, to prohibit the sale of fireworks.

Senate File 67, relating to remission of unpaid taxes to stock of insolvent banks.

Senate File 80, relating to refunding bonds.

Senate File 104, an act to make permanent temporary transfers of funds of Monroe county.

Senate File 151, relating to preference for domestic products and labor.

Senate File 207, an act to legalize warrants issued by supervisors of Jones county.

Senate File 216, an act to legalize corporate acts and renewal of The Dukes-Law Company.

Senate File 354, legalizing the acts of the Weber & Sons Button Company.

Also, that, on March 25, 1937, he had approved the following:

Senate File 79, relating to county public hospitals.

Senate File 88, relating to river front improvement commissions.

Senate File 117, relating to powers and duties of secretary of agriculture; to provide for weather division.

Senate File 192, an act authorizing cities under manager plan to incur indebtedness, permitting such cities to make levy for general fund.

Also, that, on March 26, 1937, he had approved the following:

Senate File 316, an act to impose tax on gross receipts from retail sales.

HOUSE MESSAGES CONSIDERED

House File 56, a bill for an act to amend Sections sixty-one hundred ninety-five (6195), sixty-two hundred eleven (6211), and sixty-two hundred thirty-nine (6239), Code, 1935, relating to the power of cities and towns to purchase land and buildings for hospital purposes; to levy annual taxes for purchasing, constructing or reconstructing buildings to be used for hospitals or purchasing sites therefor and for the retirement of bonds issued in payment thereof; and to incur indebtedness for said purposes.

Read first and second times and referred to sifting committee.

House File 70, a bill for an act to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matter.

Read first and second times.

House File 242, a bill for an act authorizing the Governor of the State of Iowa to enter into reciprocal agreements with other states for supervision and return of persons on parole or probation.

Read first and second times and referred to sifting committee.

House File 288, a bill for an act to permit honorably discharged disabled veterans of the nation's wars to operate news stands in the courthouses of the various counties of Iowa, and prescribing the duties of supervisors on applications for such privilege.

Read first and second times and referred to sifting committee.

House File 380, a bill for an act to amend Chapter sixty-eight (68), Code of 1935, relating to the blasting of coal in coal mines, and prohibiting any blasting while persons other than the shot frirer or firers are in said mine.

Read first and second times and referred to sifting committee.

House File 475, a bill for an act to repeal Section eighty-six hundred fifty (8650) of the Code, 1935, and enact a substitute therefor, relating to loans on stock of life insurance companies or to certain other companies, by life insurance companies.

Read first and second times and referred to sifting committee.

House File 476, a bill for an act to amend Section eighty-six hundred fifty-five (8655) of the Code, 1935, relating to the deposit of securities with the commissioner of insurance to cover the valuation of policies of life insurance companies and associations and duties of the insurance commissioner with reference thereto.

Read first and second times and referred to sifting committee.

Senator Hill moved that the rules be suspended and that House File 70 be placed on the calendar and not referred to the sifting committee, which motion prevailed.

Senator Hill moved that House File 70 be substituted for Senate File 30 on the calendar, which motion prevailed.

By unanimous consent on request of Senator Hill, Senate File 30 was withdrawn from the further consideration of the Senate.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 132 as follows:

1. By inserting after the word "the" in line 14 of Section 1 the words, "Board of Embalmer Examiners", and striking from said line and following line in said section the words, "Iowa Funeral Directors and Embalmers Association upon the order of its Treasurer and Secretary".

2. By inserting after the word "the" in line 17 of Section 1 the words, "Board of Optometry Examiners", and striking from said line in said section and following line the words, "Iowa Optometrists Association upon the order of its Treasurer and Secretary".

3. By striking from line 19, Section 1, the word "Association", and inserting in lieu thereof the word "Boards".

WM. S. BEARDSLEY.

The Journal of March 25th was corrected and approved.

On motion of Senator Elthon, the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 30, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Clarence Moore, pastor of the Methodist Church of New Virginia.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Moore for the day, on request of Senator Corwin; Senator Stewart for the day, on request of Senator Kirketeg; Senator Parker for the day, on request of Senator Whitehill.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Augustine, from citizens of Sioux City, favoring enactment of Senate File 290.

By Senator Augustine, from citizens of New Sharon, favoring enactment of Senate Files 96, 177 and 204.

By Senator Billingsley, from voters of Jasper county, favoring enactment of Senate File 101.

By Senator Billingsley, from members of the Parent-Teacher Associations of Newton, favoring enactment of House File 130.

By Senator Byers, from citizens of Sioux City, favoring enactment of Senate File 290.

By Senator Corwin, from citizens of Sioux City, favoring enactment of Senate File 290.

By Senator Guernsey, from citizens of Centerville, favoring enactment of House File 270 and Senate File 294.

By Senator Husted, from citizens of Madison county, opposing enactment of Senate File 203.

By Senator Husted, from citizens of Sioux City, favoring enactment of Senate File 290.

By Senator Murray, from citizens of Woodbury county, favoring enactment of House File 41.

By Senator Stevens, from citizens of Sioux City, favoring enactment of Senate File 290.

By Senator Zeigler, from business men of Fairfield, favoring enactment of Senate Files 96, 177 and 204.

By Senator Zeigler, from citizens of Fairfield, favoring enactment of Senate File 238.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 32, 147, 155 and 413, and House Joint Resolution 11.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 32, 147, 155 and 413, and House Joint Resolution 11.

Senator Lundy offered the following resolution :

KENDALL MEMORIAL RESOLUTION

Whereas, the Honorable Nathan E. Kendall, who served as a member of the House of Representatives in the Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second and Thirty-second Extra Sessions of the Iowa General Assembly, representing Monroe county, being Speaker of the House of Representatives for the Thirty-second and Thirty-second Extra Sessions, and who likewise served as a member of the House of Representatives in the Sixty-first and Sixty-second Congress, from the Sixth District of Iowa, and who was Governor of the State of Iowa from 1921 to 1925, inclusive, died at Des Moines, Iowa, November 4, 1936, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly:
That a committee of three be appointed by the President of the Senate to draft suitable resolutions commemorating his life, character and service to the state and nation.

Senator Lundy moved that the rules be suspended and that the resolution be adopted, which motion prevailed.

The President appointed as the committee provided for in the Kendall memorial resolution, Senators Lundy, Levis and Augustine.

THIRD READING OF BILLS

On motion of Senator Mason, Senate File 412, a bill for an act to make an appropriation to the city of Iowa City, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Edwards	Hart	Miller
Baldwin	Ellis	Hill	Murray
Beardsley	Elthon	Hoeven	Pelzer
Billingsley	Evans	Hopkins	Schadt
Breen	Geske	Husted	Shaw
Byers	Gillespie	Irwin	Smith
Corwin	Gillette	Kimberly	Stevens
Dewey	Goetsch	Kirketeg	Whitehill
Donohue	Grunewald	Lundy	Zeigler
Doran	Guernsey	Mason	

Nays, none.

Absent or not voting, 11:

Bell of Crawford	Berg	Levis	Moore
Bell of Des Moines	Chrystal	Mighell	Parker
	Dean	Millhone	Stewart

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

On motion of Senator Mason, Senate File 414, a bill for an act to make an appropriation to J. W. Houchin, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from lines 2 and 3 of Section one (1) the words and figures "thirty dollars (\$30.00)" and inserting in lieu thereof the following: "sixty dollars (\$60.00)".

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Donohue	Guernsey	Mason
Baldwin	Doran	Hill	Miller
Beardsley	Edwards	Hoeven	Millhone
Berg	Ellis	Hopkins	Murray
Billingsley	Elthon	Husted	Pelzer
Breen	Evans	Irwin	Schadt
Byers	Geske	Kimberly	Shaw
Corwin	Gillespie	Kirketeg	Stevens
Dean	Goetsch	Levis	Whitehill
Dewey	Grunewald	Lundy	Zeigler

Nays, none.

Absent or not voting, 10:

Bell of Crawford	Chrystal	Mighell	Smith
Bell of	Gillette	Moore	Stewart
Des Moines	Hart	Parker	

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

On motion of Senator Mason, Senate File 416, a bill for an act to make an appropriation to the Tama Independent School District, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Doran	Hart	Miller
Baldwin	Edwards	Hill	Millhone
Beardsley	Ellis	Hoeven	Murray
Bell of Crawford	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Billingsley	Geske	Irwin	Shaw
Breen	Gillespie	Kimberly	Smith
Byers	Gillette	Kirketeg	Stevens
Corwin	Goetsch	Levis	Whitehill
Dean	Grunewald	Mason	Zeigler
Dewey	Guernsey		

Nays, none.

Absent or not voting, 8:

Bell of Des Moines Chrystal	Donohue Lundy	Mighell Moore	Parker Stewart
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The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 417, a bill for an act to make an appropriation to A. H. Bolton, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Dewey	Hart	Miller
Baldwin	Donohue	Hill	Millhone
Bell of Crawford	Edwards	Hopkins	Murray
Berg	Ellis	Husted	Pelzer
Billingsley	Evans	Irwin	Schadt
Breen	Geske	Kimberly	Shaw
Byers	Gillette	Kirketeg	Smith
Corwin	Grunewald	Lundy	Zeigler
Dean	Guernsey	Mason	

Nays, none.

Absent or not voting, 15:

Beardsley	Doran	Hoeven	Parker
Bell of	Elthon	Levis	Stevens
Des Moines	Gillespie	Mighell	Stewart
Chrystal	Goetsch	Moore	Whitehill

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

On motion of Senator Mason, Senate File 418, a bill for an act to make an appropriation to Mat Gallagher, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Bell of Crawford	Byers	Dewey
Baldwin	Berg	Corwin	Edwards
Beardsley	Billingsley	Dean	Ellis

Elthon	Guernsey	Irwin	Murray
Evans	Hart	Kimberly	Pelzer
Gillespie	Hill	Kirketeg	Schadt
Gillette	Hoeven	Lundy	Shaw
Goetsch	Hopkins	Miller	Smith
Grunewald	Husted	Millhone	Zeigler

Nays, none.

Absent or not voting, 14:

Bell of	Donohue	Mason	Stevens
Des Moines	Doran	Mighell	Stewart
Breen	Geske	Moore	Whitehill
Chrystal	Levis	Parker	

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

On motion of Senator Mason, Senate File 419, a bill for an act to make an appropriation to H. W. Haskell, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Doran	Guernsey	Miller
Baldwin	Edwards	Hart	Millnone
Beardsley	Ellis	Hill	Murray
Berg	Elthon	Hopkins	Pelzer
Billingsley	Evans	Husted	Schadt
Byers	Geske	Irwin	Shaw
Corwin	Gillespie	Kimberly	Smith
Dean	Gillette	Kirketeg	Stevens
Dewey	Goetsch	Levis	Zeigler
Donohue	Grunewald	Mason	

Nays, none.

Absent or not voting, 11:

Bell of Crawford	Breen	Lundy	Parker
Bell of	Chrystal	Mighell	Stewart
Des Moines	Hoeven	Moore	Whitehill

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

On motion of Senator Mason, Senate File 420, a bill for an act to make appropriations to Fred Skilling, William Durant, Mrs. William Meyers, John Kirsch, H. M. Colwell, William C. Hawley, Joe Yetmar, Chris Olsen and C. E. Baxter, with report of com-

mittee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Ellis	Hill	Mighell
Baldwin	Elthon	Hoeven	Miller
Bell of Crawford	Evans	Hopkins	Millhone
Breen	Geske	Husted	Murray
Byers	Gillespie	Irwin	Pelzer
Corwin	Gillette	Kimberly	Schadt
Dean	Goetsch	Kirketeg	Shaw
Dewey	Grunewald	Levis	Smith
Donohue	Guernsey	Mason	Zeigler
Edwards	Hart		

Nays, none.

Absent or not voting, 12:

Beardsley	Billingsley	Lundy	Stevens
Bell of	Chrystal	Moore	Stewart
Des Moines	Doran	Parker	Whitehill
Berg			

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

On motion of Senator Mason, Senate File 421, a bill for an act to make an appropriation to the city of Ames, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Doran	Guernsey	Mighell
Baldwin	Edwards	Hart	Miller
Beardsley	Ellis	Hill	Millhone
Billingsley	Evans	Hoeven	Murray
Breen	Geske	Hopkins	Pelzer
Byers	Gillespie	Husted	Schadt
Corwin	Gillette	Irwin	Shaw
Dean	Goetsch	Levis	Stevens
Dewey	Grunewald	Mason	Zeigler
Donohue			

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Chrystal	Lundy	Smith
Bell of	Elthon	Moore	Stewart
Des Moines	Kimberly	Parker	Whitehill
Berg	Kirketeg		

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

On motion of Senator Mason, Senate File 423, a bill for an act to make an appropriation to Maurice Flanagan, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason offered the following amendment and moved its adoption:

Amend Senate File 423 by striking Section 4 thereof.

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Ellis	Hill	Miller
Baldwin	Elthon	Hopkins	Millhone
Billingsley	Evans	Husted	Murray
Breen	Geske	Irwin	Pelzer
Byers	Gillespie	Kimberly	Schadt
Corwin	Gillette	Kirketeg	Shaw
Dewey	Goetsch	Levis	Smith
Donohue	Grunewald	Mason	Stevens
Doran	Guernsey	Mighell	Zeigler
Edwards	Hart		

Nays, none.

Absent or not voting, 12:

Beardsley	Berg	Hoeven	Parker
Bell of Crawford	Chrystal	Lundy	Stewart
Bell of	Dean	Moore	Whitehill
Des Moines			

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

On motion of Senator Elthon, Senate Joint Resolution 4, a joint resolution relating to the Greater Iowa Commission, requesting the cooperation of appropriate governmental agencies, and making an appropriation therefor, with report of committee recom-

mending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Strike all of Section 3 and renumber the remaining sections.

Senator Elthon moved to amend the title as follows:

Strike from lines 2 and 3 of the title the following: "making an appropriation therefor", and insert in lieu thereof the following: "directing and authorizing said commission to continue its efforts in behalf of a greater Iowa".

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Strike Section 4 as originally numbered and renumber the remaining sections.

The amendment was adopted.

Senator Elthon moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 38:

Augustine	Edwards	Hill	Mason
Ealdwin	Ellis	Hoeven	Miller
Beardsley	Elthon	Hopkins	Millhone
Bell of Crawford	Geske	Husted	Murray
Eyers	Gillespie	Irwin	Schadt
Corwin	Gillette	Kimberly	Shaw
Dean	Goetsch	Kirketeg	Smith
Dewey	Grunewald	Levis	Whitehill
Donohue	Guernsey	Lundy	Zeigler
Doran	Hart		

Nays, none.

Absent or not voting, 12:

Bell of	Breen	Mighell	Pelzer
Des Moines	Chrystal	Moore	Stevens
Berg	Evans	Parker	Stewart
Billingsley			

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 422, a bill for an act to make an appropriation to Iver Hopperstad, with report of com-

mittee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Ellis	Hoeven	Millhone
Baldwin	Elthon	Hopkins	Murray
Beardsley	Evans	Husted	Pelzer
Bell of Crawford	Geske	Irwin	Schadt
Billingsley	Gillespie	Kimberly	Shaw
Breen	Gillette	Kirketeg	Smith
Dean	Goetsch	Levis	Stevens
Dewey	Grunewald	Mason	Whitehill
Doran	Guernsey	Mighell	Zeigler
Edwards	Hill	Miller	

Nays, none.

Absent or not voting, 11:

Bell of	Byers	Donohue	Moore
Des Moines	Chrystal	Hart	Parker
Berg	Corwin	Lundy	Stewart

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

On motion of Senator Mason, Senate File 430, a bill for an act to make an appropriation to Jones county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason offered the following amendment and moved its adoption:

Strike from line 6 of Section 1 the words "said institution" and insert in lieu thereof the following: "the men's reformatory at Anamosa".

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Breen	Donohue	Evans
Baldwin	Byers	Doran	Geske
Beardsley	Corwin	Edwards	Gillespie
Bell of Crawford	Dean	Ellis	Goetsch
Billingsley	Dewey	Elthon	Grunewald

Guernsey	Irwin	Miller	Shaw
Hart	Kimberly	Millhone	Smith
Hill	Kirketeg	Murray	Stevens
Hoeven	Levis	Pelzer	Whitehill
Hopkins	Mason	Schadt	Zeigler
Husted	Mighell		

Nays, none.

Absent or not voting, 8:

Bell of	Chrystal	Lundy	Parker
Des Moines	Gillette	Moore	Stewart
Berg			

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

On motion of Senator Mason, Senate File 431, a bill for an act to make appropriations to Vera D. Tripp and Will Wickett, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Donohue	Hart	Mason
Baldwin	Doran	Hill	Mighell
Beardsley	Edwards	Hoeven	Millhone
Bell of Crawford	Ellis	Hopkins	Murray
Billingsley	Evans	Husted	Pelzer
Breen	Geske	Irwin	Schadt
Byers	Gillespie	Kimberly	Shaw
Corwin	Grunewald	Kirketeg	Stevens
Dean	Guernsey	Levis	Whitehill
Dewey			

Nays, none.

Absent or not voting, 13:

Bell of	Elthon	Miller	Smith
Des Moines	Gillette	Moore	Stewart
Berg	Goetsch	Parker	Zeigler
Chrystal	Lundy		

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

On motion of Senator Elthon, Senate File 433, a bill for an act to make an appropriation to Robert Collatt, fire chief, Burlington, Iowa, Roy Shitley, fire chief, New London, Iowa, and Claude C. Taft, fire chief, Mt. Pleasant, Iowa, a committee bill, was taken up and considered.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Edwards	Hart	Mighell
Baldwin	Ellis	Hill	Miller
Beardsley	Elthon	Hoeven	Millhone
Bell of Crawford	Evans	Hopkins	Murray
Billingsley	Geske	Husted	Pelzer
Breen	Gillespie	Irwin	Schadt
Corwin	Gillette	Kimberly	Shaw
Dean	Goetsch	Kirketeg	Smith
Dewey	Grunewald	Levis	Whitehill
Donohue	Guernsey	Mason	Zeigler
Doran			

Nays, none.

Absent or not voting, 9:

Bell of	Byers	Moore	Stevens
Des Moines	Chrystal	Parker	Stewart
Berg	Lundy		

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

On motion of Senator Kirketeg, Senate File 301, a bill for an act to legalize the action of the county auditor and county board of supervisors of Taylor county, Iowa, in making expenditures and issuing warrants in 1929 and 1930 against the county general fund; to make said warrants the legal, valid, and binding obligations of said county and to authorize the county auditor and county treasurer of said county to refund to the members of the board of supervisors and their bondsmen the amounts paid by them to reimburse said county out of the general fund of Taylor county, Iowa, reported out by the sifting committee, was taken up and considered.

Senator Kirketeg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Breen	Edwards	Gillette
Baldwin	Corwin	Ellis	Goetsch
Beardsley	Dean	Elthon	Grunewald
Bell of Crawford	Dewey	Evans	Guernsey
Berg	Donohue	Geske	Hart
Billingsley	Doran	Gillespie	Hill

Hoeven	Levis	Millhone	Smith
Hopkins	Lundy	Murray	Stevens
Husted	Mason	Pelzer	Whitehill
Kimberly	Mihell	Schadt	Zeigler
Kirketeg	Miller	Shaw	

Nays, none.

Absent or not voting, 7:

Bell of	Byers	Irwin	Parker
Des Moines	Chrystal	Moore	Stewart

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

By unanimous consent on request of Senator Gillette, consideration of Senate File 425 was deferred at this time, the bill to retain its place on the calendar.

On motion of Senator Levis, House File 329, by Hoegh, a bill for an act directing the governor on behalf of the state of Iowa, to issue to John Batie a patent or conveyance to certain land in Lucas county, Iowa, reported out by the sifting committee, was taken up and considered.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Donohue	Hart	Miller
Baldwin	Doran	Hill	Millhone
Beardsley	Edwards	Hoeven	Murray
Bell of Crawford	Ellis	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Billingsley	Evans	Irwin	Shaw
Breen	Geske	Kimberly	Smith
Byers	Gillespie	Kirketeg	Stevens
Corwin	Gillette	Levis	Whitehill
Dean	Grunewald	Mason	Zeigler
Dewey	Guernsey	Mihell	

Nays, none.

Absent or not voting, 7:

Bell of	Chrystal	Lundy	Parker
Des Moines	Goetsch	Moore	Stewart

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

By unanimous consent on request of Senator Bell of Crawford,

consideration of House File 428 was deferred at this time, the bill to retain its place on the calendar.

Owing to the absence of Senator Stewart, consideration of House File 457 was temporarily deferred, the bill to retain its place on the calendar.

On motion of Senator Hoeven, House File 314, by Dykhouse, a bill for an act to authorize certain towns to levy for the years 1937 and 1938 an additional tax to pay the amount due or to become due under any contract for electric light, reported out by the sifting committee, was taken up and considered.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Donohue	Grunewald	Levis
Baldwin	Doran	Guernsey	Mighell
Beardsley	Edwards	Hart	Miller
Bell of Crawford	Ellis	Hill	Millhone
Berg	Elthon	Hoeven	Murray
Billingsley	Evans	Hopkins	Pelzer
Breen	Geske	Husted	Schadt
Byers	Gillespie	Irwin	Shaw
Corwin	Gillette	Kimberly	Stevens
Dean	Goetsch	Kirketeg	Zeigler
Dewey			

Nays, none.

Absent or not voting, 9:

Bell of	Lundy	Parker	Stewart
Des Moines	Mason	Smith	Whitehill
Chrystal	Moore		

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

Senator Hoeven moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Breen, House File 306, by Keefe, a bill for an act to legalize the action of the board of supervisors of Webster county, Iowa, in making expenditures from the Webster county insane fund for the purposes of paying the expenses and maintenance of the Webster county home, reported out by the sifting committee, was taken up and considered.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Doran	Guernsey	Mighell
Baldwin	Edwards	Hart	Miller
Bell of Crawford	Ellis	Hill	Millhone
Berg	Elthon	Hoeven	Murray
Billingsley	Evans	Hopkins	Pelzer
Breen	Geske	Husted	Schadt
Byers	Gillespie	Irwin	Shaw
Corwin	Gillette	Kimberly	Smith
Dean	Goetsch	Kirketeg	Stevens
Dewey	Grunewald	Levis	Zeigler
Donohue			

Nays, none.

Absent or not voting, 9:

Beardsley	Chrystal	Moore	Stewart
Bell of	Lundy	Parker	Whitehill
Des Moines	Mason		

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gillette, House File 36, by Maniece, a bill for an act to repeal Section two hundred thirty-seven (237), Code, 1935, and to enact a substitute therefor, relating to the free distribution by the superintendent of printing of Codes and other legal publications issued by the State, reported out by the sifting committee, was taken up and considered.

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Dewey	Gillespie	Hopkins
Baldwin	Donohue	Gillette	Husted
Beardsley	Doran	Goetsch	Irwin
Billingsley	Edwards	Grunewald	Kimberly
Breen	Ellis	Guernsey	Kirketeg
Byers	Elthon	Hart	Levis
Corwin	Evans	Hill	Mighell
Dean	Geske	Hoeven	Miller

Millhone
Murray
Pelzer

Schadt
Shaw

Smith
Stevens

Whitehill
Zeigler

Nays, none.

Absent or not voting, 9:

Bell of Crawford
Bell of
Des Moines

Berg
Chrystal
Lundy

Mason
Moore

Parker
Stewart

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 76, a bill for an act relative to escapes.

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

Senate File 225, a bill for an act relating to compensation of inheritance tax appraisers.

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

House File 103, a bill for an act relating to the number of votes required to effect a nomination at primary elections.

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

House File 414, a bill for an act to legalize the actions of the city council and city clerk of Humboldt, in making expenditures and issuing warrants.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 103, a bill for an act to amend Sections five hundred ninety-four (594) and six hundred twenty-four (624), Code, 1935, and to repeal Sections five hundred eighty (580) and five hundred ninety-three (593), Code, 1935, and enact substitutes therefor, relating to the number of votes required to effect a nomination at primary elections.

Read first and second times and referred to sifting committee.

House File 414, a bill for an act to legalize the actions of the city council and of the city clerk of the city of Humboldt, Iowa,

in making expenditures and issuing warrants and/or certificates of indebtedness during the month of December, 1934, and the month of April, 1936, upon the general fund in the sum of eighteen hundred forty-two dollars and twenty-two cents (\$1842.22), upon the water fund in the sum of fourteen hundred seventy dollars and eighteen cents (\$1470.18), upon the grading fund in the sum of one hundred sixty-eight dollars and seventy-nine cents (\$168.79), upon the fire fund in the month of December, 1934, in the sum of thirteen hundred sixty-one dollars and seventy-one cents (\$1361.71), upon the city hall fund in the sum of twenty-nine dollars and sixty-one cents (\$29.61), upon the sewer fund in the sum of twenty-four dollars and ten cents (\$24.10), upon the grading fund in the sum of twenty-seven dollars and eighty-three cents (\$27.83), upon the park fund in the sum of ten dollars and fifteen cents (\$10.15), upon the comfort station fund in the sum of twenty dollars (\$20.00), upon the construction fund in the sum of one dollar and eighty-six cents (\$1.86), making a total of forty-nine hundred thirty-six dollars and forty-five cents (\$4936.45), said warrants and/or certificates being drawn on the said particular funds of such city for indebtedness incurred during the fiscal year beginning on April 1, 1935, and ending on March 31, 1936, except the said warrants and/or certificates of indebtedness drawn on the fire fund in the month of December, 1934, in the sum of thirteen hundred sixty-one dollars and seventy-one cents (\$1361.71), such funds and/or certificates of indebtedness, as thus drawn, creating an excess of the appropriations and anticipated revenues for such fiscal year in each fund, except the said warrants and/or certificates of indebtedness drawn on the fire fund in the month of December, 1934, in the sum of thirteen hundred sixty-one dollars and seventy-one cents (\$1361.71), but such excess not being in the full amount of the total of said warrants and/or certificates of indebtedness as issued against each fund, and to make such warrants and/or certificates of indebtedness a legal, binding and valid obligation of the city of Humboldt, Iowa.

Read first and second times and referred to sifting committee.

On motion of Senator Hoeven, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Billingsley for the afternoon, on request of Senator Doran.

INTRODUCTION OF BILLS

Senate File 448, by committee on departmental affairs, a bill for an act to amend Chapter ninety-one-C two (91-C2), Code of 1935, Section nineteen hundred five-c twenty-nine (1905-c29), by appropriating from the fees received the sum of two thousand five hundred dollars (\$2,500.00) annually to be used for educational purposes under the direction of the real estate commissioner.

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

Senate File 449, by committee on claims, a bill for an act to make appropriations to John Terpstra, Walter L. Wickett and Lyle E. Davis.

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

Senate File 450, by committee on conservation, a bill for an act relating to the powers, duties and jurisdiction of the state conservation commission, to amend Chapter eighty-five (85), Code, 1935, relating to licensing of boats and pilots and inspection, by repealing Section seventeen hundred three-e eight (1703-e8) thereof, relating to rules and regulations of the state conservation commission, to amend Section seventeen hundred three-e ten (1703-e10) thereof, relating to penalties, to further amend said chapter by enacting laws to be included in said chapter pertaining to the operation and equipment of boats used for hire and other boats used upon state-owned waters, and to provide a penalty for the violation of such laws; to amend Chapter eighty-five-D one (85-D1), Code, 1935, relating to the state conservation commission, by repealing Section seventeen hundred three-g twenty-one (1703-g21) thereof and by repealing paragraphs five (5) and six (6) of Section seventeen hundred three-d twelve (1703-d12) thereof, relating to the specific powers of the state conservation commission, and to enact a substitute therefor, to repeal Section seventeen hundred three-e twelve (1703-e12) thereof, relating to publication and to enact a substitute therefor, to amend Section seventeen hundred three-d fifteen (1703-d15) thereof, relating to

interpretation and limitations; to amend Chapter eighty-six-E one (86-E1), Code, 1935, relating to fish and game licenses, by amending Section seventeen hundred ninety-four-e ten (1794-e10) thereof, relating to form of license, and to amend Section seventeen hundred ninety-four-e twelve (1794-e12) thereof, relating to revocation or suspension of license; to amend Chapter eighty-six (86), Code, 1935, relating to propagation and protection of fish, game, wild birds and animals, by amending Section seventeen hundred eighty-nine (1789) thereof, relating to violations, and to enact laws to be added to said chapter pertaining to the protection of fish, game, wild birds and animals, and to the commercial taking or disposition thereof, and to provide a penalty for the violation of such laws; to amend Chapter eighty-seven (87), Code, 1935, relating to conservation and public parks, by repealing Section seventeen hundred ninety-nine-b one (1799-b1) thereof, pertaining to rules and regulations, and to enact laws to be added to said chapter prohibiting, restricting, or controlling the use by the public of state parks, preserves, or state-owned property or waters under the jurisdiction of the state conservation commission.

Read first and second times and referred to sifting committee.

Senate File 451, by committee on social security, a bill for an act to establish a division of relief in the State Department of Social Welfare, to define its functions and duties, to provide for coordinated administration of public relief in the state of Iowa and to repeal any provisions of the law in conflict with this act.

Read first and second times and referred to sifting committee.

Senate File 452, by committee on judiciary 2, a bill for an act to amend the statutes relating to certain fees payable to the state and the counties by private corporations and to the terms and conditions under which foreign and domestic corporations may transact business in this state, and to this end, to amend, repeal or correlate Sections eighty-three hundred forty-two (8342), eighty-three hundred forty-nine (8349), eighty-three hundred sixty (8360) eighty-three hundred sixty-seven (8367) and eighty-three hundred sixty-eight (8368) of Chapter 384; Section eighty-four hundred sixteen (8416) of Chapter 385; Sections eighty-four hundred twenty (8420), eighty-four hundred twenty-one (8421), eighty-four hundred twenty-four (8424) and eighty-four hundred twenty-five (8425) of Chapter 386; Sections eighty-four hundred thirty-nine

(8439), eighty-four hundred forty-one (8441) and eighty-four hundred fifty-one (8451) of Chapter 388; Sections eighty-five hundred twelve-g forty-five (8512-g45), eighty-five hundred twelve-g fifty-four (8512-g54), eighty-five hundred twelve-g fifty-nine (8512-g59) of Chapter 390-G1, all of the Code of Iowa, 1935.

Read first and second times and referred to sifting committee.

Senate File 453, by committee on judiciary 2, a bill for an act to revise the laws of this state governing the conduct of business under a trade name and, to that end, to repeal Chapter 429-A1, Code of 1935, and to enact a substitute therefor.

Read first and second times and referred to sifting committee.

Senate File 454, by committee on judiciary 2, a bill for an act to amend Sections eighty-five hundred eighty-one c-5 (8581 c-5) and eighty-five hundred eighty-one f-1 (8581 f-1) Chapter three hundred ninety-three C-1 (393 C-1) of the Code of Iowa, 1935, to provide that sale by a registered dealer of any security which is a part of an issue which has theretofore been sold and distributed to the public under certain circumstances, or a security exchanged therefor in a voluntary or court reorganization shall, under certain conditions, constitute an exempt transaction and to further define the power of the Secretary of State to prescribe a limitation on commissions to be paid by or on behalf of an issuer of securities.

Read first and second times and referred to sifting committee.

Senate File 455, by committee on judiciary 2, a bill for an act to revise the law relating to organization and regulation of domestic and foreign non-profit corporations, to terminate the duration of all such corporations now chartered or qualified in this state and to provide for their reincorporation under this act and to repeal the whole of Chapter 394, Code of Iowa, 1935, for which this act is a substitute.

Read first and second times and referred to sifting committee.

Senate File 456, by committee on educational institutions, a bill for an act to authorize and empower the finance committee of the Iowa state board of education to compromise and settle delinquent obligations growing out of notes and mortgages taken by said committee.

Read first and second times and referred to sifting committee.

Senate File 457, by committee on judiciary 1, a bill for an act to

legalize a special election held in the City of Iowa City, Iowa, on the 11th day of December, 1936.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Dewey, House File 82, by Stewart, a bill for an act to amend Section five thousand three hundred fifty-nine (5359), subsections eleven (11) and twelve (12), Chapter two hundred sixty-nine (269), Code, 1935, relating to the powers and duties of the board of hospital trustees, so as to authorize said board to sell at public or private sale property accepted by the board pursuant to Section five thousand three hundred fifty-nine (5359), subsection eleven (11), reported out by the sifting committee, was taken up and considered.

Senator Dewey moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26:

Baldwin	Doran	Goetsch	Mighell
Beardsley	Edwards	Grunewald	Miller
Bell of Crawford	Ellis	Hart	Pelzer
Berg	Elthon	Hopkins	Schadt
Breen	Evans	Kirketeg	Shaw
Dean	Geske	Mason	Whitehill
Dewey	Gillespie		

Nays, none.

Absent or not voting, 24:

Augustine	Donohue	Irwin	Murray
Bell of Des Moines	Gillette	Kimberly	Parker
Billingsley	Guernsey	Levis	Smith
Byers	Hill	Lundy	Stevens
Chrystal	Hoeven	Millhone	Stewart
Corwin	Husted	Moore	Zeigler

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

Senator Dewey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Owing to the absence of Senator Parker, consideration of House File 88, by Hathaway, was deferred at this time, the bill to retain its place on the calendar.

On motion of Senator Baldwin, House File 89, by Reilly, a bill for an act to amend Section thirteen thousand and eight (13008), Code, 1935, relating to larceny in nighttime, reported out by the sifting committee, was taken up and considered.

Senator Baldwin moved that the bill be read a third time now.

By unanimous consent, Senator Baldwin withdrew his motion that the bill be read a third time.

Senator Baldwin asked and received unanimous consent that further consideration of House File 89 be temporarily deferred.

On motion of Senator Edwards, House File 133, a bill for an act to change the name of the Board of Railroad Commissioners to that of State Transportation Commission, reported out by the sifting committee, was taken up and considered.

Senator Doran moved that further consideration of House File 133 be postponed until Wednesday, which motion prevailed.

On motion of Senator Hill, House File 70, a bill for an act to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matter, which was substituted for Senate File 30, was taken up and considered.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Doran	Hart	Mighell
Baldwin	Edwards	Hill	Miller
Beardsley	Ellis	Hoeven	Millhone
Bell of Crawford	Elthon	Hopkins	Murray
Berg	Evans	Husted	Pelzer
Byers	Geske	Irwin	Schadt
Corwin	Gillespie	Kimberly	Shaw
Dean	Goetsch	Kirketeg	Smith
Dewey	Grunewald	Lundy	Whitehill
Donohue	Guernsey	Mason	Zeigler

Nays, none.

Absent or not voting, 10:

Bell of	Breen	Levis	Stevens
Des Moines	Chrystal	Moore	Stewart
Billingsley	Gillette	Parker	

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

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Breen moved that the Senate adjourn until 9:00 a. m. Wednesday.

By unanimous consent, Senator Breen withdrew his motion to adjourn.

On motion of Senator Mason, Senate File 411, a bill for an act to make appropriations to C. H. White, Middle States Utilities Company, Callender Telephone Company, Gretus Asmus, Geraldine Satre, Palmer Plumbing Company, John F. Shea, Bituminous Paving Mat. Corporation, D. M. Vandelinde and Mathieson Insurance Agency, on which action was postponed Monday, was taken up and considered.

Senator Mason offered the following amendments and moved their adoption:

Amend Senate File 411, Section 1, by striking Section 1 and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated out of the primary road fund to C. H. White, Mt. Pleasant, Iowa, the sum of twenty-seven hundred dollars (\$2700.00) in full settlement of all claims he may have against the state of Iowa on account of the accidental death of Lee Eldon White, due to dynamite operations on Highway Commission land in Mount Pleasant, Iowa, in Henry county, August twenty-eighth, nineteen hundred and thirty-six, twenty-five hundred dollars (\$2500.00) of which shall be paid to C. H. White in full settlement of all claims he may have against the state on account of said accident, one hundred dollars (\$100.00) of which shall be paid to George O. Van Allen, attorney, Mount Pleasant, Iowa, and one hundred dollars (\$100.00) to be paid to F. S. Finley, attorney, Mount Pleasant, Iowa."

Also amend the title to Senate File 411 by adding after the name "C. H. White," in line one (1), the following: "George O. Van Allen, F. S. Finley,".

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Elthon	Hill	Mighell
Baldwin	Geske	Hoeven	Miller
Bell of Crawford	Gillespie	Husted	Millhone
Berg	Gillette	Irwin	Murray
Dean	Goetsch	Kimberly	Pelzer
Dewey	Grunewald	Kirketeg	Schadt
Doran	Guernsey	Levis	Stevens
Edwards	Hart	Mason	Zeigler
Ellis			

Nays, 7:

Beardsley	Donohue	Hopkins	Smith
Byers	Evans	Shaw	

Present, 3:

Breen	Corwin	Lundy	
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Absent or not voting, 7:

Bell of	Billingsley	Moore	Stewart
Des Moines	Chrystal	Parker	Whitehill

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Bell of Crawford, House File 428, a bill for an act to legalize a school election held by the Beebeetown Consolidated School District in Harrison and Pottawattamie counties on March 8, 1937, reported out by the sifting committee, was taken up and considered.

Senator Bell of Crawford moved that the bill be read a third time now; which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Doran	Guernsey	Mighell
Baldwin	Edwards	Hart	Miller
Bell of Crawford	Ellis	Hill	Millhone
Berg	Elthon	Hoeven	Murray
Breen	Evans	Hopkins	Pelzer
Byers	Geske	Husted	Schadt
Corwin	Gillespie	Kimberly	Shaw
Dean	Gillette	Levis	Stevens
Dewey	Goetsch	Lundy	Zeigler
Donohue	Grunewald	Mason	

Nays, none.

Absent or not voting, 11:

Beardsley	Billingsley	Kirketeg	Smith
Bell of	Chrystal	Moore	Stewart
Des Moines	Irwin	Parker	Whitehill

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

Senator Bell of Crawford moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Husted, House File 39, by Davis, a bill for an act to amend Section thirty-five hundred ninety-six (3596), Code, 1935, relative to support of insane, reported out by the sifting committee, was taken up and considered.

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Edwards	Hart	Miller
Baldwin	Ellis	Hill	Millhone
Beardsley	Elthon	Hoeven	Murray
Breen	Evans	Hopkins	Pelzer
Byers	Geske	Husted	Schadt
Corwin	Gillespie	Kimberly	Shaw
Dean	Gillette	Levis	Smith
Dewey	Goetsch	Lundy	Stevens
Donohue	Grunewald	Mighell	Zeigler
Doran	Guernsey		

Nays, none.

Absent or not voting, 12:

Bell of Crawford	Billingsley	Kirketeg	Parker
Bell of	Chrystal	Mason	Stewart
Des Moines	Irwin	Moore	Whitehill
Berg			

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

Senator Husted moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Donohue moved that the vote by which Senate File 411 failed to pass the Senate be reconsidered.

On the question, "Shall the Senate reconsider the vote by which Senate File 411 failed to pass the Senate?" the vote was:

Ayes, 39:

Augustine	Donohue	Grunewald	Miller
Baldwin	Doran	Guernsey	Millhone
Beardsley	Edwards	Hart	Murray
Bell of Crawford	Ellis	Hill	Pelzer
Berg	Elthon	Hoeven	Schadt
Breen	Evans	Hopkins	Shaw
Byers	Geske	Husted	Smith
Corwin	Gillespie	Kimberly	Stevens
Dean	Gillette	Kirketeg	Zeigler
Dewey	Goetsch	Levis	

Nays, none.

Absent or not voting, 11:

Bell of	Chrystal	Mason	Parker
Des Moines	Irwin	Mighell	Stewart
Billingsley	Lundy	Moore	Whitehill

The motion prevailed and the vote by which Senate File 411 failed to pass the Senate was reconsidered.

Senator Donohue moved to reconsider the vote by which Senate File 411 went to its third reading, which motion prevailed.

On motion of Senator Donohue, Senate File 411, a bill for an act to make appropriations to C. H. White, Middle States Utilities Company, Callender Telephone Company, Gretus Asmus, Geraldine Satre, Palmer Plumbing Company, John F. Shea, Bituminous Paving Mat. Corporation, D. M. Vandelinde and Mathieson Insurance Agency, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend Section 1 of Senate File 411, as amended, by striking from line 3 the words and figures "twenty-seven hundred dollars (\$2700.00)" and inserting in lieu thereof the words and figures "eighteen hundred dollars (\$1800.00)".

Further amend by striking from lines 7 and 8 of Section 1, as amended, the words and figures, "twenty-five hundred dollars (\$2500.00)" and inserting in lieu thereof the words and figures "sixteen hundred dollars (\$1600.00)".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 34:

Augustine	Berg	Corwin	Donohue
Baldwin	Breen	Dean	Doran
Beardsley	Byers	Dewey	Edwards

Ellis	Guernsey	Kirketeg	Schadt
Evans	Hill	Miller	Shaw
Geske	Hoeven	Millhone	Smith
Gillespie	Hopkins	Murray	Stevens
Goetsch	Husted	Pelzer	Zeigler
Grunewald	Kimberly		

Nays, 2:

Gillette	Mighell
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Absent or not voting, 14:

Bell of Crawford	Chrystal	Levis	Parker
Bell of	Elthon	Lundy	Stewart
Des Moines	Hart	Mason	Whitehill
Billingsley	Irwin	Moore	

The amendment was adopted.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Edwards	Guernsey	Miller
Baldwin	Ellis	Hart	Millhone
Beardsley	Elthon	Hill	Murray
Berg	Evans	Hoeven	Pelzer
Breen	Geske	Hopkins	Schadt
Byers	Gillespie	Husted	Shaw
Corwin	Gillette	Kimberly	Smith
Dewey	Goetsch	Kirketeg	Whitehill
Donohue	Grunewald	Mason	Zeigler
Doran			

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Chrystal	Lundy	Parker
Bell of	Dean	Mighell	Stevens
Des Moines	Irwin	Moore	Stewart
Billingsley	Levis		

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

CONSIDERATION OF HOUSE FILE 89 RESUMED

Senator Baldwin moved that House File 89 be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Berg	Corwin	Doran
Baldwin	Deen	Dean	Edwards
Beardsley	Byers	Dewey	Ellis

Elthon	Guernsey	Kirketeg	Schadt
Evans	Hart	Kimberly	Shaw
Geske	Hill	Mighell	Smith
Gillespie	Hoeven	Millhone	Whitehill
Goetsch	Hopkins	Murray	Zeigler
Grunewald	Husted	Pelzer	

Nays, none.

Absent or not voting, 15:

Bell of Crawford	Chrystal	Levis	Moore
Bell of	Donohue	Lundy	Parker
Des Moines	Gillette	Mason	Stevens
Billingsley	Irwin	Miller	Stewart

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

Senator Baldwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hoeven, House File 111, by Yager and Dykhouse, a bill for an act to amend Sections fifty-four hundred thirteen (5413) and fifty-four hundred fourteen (5414), Code of Iowa, 1935, relating to bounties on crows, reported out by the sifting committee, was taken up and considered.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Doran	Hart	Millhone
Baldwin	Edwards	Hill	Murray
Beardsley	Ellis	Hoeven	Pelzer
Berg	Elthon	Hopkins	Schadt
Breen	Evans	Husted	Shaw
Byers	Geske	Kimberly	Smith
Corwin	Gillette	Kirketeg	Stevens
Dean	Goetsch	Lundy	Whitehill
Dewey	Grunewald	Mason	Zeigler
Donohue	Guernsey		

Nays, none.

Absent or not voting, 12:

Bell of Crawford	Chrystal	Levis	Moore
Bell of	Gillespie	Mighell	Parker
Des Moines	Irwin	Miller	Stewart
Billingsley			

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

Senator Hoeven moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 226, 12, 253, 392, 393, 76 and 225.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 226, 12, 253, 392, 393, 76 and 225.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 30th day of March, 1937, sent to the Governor for his approval, Senate Files 226, 12, 76, 225, 253, 392 and 393 .

FRANK PELZER, *Chairman.*

Passed on file.

ADOPTION OF DUTCHER MEMORIAL RESOLUTION

Senator Schadt called up the Dutcher Memorial Resolution, which appears on page 792 of the Senate Journal, and moved its adoption, which motion prevailed.

Senator Hopkins moved that the rules be suspended and that the President appoint the committee provided for in the resolution.

The motion prevailed and the President appointed Senators Schadt, Byers and Grunewald as the committee to draft the resolutions.

EXTRA COPIES OF SENATE FILE 151

By unanimous consent on request of Senator Lundy, twelve hun-

dred extra copies of Senate File 151, relating to preference for domestic products and labor, were ordered printed.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: Senate Files 282, 179, 229, 278, 243, 439, 160, 280, 265, 297, 236, 432 and 447, and House Files 87, 4, 51, 288, 475, 476, 242, and 193.

FRANK C. BYERS, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File 253, by inserting after the word "than", in line six (6) of Section two (2), the following: "ten thousand (10,000) population and less than seventy-five thousand (75,000) population, having situated therein a state owned educational institution with a regular attendance of more than".

L. H. DORAN.

MR. PRESIDENT: I move to amend Senate File 166, Section 1, by inserting after the word "adjustments" in line 10 the following: "and receive any appropriations that may be made by the Congress of the United States for the increased cost to drainage or levy districts".

E. P. CORWIN.

MR. PRESIDENT: I move to amend House File 133 as follows:

1. Amend lines 20 and 21 by striking therefrom the words "State Transportation Commission" and inserting in lieu thereof the words "Public Service Commission".

2. Amend line 21 by striking therefrom the words "Transportation Commissioner" and inserting in lieu thereof the words "Public Service Commissioner".

3. Amend lines 21 and 22 by striking the words "Transportation Commissioners" and inserting in lieu thereof the words "Public Service Commissioners".

A. E. AUGUSTINE.

MR. PRESIDENT: I move to amend the amendment to Senate File one hundred sixty-seven (167) as follows:

1. By striking from Section one (1), paragraph two (2), lines five (5) and six (6), the following words, "within six (6) months from date of such sale or".

2. By striking from Section one (1), paragraph two (2), lines eight (8) and nine (9), the words "special and regular" and inserting in lieu thereof the word, "general".

3. By striking from Section one, paragraph three (3), line two (2), the words, "property of".

EDWARD BREEN.

MR. PRESIDENT: I move to amend the amendment to Senate File one hundred sixty-seven (167) by inserting the following section as Section six (6) and renumbering the following sections:

"Sec. 6. In any case where the period of redemption has already expired upon any tax sale certificate now held by the county, the period of time of redemption from such tax sale is hereby extended for a period

of six (6) months following the effective date to this act, and in any case where the period of redemption has expired and the county has taken a tax deed to a piece of property, the county shall not sell said property until six (6) months after the effective date of this act, and any owner or owners of such property may during said six (6) month period enter into a contract with the county for the payment of such taxes or the repurchase of said property from the county for the full amount of said taxes paid for any property to which the county has taken a tax deed less the accumulated penalties and interest or on which a tax sales certificate has been purchased by the county, under the terms and conditions of this act as though said period of redemption had not expired or said tax deed had not been issued, provided, however, that where any piece of property is redeemed after the issuance of a tax deed, all of the liens of every kind which existed prior to the issuance of said tax deed shall be reinstated and take the order of preference they had prior to the issuance of said tax deed as though no tax deed had been issued."

EDWARD BREEN.

MR. PRESIDENT: I move to amend Sec. 3 of the House Amendments to Senate File 2 by striking all of lines four (4), five (5) and six (6) of said section of said amendments and inserting in lieu thereof the following:

"Refund of 1937 Tax. The county treasurer shall make refund to any taxpayer requesting the same where the records of the 1937 per capita tax collections show said taxpayer to".

Further amend said section of said amendments by striking from lines eleven (11), and twelve (12) thereof the words, "for a preceding year but shall be credited for said delinquent year", and by inserting in lieu thereof the following:

"until as much thereof as is due has been credited on said delinquencies".

Further amend said House Amendments by striking all of Sec. 5 and inserting in lieu thereof the following:

"Sec. 5. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in the Storm Lake Pilot-Tribune, a newspaper published at Storm Lake, Iowa, and in The Evening Journal, a newspaper published at Washington, Iowa." A. J. SHAW.

MR. PRESIDENT: I move to amend Senate File 280 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That all judgments and decrees entered by default in causes wherein the original notices set out the date when and the place where the Court would convene, are hereby declared legal and binding, notwithstanding the fact that said original notices failed to name the term at which defendant or defendants was or were required to appear.

Sec. 2. This Act, being deemed of immediate importance, shall be of full force and effect from and after its publication in the Nashua Reporter, a newspaper published at Nashua, Iowa, and in the Fredericksburg News, a newspaper published at Fredericksburg, Iowa."

I further move to amend Senate File 280 by striking the title and substituting in lieu thereof the following:

"An Act to legalize default judgments and decrees in actions and

suits wherein the original notices as served on the defendant or defendants in default did not name the term at which defendant or defendants was or were required to appear.”

E. P. DONOHUE.

MR. PRESIDENT: Amend Senate File 373 by striking all after the enacting clause and inserting in lieu thereof, the following:

Section 1. State Social Security Commission. The social security commission shall be composed of five members appointed by the Governor, not more than three of whom shall be from the membership of the same political party, and each commissioner shall serve four years from July first of the year of his appointment, except that of the members first appointed, three shall be appointed for a term of two years; provided, however, that the members first so appointed shall be subject to the approval of the executive council.

Sec. 2. Appointments. Within sixty days after the convening of the General Assembly in regular session in 1939, and each two years thereafter, the Governor, with the approval of the Senate, shall appoint a successor to the member of said commission whose term expires on the following July first.

Sec. 3. 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 occurring while the General Assembly is not in session shall be filled by the Governor, and shall be approved by the executive council, but such appointments shall terminate at the end of thirty days after the convening of the next General Assembly.

Sec. 4. Compensation. Each member of the state social security commission shall receive an annual salary of eighteen hundred dollars per annum for necessary service. Each member shall receive his actual necessary expenses incurred in the performance of his duties.

Sec. 5. Powers and Duties of the Commission. The commission shall be the responsible authority for the efficient and impartial administration of old age assistance, aid to the blind, and aid to dependent children in this state. To this end it shall perform such duties, formulate and make such rules and regulations; shall outline such policies, dictate such procedure and delegate such powers as may be necessary to carry out the provisions and purposes of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, Senate File three hundred seventy-five (375), acts of the Forty-seventh General Assembly, and Senate File three hundred seventy-seven (377), acts of the Forty-seventh General Assembly.

The commission shall:

1. Within ninety (90) days after the close of each fiscal year, prepare and print for said year a report to the governor which shall include a full account of the operation of the public assistance acts under its administration, the expenditure of all funds under its control, adequate and complete statistical reports by counties and for the state as a whole concerning all payments of public assistance under its administration, and such other information as it may deem advisable, or which may be requested by the Governor or the General Assembly.

2. Cooperate with the federal social security board, created by Title

7 of the Social Security Act, Public No. 271, enacted by the 74th Congress of the United States and approved August 14, 1935, in any reasonable manner as may be necessary to qualify for federal aid for assistance including the making of such reports and in such form and containing such information as the federal social security board, from time to time may require, and comply with such provisions as such board, from time to time, may find necessary to assure the correctness and verification of such reports.

3. Furnish information to acquaint the public generally with the various public assistance systems in this state under the jurisdiction of the commission.

Sec. 6. Secretary. The commission shall appoint a secretary who shall serve at the pleasure of the commission and shall perform such duties as the commission shall require. He shall receive a salary not to exceed three thousand dollars per year.

Sec. 7. Divisional Superintendents. The commission shall appoint a superintendent of each division, namely, old age assistance, aid to the blind, and aid to dependent children. Each divisional superintendent shall serve at the pleasure of the commission and shall have such powers and perform such duties as the respective divisional acts prescribe or as are delegated by the commission. Each shall receive such salary as is prescribed by the commission but in no case to exceed forty-eight hundred dollars per annum. Each superintendent shall be the principal administrative officer of the respective division.

Sec. 8 County Board. The social security board of the county shall be appointed by the board of supervisors, and shall consist of three members in counties of less than thirty-three thousand population, no more than two of whom shall belong to the same political party, and at least one of whom shall be a woman; and in counties of more than thirty-three thousand population, shall consist of five members, no more than three of whom shall belong to the same political party, and at least one of whom shall be a woman. At the discretion of the board of supervisors one or more said appointees may be chosen from the membership of said appointing board. At the first meeting of the board of supervisors in December of each year, said board shall designate the membership of the county social security board for the ensuing calendar year. If a vacancy shall occur, otherwise than by the expiration of a term, it shall be filled in the same manner for the unexpired term. All designations, made as herein provided, shall be made a part of the regular proceedings of the board of supervisors and shall be filed with the county auditor and with the secretary of the commission.

Sec. 9. Compensation of Board Members. All members of the board shall receive the actual and necessary expenses incurred by them in the discharge of their duties. They shall also receive compensation for services at the rate of five dollars per diem, but not to exceed a total of ninety dollars in any one year in counties of less than thirty-three thousand population or more than one hundred twenty dollars in counties of more than thirty-three thousand population. The expenses and per diem of board members shall be paid from the general fund of the

county; provided, however, that members of the board of supervisors shall not be paid a per diem as members of this board.

Sec. 10. Duties of the Board. The county board shall be the local directing and responsible authority for the administration of old age assistance, aid to the blind, and aid to dependent children, with such powers and duties as are prescribed in the respective divisional acts.

Sec. 11. Board Employees. The county board shall have such employees as are necessary for the administration of the respective forms of public assistance under the jurisdiction of the commission and the boards and as prescribed by the laws of this state. They shall be selected from among those persons who hold credentials issued by the commission. Said credentials shall be granted only to those who have passed an examination prepared and given by the commission or under the commission's direction as to character, training and experience. Such examinations shall be open to all persons and said persons shall be classified according to the fields of work for which said persons are fitted and in accordance with rules and regulations adopted and published by the commission.

Sec. 12. Publication Clause. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in two newspapers of general circulation in this state, as provided by law.

EDWARD BREEN.

H. L. IRWIN.

The Journal of March 29th was corrected and approved.

On motion of Senator Breen, the Senate adjourned until 10:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 31, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. H. M. Grant, pastor of the Methodist Episcopal Church of West Branch.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Schadt, from residents of Ladora and Marengo, favoring enactment of Senate File 233.

By Senator Zeigler, from Floyd School Parent-Teachers Association of Sioux City, favoring enactment of Senate File 290.

HOUSE AMENDMENTS CONSIDERED

On motion of Senator Shaw, the following House amendments to Senate File 2 were taken up and considered:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend Section fifty-two hundred ninety-six-f thirty-four (5296-f34) of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by inserting following the word "dollars" in line eleven (11) thereof the words and punctuation ", to and including December 31, 1936".

Further amend said section by striking from line nineteen (19) the words "each year thereafter" and inserting in lieu thereof the figure "1936".

Sec. 2. Amend Section fifty-two hundred ninety-six-f thirty-five (5296-f35) of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking from lines four (4) and five (5) thereof the words and punctuation "and each year thereafter,".

Further amend said section by striking from line nine (9) the words and punctuation ", and each year thereafter".

Sec. 3. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by adding as a new section and following Section fifty-two hundred ninety-six-g five (5296-g5), the following:

"Refund of 1937 Tax. The procedure outlined in the preceding section for the refund of an erroneously paid tax shall be followed by the county treasurer for the benefit of any taxpayer who shall have paid the per capita tax heretofore levied for the year 1937 between the date of January 1, 1937, and the publication and effectiveness of this section. No refund shall thus be allowed after January 1, 1938. No refund shall be allowed where the individual is delinquent for a preceding year but shall be credited for said delinquent year. The state comptroller shall return to the respective county treasurers the amount of the 1937 per capita tax which has been delivered to said state comptroller for the purpose of this refund. After January 1, 1938, the respective county treasurers shall remit any balance in said fund through the state comptroller to the old age pension fund."

Sec. 5. This act being deemed of immediate importance, shall be in force and effect from and after its publication in two newspapers of general circulation in this State, as provided by law.

Amend by striking the title to Senate File 2 and substituting in lieu thereof the following:

"An Act to amend Sections fifty-two hundred ninety-six-f thirty-four (5296-f34) and fifty-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 levy of said per capita tax after the date of December 31, 1936, and further amending said chapter by providing for a limited period in which county treasurers may make refund of the per capita tax paid for the year 1937."

Senator Shaw offered the following amendments to the House amendments and moved their adoption:

Amend Sec. 3 of the House amendments to Senate File 2 by striking all of lines four (4), five (5) and six (6) of said section of said amendments and inserting in lieu thereof the following:

"Refund of 1937 Tax. The county treasurer shall make refund to any taxpayer requesting the same where the records of the 1937 per capita tax collections show said taxpayer to".

Further amend said section of said amendments by striking from lines eleven (11), and twelve (12) thereof the words, "for a preceding year but shall be credited for said delinquent year", and by inserting in lieu thereof the following: "until as much thereof as is due has been credited on said delinquencies".

Further amend said House amendments by striking all of Sec. 5 and inserting in lieu thereof the following:

"Sec. 5. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in the Storm Lake Pilot-Tribune, a newspaper published at Storm Lake, Iowa, and in The Evening Journal, a newspaper published at Washington, Iowa."

The amendments to the House amendments were adopted.

On the question, "Shall the Senate concur in the House amendments as amended?" the vote was:

Ayes, 37:

Augustine	Edwards	Guernsey	Millhone
Baldwin	Ellis	Hart	Murray
Beardsley	Elthon	Hill	Parker
Berg	Evans	Hoeven	Pelzer
Billingsley	Geske	Hopkins	Schadt
Breen	Gillespie	Husted	Shaw
Corwin	Gillette	Kimberly	Smith
Dean	Goetsch	Kirketeg	Whitehill
Dewey	Grunewald	Mason	Zeigler
Doran			

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Chrystal	Lundy	Moore
Bell of Des Moines	Donohue	Mighell	Stevens
Byers	Irwin	Miller	Stewart
	Levis		

The House amendments as amended, having received a constitutional majority, were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Shaw, Senate File 2, a bill for an act to amend Chapter 266-F1 of the Code of 1935, by repealing that part of Section 5296-f34 levying and providing for the collection of a two (2) dollar head tax, providing for cancellation of such a tax levied and collectible as of January 1, 1937, to remove forfeiture of claim for old age pension by reason of failure to pay said tax for more than three (3) years, and to repeal Section 5296-g5 of the Code, relating to taxes erroneously paid and application for refund thereof and limiting time in which claims may be filed therefor, and repealing Section 5296-f35 of the Code, relating to the taking of census of persons subject to the payment of such head tax, as amended, was taken up and considered.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Berg	Dean	Edwards
Baldwin	Breen	Dewey	Elthon
Beardsley	Corwin	Doran	Geske

Gillespie	Hill	Mason	Pelzer
Gillette	Hoeven	Mighell	Schadt
Goetsch	Hopkins	Miller	Shaw
Grunewald	Husted	Millhone	Smith
Guernsey	Kimberly	Murray	Whitehill
Hart	Kirketeg	Parker	Zeigler

Nays, none.

Absent or not voting, 14:

Bell of Crawford	Byers	Evans	Moore
Bell of	Chrystal	Irwin	Stevens
Des Moines	Donohue	Levis	Stewart
Billingsley	Ellis	Lundy	

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

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shaw asked and received unanimous consent to have Senate File 2 messaged to the House immediately.

By unanimous consent, on request of Senator Gillette, consideration of Senate File 425 was deferred, the bill to be placed at the foot of the calendar.

Owing to the absence of Senator Stewart, by unanimous consent consideration of House File 457 was deferred at this time, the bill to retain its place on the calendar.

On motion of Senator Parker, House File 88, by Hathaway, a bill for an act to amend Section thirty-two hundred ninety-three (3293) of the Code of Iowa, 1935, so as to prefer citizens of Iowa in the selection of subordinate officers and employees under the jurisdiction of the board of control, reported out by the sifting committee, was taken up and considered.

Senator Parker moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Byers	Edwards	Gillette
Baldwin	Corwin	Ellis	Goetsch
Beardsley	Dean	Elthon	Grunewald
Berg	Dewey	Evans	Guernsey
Billingsley	Doran	Geske	Hart

Hill	Kirketeg	Murray	Smith
Hoeven	Levis	Parker	Stevens
Hopkins	Mighell	Pelzer	Whitehill
Husted	Miller	Schadt	Zeigler
Kimberly	Millhone	Shaw	

Nays, none.

Absent or not voting, 11:

Bell of Crawford	Breen	Gillespie	Mason
Bell of	Chrystal	Irwin	Moore
Des Moines	Donohue	Lundy	Stewart

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

Senator Parker moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens, Senate File 373, a bill for an act to create a state department of social welfare, to define its functions and duties, and to coordinate the welfare activities carried on in the State of Iowa by the federal, state, and local governments and to repeal any acts or parts of acts in conflict herewith, reported out by the sifting committee, was taken up and considered.

Senator Breen called up the following amendments:

Amend Senate File 373 by striking all after the enacting clause and inserting in lieu thereof, the following:

Section 1. State Social Security Commission. The social security commission shall be composed of five members appointed by the Governor, not more than three of whom shall be from the membership of the same political party, and each commissioner shall serve four years from July first of the year of his appointment, except that of the members first appointed, three shall be appointed for a term of two years; provided, however, that the members first so appointed shall be subject to the approval of the executive council.

Sec. 2. Appointments. Within sixty days after the convening of the General Assembly in regular session in 1939, and each two years thereafter, the Governor, with the approval of the Senate, shall appoint a successor to the member of said commission whose term expires on the following July first.

Sec. 3. 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 occurring while the General Assembly is not in session shall be filled by the Governor, and shall be approved by the executive council, but such appointments shall terminate at the end of thirty days after the convening of the next General Assembly.

Sec. 4. Compensation. Each member of the state social security commission shall receive an annual salary of eighteen hundred dollars per annum for necessary service. Each member shall receive his actual necessary expenses incurred in the performance of his duties.

Sec. 5. Powers and Duties of the Commission. The commission shall be the responsible authority for the efficient and impartial administration of old age assistance, aid to the blind, and aid to dependent children in this state. To this end it shall perform such duties, formulate and make such rules and regulations; shall outline such policies, dictate such procedure and delegate such powers as may be necessary to carry out the provisions and purposes of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, Senate File three hundred seventy-five (375), acts of the Forty-seventh General Assembly, and Senate File three hundred seventy-seven (377), acts of the Forty-seventh General Assembly.

The commission shall:

1. Within ninety (90) days after the close of each fiscal year, prepare and print for said year a report to the Governor which shall include a full account of the operation of the public assistance acts under its administration, the expenditure of all funds under its control, adequate and complete statistical reports by counties and for the state as a whole concerning all payments of public assistance under its administration, and such other information as it may deem advisable, or which may be requested by the Governor or the General Assembly.

2. Cooperate with the federal social security board, created by Title 7 of the Social Security Act, Public No. 271, enacted by the 74th Congress of the United States and approved August 14, 1935, in any reasonable manner as may be necessary to qualify for federal aid for assistance including the making of such reports and in such form and containing such information as the federal social security board, from time to time may require, and comply with such provisions as such board, from time to time, may find necessary to assure the correctness and verification of such reports.

3. Furnish information to acquaint the public generally with the various public assistance systems in this state under the jurisdiction of the commission.

Sec. 6. Secretary. The commission shall appoint a secretary who shall serve at the pleasure of the commission and shall perform such duties as the commission shall require. He shall receive a salary not to exceed three thousand dollars per year.

Sec. 7. Divisional Superintendents. The commission shall appoint a superintendent of each division, namely, old age assistance, aid to the blind, and aid to dependent children. Each divisional superintendent shall serve at the pleasure of the commission and shall have such powers and perform such duties as the respective divisional acts prescribe or as are delegated by the commission. Each shall receive such salary as is prescribed by the commission but in no case to exceed forty-eight hundred dollars per annum. Each superintendent shall be the principal administrative officer of the respective division.

Sec. 8. County Board. The social security board of the county shall be appointed by the board of supervisors, and shall consist of three members in counties of less than thirty-three thousand population, no more than two of whom shall belong to the same political party, and at least one of whom shall be a woman; and in counties of more than thirty-three thousand population, shall consist of five members, no more than three of whom shall belong to the same political party, and at least one of whom shall be a woman. At the discretion of the board of supervisors one or more said appointees may be chosen from the membership of said appointing board. At the first meeting of the board of supervisors in December of each year, said board shall designate the membership of the county social security board for the ensuing calendar year. If a vacancy shall occur, otherwise than by the expiration of a term, it shall be filled in the same manner for the unexpired term. All designations, made as herein provided, shall be made a part of the regular proceedings of the board of supervisors and shall be filed with the county auditor and with the secretary of the commission.

Sec. 9. Compensation of Board Members. All members of the board shall receive the actual and necessary expenses incurred by them in the discharge of their duties. They shall also receive compensation for services at the rate of five dollars per diem, but not to exceed a total of ninety dollars in any one year in counties of less than thirty-three thousand population or more than one hundred twenty dollars in counties of more than thirty-three thousand population. The expenses and per diem of board members shall be paid from the general fund of the county; provided, however, that members of the board of supervisors shall not be paid a per diem as members of this board.

Sec. 10. Duties of the Board. The county board shall be the local directing and responsible authority for the administration of old age assistance, aid to the blind, and aid to dependent children, with such powers and duties as are prescribed in the respective divisional acts.

Sec. 11. Board Employees. The county board shall have such employees as are necessary for the administration of the respective forms of public assistance under the jurisdiction of the commission and the boards and as prescribed by the laws of this state. They shall be selected from among those persons who hold credentials issued by the commission. Said credentials shall be granted only to those who have passed an examination prepared and given by the commission or under the commission's direction as to character, training and experience. Such examinations shall be open to all persons and said persons shall be classified according to the fields of work for which said persons are fitted and in accordance with rules and regulations adopted and published by the commission.

Sec. 12. Publication Clause. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in two newspapers of general circulation in this state, as provided by law.

Senator Breen asked and received unanimous consent to correct the pending amendments as follows:

Strike the word "and" in line 4 of Section 5 and add, after the words "dependent children", the following: ", and child welfare".

Insert in line 9 of Section 5, after the word and figures "Code, 1935," the following: "Senate File three hundred seventy-four (374), Acts of the Forty-seventh General Assembly,".

Strike from line 3 of Section 7 the word "and" and insert after the word "children" the following: ", and child welfare".

Strike from line 3 in Section 10 the word "and", and insert in line 4, after the word "children", the following: "and child welfare,".

On motion of Senator Dewey the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

INTRODUCTION OF BILLS

Senate File 458, by committee on conservation, a bill for an act to establish improvement districts for the improvement, management, supervision and development of conservation areas that are situated partly in Iowa and partly in one or more adjacent states and providing a procedure therefor.

Read first and second times and referred to sifting committee.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to House amendments to and passed Senate File 2, a bill for an act relating to the collection of a two dollar head tax and the taking of census of persons subject to the payment of such head tax.

A. C. GUSTAFSON, *Chief Clerk.*

TRIPP MEMORIAL RESOLUTION

Senator Billingsley offered the following resolution:

Whereas, The Honorable D. Myron Tripp, who served as State Senator from the Twenty-ninth District, Jasper county, during the Forty-fifth and Forty-fifth Extra Sessions of the Iowa Legislature, died May 15, 1936, therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character, and service to the state.

REPORT OF THE SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bill under consideration and recommends that it be placed on the calendar: S. F. 290. FRANK C. BYERS, *Chairman*.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 340, a bill for an act to appropriate funds with which to remove Police Radio Station KNFN from Waterloo to Cedar Falls and to install it in housing facilities to be furnished to the state by the city of Cedar Falls and local bodies, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 443, a bill for an act to make an appropriation to Harry R. Frankle, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 445, a bill for an act to make an appropriation to W. J. Steckel, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 446, a bill for an act to make an appropriation to Ella Talbott, begs leave to report it has had the same under consideration and recommends the same do pass. LEO ELTHON, *Chairman*.

Ordered passed on file.

CONSIDERATION OF SENATE FILE 373 RESUMED

Senator Irwin offered the following amendment to the amendment offered by Senators Breen and Irwin, and moved its adoption:

Amend Section 1, line 2, by adding after the word "members" the following: " , one of whom shall be a woman,".

The amendment was adopted.

Senators Donohue, Byers and Corwin offered the following amendments:

Amend Senate File 373 as follows:

1. Amend Section 1 by striking the following words from lines 3 and 4: "'Commissioner' means the Commissioner of the State Department of Social Welfare;".

2. Amend Section 2 by striking from line 3 the following words: "a Commissioner of Social Welfare" and also to strike the comma following the word "welfare".

3. Amend Section 3 by striking the word "majority" in line 3 and substituting in lieu thereof the word "vote".

4. Amend Section 3 by striking the following words from lines 4, 5 and 6: "The members of the Board shall be persons well qualified on the basis of recognized interest in and knowledge of the problems of social welfare and shall include" and substitute in lieu thereof the following: "The Board shall include in its membership".

5. Amend Section 3 by striking from lines 28 and 29 the following words: "constitutional majority of the Senate" and substituting in lieu thereof the words "a two-thirds vote of the members of the Senate in executive session".

6. Amend Section 3 further by striking therefrom lines 30, 31, 32, 33, 34 and the word "year" from line 35 and to substitute in lieu thereof the following: "Each member of the State Board shall receive a salary of \$2,000.00 per annum for necessary service."

7. Amend Section 4 by striking the following words from line 1: "The State Board shall select" and also by striking all of lines 2, 3, 4, 5 and 6 including the period following the word "annum" in line 6.

8. Amend Section 4 further by striking from line 10 the following words: "the commissioner subject to the authority of".

9. Amend Section 4 further by striking all of line 11 following the period after the word "Board" and all of lines 12, 13, 14, 15 and 16, and by substituting in lieu thereof the following: "The State Board shall have general supervision over the County Departments of Social Welfare hereinafter created."

10. Amend Section 4 further by adding thereto the following: "The State Board shall prepare annually a full report of the operations and administration of the State Department, together with recommendations and suggestions, and such report shall be submitted to the Governor not later than two months after the close of the fiscal year."

11. Amend Section 5 by striking from lines 8 and 9 the following: "—in aid or the minimum standards prescribed by the State Department thereunder are" and substitute in lieu thereof the word "is".

12. Amend by striking all of Section 7.

13. Amend Section 8 by striking from lines 3, 4 and 5 the following words: "or in cases of emergency so declared by the Governor may be delegated to it by the Governor".

14. Amend Section 8 further by striking from lines 6 and 7 the comma and the following words: "including the organization and supervision of county social welfare departments".

15. Amend Section 8 further by striking all of subsection 5.

16. Amend by striking all of Section 10.

17. Amend by striking all of Section 11 and substitute in lieu thereof the following: "The County Board of Social Welfare in each county shall consist of five members, at least one of whom shall be a woman, which Board of Welfare in each county shall be appointed by the county board of supervisors of said county. In any county the board of supervisors may appoint three members of the board of supervisors as members of the county welfare board. The terms of each county board member shall be four years, except that the term of the members of the board of supervisors serving as members of the County Board of Public Welfare shall expire upon their retirement from office. Vacancies shall be filled for the unexpired terms by the board of supervisors. The members of the county board shall receive as compensation the sum of two dollars (\$2.00) per day for each day of actual service as a member of the board, and also shall be reimbursed for the amount of their traveling and other expenses actually incurred in the performance of their official duties. Members of the board of supervisors who may be members of the said welfare board shall receive no compensation as members of the board of supervisors for any day served as a member of the County Welfare Board."

18. Amend Section 13 by striking from line 1 thereof the words "or district department" and also by striking from line 2 the words "or district" and the comma following the word "district".

19. Amend Section 13 further by striking from line 3 the following words "and as delegated to it by the State" and by striking all of lines 4 and 5 and substitute in lieu thereof the following: "and all welfare activities under the supervision and control of the State Department, and the said County Board shall also co-operate with existing private welfare agencies."

20. Amend Section 14 by striking all of line 4 following the period after the word "county", all of lines 5, 6, 7 and all that part of line 8 up to and including the period.

21. Amend Section 15 by striking all of line 4 following the period, all of lines 5, 6, 7, 8, 9 and by striking the word "district" and the period following said word in line 10.

22. Amend Section 15 further by striking from line 12 the words "commissioner of public welfare" and substitute in lieu thereof the words "State Board".

23. Amend Section 15 further by striking the comma following the word "purpose" in line 13 and inserting a period in lieu thereof, and by

striking the balance of line 13, all of line 14 and that part of line 15 to and including the period.

24. Amend by striking all of Section 17.

25. Amend by striking all of Section 6.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File 133 as follows: Strike from line two (2) of the title the words "State Transportation", and insert in lieu thereof the words "Iowa Public Service".

Further amend:

Strike from lines twenty (20), twenty-one (21), and twenty-two (22), of Section two (2), the words, "State Transportation Commission," or "Transportation Commissioner," or "Transportation Commissioners," and insert in lieu thereof the words "Iowa Public Service Commission," or "Iowa Public Service Commissioner," or "Iowa Public Service Commissioners,".

Further amend by adding the following additional section:

Sec. 2. The provisions of this act shall in no manner impair or affect pending legislation, litigation, or outstanding orders, rules, regulations, contracts or obligations made and/or entered into by the Board of Railroad Commissioners."

L. H. DORAN.

MR. PRESIDENT: I move to amend Senate File 375 by striking from line seven (7), Section 2, the word "medicine".

Further amend Senate File 375 by striking from line thirteen (13), Section 4, the word "medical".

HOWARD W. EDWARDS.

MR. PRESIDENT: I move to amend Senate File 278 as follows:

1. Amend by striking the period at the end of Section one (1) and inserting in place thereof a comma and adding after the said comma the following: "and to provide for the improvement of Storm lake in Buena Vista county, Iowa."

2. Amend subsection one (1) of Section three (3) of said Senate File 278 by adding after the comma following the words "Dickinson county" in line six (6) of said Section three (3) the following: "and/or Buena Vista county,".

3. Amend subsection three (3) of Section three (3) of Senate File 278 by adding after the comma following the word "county" in line fifteen (15) of Section three (3) the following: "or board of supervisors of Buena Vista county,".

4. Amend Section three (3) of Senate File 278 by adding a comma after the word "county" in line seventeen (17) and inserting thereafter "or the board of supervisors of Buena Vista county,".

5. Further amend Section three (3) of Senate File 278 by inserting a comma after the word "County" in line twenty-one (21) of Section three (3) and adding the following: "or board of supervisors of Buena Vista county,".

6. Further amend Section three (3) of Senate File 278 by adding after

the comma in line twenty-four (24) of Section three (3) the following: "or other improvement approved by the board of conservation."

7. Amend Senate File 278 by striking Section four (4) thereof and inserting in place thereof, a new Section four (4) as follows: "Section four (4). There is hereby appropriated out of the funds in the state treasury, not otherwise appropriated, the sum of one hundred twenty-five thousand (\$125,000.00) dollars or so much thereof as may be needed for the construction, maintenance and operation of the sewer and sewer disposal works in said Dickinson county, Iowa, and there is hereby appropriated out of the funds of the state treasury not otherwise appropriated, the sum of eighty thousand (\$80,000.00) dollars or as much thereof as may be needed for the purposes of the improvement and protection of Storm lake in Buena Vista county, Iowa, which sums shall be available to the state conservation commission for the purposes of this act and shall be available until the purposes hereinbefore set forth are attained, or until such sum is expended.

8. Amend the title of Senate File 278 as follows: strike the period following the word "agencies" at the end of line seven (7) and insert in lieu thereof the following: "and to provide for the improvement of Storm lake in Buena Vista county, Iowa, as a replacement of the moneys already expended by the city of Storm Lake and its inhabitants in diverting sewage from said lake."

9. Amend the title or reasons given for this act by inserting a new paragraph just prior to the last "Whereas" preceding the enacting clause as follows: "Whereas, there is located in Buena Vista county, Iowa, a lake known as Storm lake with an area of more than three thousand (3000) acres, which lake is the property of the State of Iowa; and,

"Whereas, the incorporated town of Storm Lake, Iowa, and its citizens have heretofore for the protection of said lake and for the purpose of diverting therefrom sewage, expended of their own funds a sum in excess of one hundred fifty-nine thousand (\$159,000) dollars; and,

"Whereas, the said lake by reason of silt deposit is rapidly being destroyed and made unavailable as a recreation ground for the residents of the State of Iowa and should in justice to the state and to the residents of the town of Storm Lake, and Buena Vista county, be protected and improved; and,"

A. J. SHAW.

MR. PRESIDENT: We move to amend Senate File 375 as follows:

Amend Section 5, line twenty-one (21), by striking the word "operated", and inserting in lieu thereof the word "created".

Further amend Section 5, line twenty-two (22), by striking the roman numeral "X", and inserting in lieu thereof "VII".

Also amend Section 18, of Senate File 375 by striking from line nine (9) the word "contributors", and insert in lieu thereof the words "county and state departments".

HOWARD EDWARDS.

B. C. WHITEHILL.

O. J. KIRKETEG.

The Journal of March 30th was corrected and approved.

Senator Stevens moved that the Senate resolve itself into a committee of the whole to hear members of the Committee of Thirty-five on Senate File 373, relating to social security.

On motion of Senator Elthon, the Senate adjourned until 10:00 a. m., Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 1, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. William Krummel, pastor of the Evangelical Church of Walnut.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Moore for the day, on request of Senator Corwin.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Beardsley, from citizens of Osceola, favoring enactment of the teachers' retirement annuity bill.

By Senator Dean, from the Cerro Gordo County Teacher Federation, favoring enactment of House File 130.

By Senator Hart, from Parent-Teacher Associations of Keokuk, favoring enactment of House File 130.

By Senator Hopkins, from oil companies of Audubon, favoring enactment of Senate File 321.

By Senator Hopkins, from voters of Guthrie county, favoring enactment of House File 130.

By Senator Millhone, from Fremont County Farm Bureau, favoring enactment of Senate File 143.

By Senator Millhone, from citizens of Clarinda, favoring enactment of House File 130.

INTRODUCTION OF BILLS

Senate File 459, by committee on public schools, a bill for an act to amend Section four thousand four hundred five (4405),

Code, 1935, relating to the issuance of refunding bonds by school districts.

Read first and second times and referred to sifting committee.

Senate File 460, by committee on motor vehicles, a bill for an act to amend Chapter two hundred thirty-eight (238), Code, 1935, so as to give the primary highway maintenance patrolmen and engineers the powers of peace officers in certain instances, and to repeal Section five thousand ninety-three-c one (5093-c1), Code, 1935.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files 36, 39, 70, 82, 89, 111, 200, 306, 314, 329 and 428, and Senate File 2.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 36, 39, 70, 82, 89, 111, 200, 306, 314, 329 and 428, and Senate File 2.

TRIPP MEMORIAL RESOLUTION ADOPTED

Senator Billingsley moved the adoption of the Tripp memorial resolution, which appears on page 872 of the Senate Journal.

The motion prevailed and the resolution was adopted.

Senator Hopkins moved that the rules be suspended and that the President appoint the committee provided for in the Tripp memorial resolution.

The motion prevailed and the President appointed Senators Billingsley, Doran and Augustine.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 181, a bill for an act relating to vehicles and traffic.

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

House File 119, a bill for an act extending time to pay first installment of taxes payable in 1937.

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

House File 461, a bill for an act legalizing an election held in Manning on November 16, 1936.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 119, a bill for an act extending the time in which to pay, without penalty, the first installment of all taxes payable in 1937, and to provide for interest on said installment in case payment is not made within the time specified.

Read first and second times and referred to sifting committee.

House File 461, a bill for an act to legalize an election held on the 16th day of November, 1936, in the town of Manning, Iowa, for the purpose of acquiring land and building thereon a swimming pool, and incurring an indebtedness in the sum not to exceed twelve thousand dollars (\$12,000.00) for which bonds were issued.

Read first and second times and referred to sifting committee.

Senator Beardsley asked and received unanimous consent to consider at this time the House amendments to Senate File 181.

HOUSE AMENDMENTS CONSIDERED

Senator Beardsley called up for consideration Senate File 181, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 181

Amend Section 1, paragraph 40, by inserting in line 188, after the word "conveyances" the following: "except when such operation by the owner is occasional and merely incidental to his principal business".

Amend Section 1, paragraph 50, line 224, by inserting after the word "chapter" the following: "or such entrances are controlled by a police officer or traffic-control signal".

Further amend Section 1 by inserting in paragraph 55, line 250, after the word "territory" the following: "within a city or town"; also by placing a period after the word "district" in line 251 and striking the remainder of the paragraph.

Amend Section 15 by striking from line 4 the words "to carry out" and inserting in lieu thereof the following: "for administration and enforcement of".

Amend Section 31 by striking from lines 4 and 5 the following: "and an additional fifty men on June 1, 1938, for said patrol,".

Also strike from Section 31, line 5, the word "such" and insert the word "all".

Amend Section 32 by striking from line 3 the word "twenty-two" and substituting the word "fourteen".

Amend Section 41 by striking from line 4 the figures "\$250.00" and substituting in lieu thereof the figures "\$200.00".

Also by striking from line 5 the figures "\$175.00" and substituting in lieu thereof the figures "\$165.00".

Amend Section 41 by striking from line 7 the words "the first year of service" and substituting in lieu thereof the following: "one year of service as a patrolman or a driver's license examiner".

Further amend said section by adding a period after the word "month" in line 7a and striking the remainder of the section.

Amend Section 60, line 4, by striking the word "originally" and adding following the word "registered" the words "in accordance with Section fifty-one (51)".

Amend Section 61, paragraph 2, by adding following the word "highways" in line 10, the following: ", providing such condition is revealed by a member of this department, or any peace officer".

Further amend said section by adding as a new subsection six (6) the following: "6. That the required sales tax has not been paid."

Amend Section 93 by striking from line 3, after the word "used" all the following line up to and including "vehicle" in line 4.

Amend Section 126 by striking from line 8 the comma (,) after the word "number" and inserting a period (.) in lieu thereof, and striking the balance of the section.

Amend Section 143 by striking from lines 3 and 4 the words: "with a gross weight of not more than two thousand (2000) pounds or".

Amend Section 153 by adding after the period (.) in line 16 the following: "Nothing in this section shall be held to apply to a private sedan, coach, coupe, or roadster, to which a two-wheeled or four-wheeled farm trailer is temporarily attached for occasional use."

Amend Section 154 by striking lines 1, 2, 3, 4 and 5 and substituting therefor the following: "Trailers weighing less than one thousand (1000) pounds, or with a loading capacity of less than one thousand (1000) pounds, shall not be subject to a license fee.

All other trailers shall be subject to a license fee to be fixed in accordance with the following schedule:

When equipped with pneumatic tires;”.

Amend Section 154 by inserting as line 5a therein as follows: “Wagon box trailers used by a farmer in connection with the operation of his farm.....\$1.00”.

Amend by striking Section 157 and inserting in lieu thereof the following

“Sec. 157. If during the year for which a motor vehicle was registered and the required registration fee paid therefor:

1. Such vehicle is destroyed by fire or accident, or junked and its identity as a motor vehicle entirely eliminated or removed and continuously used beyond the boundaries of the state, then the owner in whose name it was registered at the time of such destruction, dismantling or removal from the state, shall return the plates to the County Treasurer within ten days and make affidavit of such destruction, dismantling or removal and make claim for refund;

2. Such vehicle is sold to a person, either individual, firm or corporation, whose residence or place of business is without the state, the owner who made the sale and gave notice in accordance with the provisions of Section seventy-six (76) shall return the plates to the County Treasurer within ten days and make affidavit of such sale and make claim for refund;

3. Such vehicle is stolen the owner shall give notice of such theft to the County Treasurer within five (5) days, who in turn shall notify the department, and if it be not recovered by the owner before December first of the year for which the registration fee was paid he shall make affidavit of such theft and make claim for refund.”

Further amend by adding:

“Sec. 157-a. Amount of Refund. For December and each succeeding month the refund shall be computed on the basis of one-twelfth of the annual registration fee multiplied by the number of unexpired months of the year, computed to the nearest quarter dollar. The department shall make refund on or before the fifteenth day of the month following the month in which the refund is asked.”

Amend Section 164 by striking from line 2 the words “one dollar” and substituting the words: “five per cent of the annual registration fee”.

Further amend by striking from line 3 the words “one dollar” and substituting the words: “five per cent of the annual registration fee”.

Further amend by inserting in line 5 after the comma (,) following the word “paid” the following: “provided that said penalty in no case shall be less than one dollar, and”.

Amend Section 180 by adding thereto the following: “In lieu of purchasing under competitive bids the state printing board shall have authority to arrange with the board of control to furnish such supplies as can be made in the state institutions.”

Amend Section 214 by changing the comma (,) after the word “minor” in line 8 to a period (.) and striking the remainder of the section.

Amend by striking all of Section 215.

Amend by striking all of Section 216.

Amend Section 218 by inserting in line 2 after the word "every" the word "new".

Amend Section 222 by striking the word "fifty" in line 2 and substituting therefor the word "twenty-five".

Amend Section 223 by striking from lines 4 and 4a the words "purpose of making effective" and substituting in lieu thereof the words: "administration and enforcement of".

Amend Section 227 by inserting after the word "violation" in line 7 the following: ", against whom no accident has been reported,".

Further amend Section 227 by striking all after the word "reason" in line 8 and substituting in lieu thereof the following: "shall be issued an operator's license without examination".

Amend by striking all of Section 229.

Amend Section 290 by inserting after the word "official" in line 5 the following: "parking sign, curb or other marking,".

Amend Section 312 by adding following the word "condition" in line 2 the words: "or under influence of narcotic drugs".

Amend Section 316 by striking from line 12 the word "maximum" and by inserting in lieu thereof the word "lawful".

Also by striking from line 13 of said section the word "specified" and inserting in lieu thereof the word "modified".

Amend Section 316 by striking from sub-section 1 the words and figures "twenty (20)" and by inserting in lieu thereof the words and figures "fifteen (15)".

Amend Section 317 by striking from line 2 the figures "5,000" and inserting the figures "6,000".

Amend by striking Section 339-A1 and substituting in lieu thereof the following:

"Sec. 339A1. No person shall pull or tow by motor vehicle another motor vehicle over any highway outside the limits of any incorporated city or town, except in case of temporary movement for repair or other emergency, unless such person has complied with the provisions of Sections eighty-eight (88) and eighty-nine (89) of this act. Provided, however, if such person is a non-resident of the State of Iowa and has complied with the laws of the state of his residence governing licensing and registration as a transporter of motor vehicles he shall not be required to pay the fee provided in Section eighty-nine (89) but only to submit proof of his status as a bona fide manufacturer or transporter as may reasonably be required by the department.

Every person pulling or towing by motor vehicle another motor vehicle in convoy or caravan shall maintain a distance of at least 500 feet between the units of said convoy or caravan.

The draw bar or towing arm between a motor vehicle pulling or towing another motor vehicle shall be of a type approved by the commissioner.

No truck shall pull or tow any four-wheeled trailer, and no semi-trailer shall pull or tow any additional trailer over any of the highways in this state, except in cases of temporary movement for repair or emergency, and then only to the nearest town or city where the necessary repairs may be made."

Amend Section 346 by striking from line 2 the word "shall" and inserting the word "may".

By inserting after the word "arm" in line 3 the following: "or other proper signal".

By inserting after the word "signal" in line 5 the words: "or other signal".

By striking the word "such" from line 7 and inserting before the word "lamp" in said line the word "signal".

By striking the period (.) in line 7 and adding the following: "of a type approved by the Department."

Amend Section 347, line 2, by adding after the word "required" the following words: "which may be"; also by adding after the word "shall" in line 2 the words "when so given".

Further amend by striking all of line 3 after the word "vehicle" and all of line 4 and insert in lieu thereof the following: "and the following manner and interpretation thereof is suggested:"

Amend Section 354 by adding thereto the following:

"Sec. 354-a. Pedestrians shall at all times when walking on or along a highway, walk on the left side of such highway."

Amend Section 359 by adding after the period (.) in line 3 thereof the following:

"Nothing in this section or this act shall be construed so as to prevent any pedestrian from standing on that portion of the highway or roadway, not ordinarily used for vehicular traffic, for the purpose of soliciting a ride from the driver of any vehicle".

Amend Section 372 by striking from lines 5 and 6 the following: "stop and 'go'" and by inserting in lieu thereof: "traffic control".

Amend Section 398 by inserting the article "a" before the word "white" in line 3.

Further amend said section by striking from line 3 the word "white" and inserting in lieu thereof the words "lemon yellow".

Amend Section 399 by inserting after the word "shall" in line 2 the following: "after September 1, 1939,".

Further amend said section by striking all of line 4 and substituting therefor the following:

"1. It shall be painted a lemon yellow color for the body, with the fenders in black."

Amend Section 399, subsection 8, by striking all after the word "heated" in line 18 and substituting therefor the following: "either with hot water radiator heaters or hot air heaters. The hot air heaters to be iron pipes with all screw connections and guarded by one-half inch meshing wire, three-fourths inches from the heating element which is located in bus body."

Amend Section 401 by striking from line 1 the word "eighteen" and inserting in lieu thereof the word "sixteen".

Amend Section 402 by changing the period at the end of line 7 to a semi-colon and adding the following: "except that in the case of a driver under the age of eighteen only a limited chauffeur's license may be issued, which limited license shall be valid for the purpose only of

operating a motor vehicle to transport pupils to and from school. Such limited license shall be valid for the school year beginning July 1 and ending June 30, and shall be issued under the same requirements, except as to age, as apply to the issuance of regular chauffeur's licenses to those eighteen years of age or over."

Amend Section 401 by adding thereto the following: "Any school board may contract with the driver of any school bus for a period of three years."

Amend Section 407 by striking the last sentence thereof.

Amend Section 454 by striking from line 22 the words "after January 1, 1939," and inserting the same after the word "shall" in line 20.

Amend Section 455 by striking all of paragraph 1 and inserting in lieu thereof the following:

"1. The service brakes upon any motor vehicle or combination of motor vehicles, when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed 1 per cent, when traveling 20 miles an hour shall be adequate:

a. To stop such vehicle or vehicles having a gross weight of less than 5,000 pounds within a distance of 30 feet.

b. To stop such vehicle or vehicles having a gross weight in excess of 5,000 pounds within a distance of 45 feet."

Amend Section 462 by striking from lines 3 and 4 the following: "side-wings, side or rear windows,".

Amend by striking all of Section 484-A1.

On the question, "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 37:

Augustine	Edwards	Guernsey	Millhone
Baldwin	Ellis	Hart	Murray
Beardsley	Elthon	Hill	Schadt
Berg	Evans	Hoeven	Shaw
Billingsley	Geske	Hopkins	Smith
Breen	Gillespie	Husted	Stevens
Corwin	Gillette	Kimberly	Stewart
Dean	Goetsch	Kirketeg	Whitehill
Dewey	Grunewald	Levis	Zeigler
Donohue			

Absent or not voting, 13:

Bell of Crawford	Chrystal	Mason	Moore
Bell of	Doran	Mighell	Parker
Des Moines	Irwin	Miller	Pelzer
Byers	Lundy		

The House amendments having failed to receive a constitutional majority were declared not to have been adopted and concurred in by the Senate.

CONSIDERATION OF SENATE FILE 373 RESUMED

Senator Breen asked and received unanimous consent to withdraw the amendment filed by himself and Senator Irwin, which appears on pages 869, 870 and 871 of the Senate Journal.

Senators Breen and Irwin offered the following amendment:

Amend Senate File three hundred seventy-three (373) by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Definitions. As used in this act: "State department" means the State Department of Social Welfare; "state board" means the "State Board of Social Welfare"; "county board" means the County board of Social Welfare."

Sec. 2. State Department of Social Welfare. There is hereby created a State Department of Social Welfare which shall consist of a state board of social welfare, and such other officers and employees as may be hereafter provided.

Sec. 3. State Board of Social Welfare. The State Board of Social Welfare shall consist of five members appointed by the Governor, subject to the approval of a two-thirds vote of the members of the Senate in executive session. At least one member of the state board shall be a woman, not more than three members shall be of the same political party, and not more than one member shall be from any one congressional district. Each member shall serve for a term of four years, or until his successor is appointed and qualified, except that the terms of the members first appointed shall expire, as designated by the Governor at the time of appointment, three terms on June 30, 1939, and two terms on June 30, 1941. Within sixty days after the convening of the General Assembly, the Governor shall appoint successors to the members of said board whose terms expire on the following June thirtieth.

Sec. 4. Vacancies. Vacancies occurring while the General Assembly is in session shall be filled for the unexpired portion of the term in the same manner as full term appointments are made. Vacancies occurring while the General Assembly is not in session shall be filled by the Governor and shall be approved by the executive council, but such appointments shall terminate at the end of thirty days after the convening of the next General Assembly.

Sec. 5. Compensation. Each member of the state board shall receive an annual salary of eighteen hundred dollars for necessary services. Each member shall also receive his actual necessary expenses incurred in the performance of his duties.

Sec. 6. Powers and duties of the state board. The state board shall be vested with the authority to administer old age assistance, aid to the blind, aid to dependent children and child welfare. To this end it shall perform such duties, formulate and make such rules and regulations as may be necessary; shall outline such policies, dictate such procedure and delegate such powers as may be necessary to carry out the provisions and purposes of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as hereafter amended, Senate File three hundred seventy-four (374),

Senate File three hundred seventy-five (375), and Senate File three hundred seventy-seven (377), Acts of the Forty-seventh General Assembly.

The state board shall:

1. Within ninety days after the close of each fiscal year, prepare and print for said year a report to the Governor which shall include a full account of the operation of the acts under its administration, the expenditure of all funds under its control, adequate and complete statistical reports by counties and for the state as a whole concerning all payments made under its administration, and such other information as it may deem advisable, or which may be requested by the Governor or by the General Assembly.

2. Cooperate with the Federal Social Security Board created by Title VII of the Social Security Act, Public No. 271, enacted by the 74th Congress of the United States and approved August 14, 1935, in such reasonable manner as may be necessary to qualify for federal aid, including the making of such reports in such form and containing such information as the Federal Social Security Board, from time to time, may require, and to comply with such regulations as such Federal Social Security Board, from time to time, may find necessary to assure the correctness and verification of such reports.

3. Exercise general supervision over the county boards of social welfare and their employees.

4. Furnish information to acquaint the public generally with the operation of the acts under the jurisdiction of the state board.

Sec. 7. Secretary. The state board shall appoint a secretary who shall serve at its pleasure and shall perform such duties as it may require. He shall receive a salary not in excess of three thousand dollars (\$3,000.00) per year.

Sec. 8. Divisions. The state board shall create divisions of old age assistance, aid to the blind, aid to dependent children, and child welfare. It shall appoint a superintendent for each division, who shall serve at the pleasure of the state board and shall have such powers and perform such duties as are prescribed by law or as are delegated by the state board. Each superintendent shall receive such salary as is fixed by the state board but not in excess of forty-eight hundred dollars (\$4,800.00) per year.

Sec. 9. County Board of Social Welfare. The board of supervisors of each county shall appoint a county board of social welfare, which shall consist of three members in counties of less than thirty-three thousand population, not more than two of whom shall belong to the same political party, and at least one of whom shall be a woman; and which shall consist of five members in counties of more than thirty-three thousand population, not more than three of whom shall belong to the same political party, and at least one of whom shall be a woman. At the discretion of the board of supervisors one or more of said members may be chosen from the membership of said board of supervisors, but in no event shall supervisors constitute a majority of the membership of the county board. Within thirty days after the effective date of this act the board of supervisors shall appoint the members of the county board,

which members shall serve until their successors are appointed as hereinafter provided. Commencing with the year 1938, and annually thereafter, the board of supervisors shall appoint the members of the county board, who shall serve for one year and until their successors are appointed. If a vacancy shall occur in the membership of the county board, other than by the expiration of a term, a member shall be appointed to fill such vacancy for the unexpired term. All appointments, made as herein provided, shall be made a part of the regular proceedings of the board of supervisors and shall be filed with the county auditor and with the secretary of the state board.

Sec. 10. Compensation of County Board Members. All members of the county board shall be reimbursed for the actual and necessary expenses incurred by them in the discharge of their duties. They shall also receive compensation for services at the rate of five dollars per diem, but such compensation shall not exceed a total of ninety dollars in any one year in counties of less than thirty-three thousand population, or one hundred twenty dollars in counties of more than thirty-three thousand population. The expenses and compensation of county board members shall be paid from the general fund of the county; provided, however that members of the board of supervisors serving on said county board of social welfare shall not be paid compensation as members of said county board of social welfare.

Sec. 11. Duties of the County Board. The county board shall be vested with the authority to direct and administer in the county old age assistance, aid to the blind and aid to dependent children, with such powers and duties as are prescribed in the laws relating thereto.

Sec. 12. County Board Employees. The county board shall employ such persons as are necessary for the performance of its duties. The number of such employees shall be subject to the approval of the state board. Such employees shall be selected from among those persons who hold credentials issued by the state board. Said credentials shall be granted only to those who have passed an examination prepared and given by the state board or under the direction of the state board, and such examination shall cover character, training and experience. Such examinations shall be open to all persons, and persons taking such examinations, upon successfully qualifying, shall be classified according to the fields of work for which said persons are fitted, all in accordance with rules and regulations of the state board adopted and published by the state board.

Sec. 13. Compensation of County Board Employees. The compensation of county board employees shall be fixed and paid by the state board from funds hereafter made available for that purpose.

Sec. 14. Publication Clause. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in two newspapers of general circulation in this state, as provided by law.

Senator Breen moved to amend the pending amendment by adding after the word "board" in line 6 of Section 12 the fol-

lowing: "and such employees shall be residents of the state of Iowa".

Senator Stevens offered the following amendment and moved its adoption:

Amend the pending amendment to Senate File 373 by adding as Section 14 the following: "Federal Grants. The State Treasurer is hereby authorized to receive such federal funds as may be made available for carrying out any of the activities and functions of the state department, and such funds are hereby appropriated, to be made continually available for expenditure upon authorization of the state board."

Further amend by renumbering the remaining sections.

The amendment was adopted.

Senator Doran moved that further consideration of Senate File 373 be postponed until Friday morning at 10:00 a. m.

Senator Breen moved to amend the motion by making the time 1:30 this afternoon.

By unanimous consent, Senator Breen withdrew his amendment.

Senator Baldwin moved the previous question on the motion by Senator Doran, which motion prevailed.

The motion to postpone prevailed and further action on Senate File 373 was postponed until 10:00 a. m., Friday.

By unanimous consent, on request of Senator Stevens, Senate Files 374, 375, 376 and 377 were deferred, the bills to retain their places on the calendar.

REPORT OF COMMITTEE

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 449, a bill for an act to make appropriations to John Terpstra, Walter L. Wickett and Lyle E. Davis, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Breen, Senate File 167, a bill for an act to amend Chapter three hundred forty-seven (347), Code, 1935,

by adding certain sections and to provide for confession of judgment for delinquent taxes and to provide for the payment of certain taxes in installments, where property has been sold to the county under the provisions of Section seventy-two hundred fifty-five-b one (7255-b1) and not assigned by said county, reported out by the sifting committee, was taken up and considered.

Senator Breen called up the following amendment filed by himself and Senator Baldwin:

Amend Senate File one hundred sixty-seven (167) by striking all after the enacting clause and substituting in lieu thereof the following:

Amend Chapter three hundred forty-eight (348), Code, 1935, by adding the following sections:

"Section 1. Delinquent taxes upon any parcel of real estate which, prior to the adoption of this act, have been bid in for and held by the county and not assigned by it, including subsequent taxes added to the tax sale record in the office of the county auditor, may be composed into one item or amount for the entire amount of all such taxes and costs, excluding penalties and interest, as hereinafter provided.

The owner of any such property sold to the county under Section seventy-two hundred fifty-five-b1 (7255-b1) and not assigned by it, or any person to whom the right to pay taxes has been given by statute, mortgage or other agreement, may make and file with the county auditor of the county wherein said property is located within six months from date of such sale or within six months from the effective date of this act, a written offer to pay the current taxes each year before they become delinquent, and to pay the amount of all such delinquent special and regular taxes and costs included in said sale, including all subsequent taxes added affecting the particular property sold appearing on the tax sale record in the office of the county auditor, but excluding penalties and interest, as certified by the county auditor, and shall thereby waive all irregularities in connection with the tax proceedings affecting such property and any defense or objection which he may have thereto, and shall thereby waive the requirement of any notice of default in the payment of any installment or interest to become due, and shall tender therewith one-tenth of the amount of all such delinquent taxes and costs, and agree therein to pay the balance in nine equal annual installments, with interest at the rate of four per cent (4%) per annum payable annually, on the installments unpaid from time to time, on or before the anniversary date of such agreement, which offer shall be substantially as follows:

"To the County Auditor ofCounty: I,, owner of the following described property of real estate situated inCounty, Iowa, to-wit: upon which there are delinquent taxes for the year.....and prior years, which said taxes have been bid in by the county and not assigned by it, including subsequent taxes added to the tax sale record by the county auditor, as follows: (here insert year or years of delinquency and the

total amount of delinquent taxes and costs, exclusive of penalties and interest): do hereby offer to pay the sum of \$..... including taxes for the year, which on the (day) (month) in, (year) was sold to the county for taxes for prior years, and including subsequent taxes for the year added to the tax sale records, and hereby waive all irregularities in the tax proceedings affecting such taxes and any defense or objections which I may have thereto and do hereby tender the sum of \$....., being one-tenth of the amount of said taxes and costs.

I agree to pay the balance of said principal amount in nine equal annual installments, with interest at the rate of four per cent (4%) per annum from date of filing of said agreement, payable annually, on the installments remaining unpaid from time to time, said installments and interest to be paid on or before the respective anniversary dates of said agreement and current taxes each year before they become delinquent, all installment payments to be made to the county auditor. (Dated this (day), (month), in (year).
 (Signature)....."

At the time of filing such offer he shall pay any subsequent delinquent taxes not already entered on the tax sale record in the office of the county auditor, with accrued interest, penalties and costs, and current taxes due, but not delinquent.

"Sec. 2. Upon the filing of said agreement, all the accrued penalties and interest on the taxes embraced within said agreement shall be waived and further proceedings shall be suspended as long as no default exists. Upon the payment in full of the amounts required to be paid under the said agreement, the county auditor shall issue the certificate of redemption provided for in Section seventy-two hundred seventy-six (7276), Code, 1935.

"Sec. 3. The county auditor's receipt issued for payment of a deferred installment, as herein provided for, shall not read for any specific year's taxes, but shall read for partial or full release of said agreement as the case may be and shall show the year that such agreement was entered into.

"Sec. 4. In the event of default occurring in the payments to be made, under any agreement entered pursuant hereto, the penalties and interest waived under the terms of Section two (2) of this act shall be reinstated and the lands described in such agreement shall thereupon be subject to such action as might have been had thereon before the filing of said agreement, and if payment of the installment due is not made within sixty (60) days after default, the county auditor shall forthwith serve notice of the termination of the right of redemption.

"Sec. 5. The filing of an agreement as described in Section one (1) of this act shall suspend the running of the limitation imposed by Section seventy-two hundred seventy-one (7271), Code, 1935, as to the particular tax sales certificate involved in said agreement and such suspension shall continue so long as no default exists in the payments set forth in said agreement. Where payments are made during the sixty (60) days grace period provided for in Section four (4) of this act, such a delinquency shall not be deemed a default within the terms of this section."

Sec. 6. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa, and in Dyersville Commercial, a newspaper published at Dyersville, Iowa.

Amend the title to read as follows:

An act to amend Chapter three hundred forty-eight (348), Code, 1935, by adding certain sections and to provide for the payment of certain taxes in installments upon the filing of an agreement with the county auditor where property has been sold to the county under the provisions of Section seventy-two hundred fifty-five-b1 (7255-b1) and not assigned by said county; and to provide for the suspension of the running of the limitation imposed by Section seventy-two hundred seventy-one (7271), Code, 1935, on any tax sale certificate affected by any such agreement.

Senator Breen offered the following amendment to the pending amendment and moved its adoption:

Amend the amendment to Senate File one hundred sixty-seven (167) as follows:

1. By striking from Section one (1), paragraph two (2), lines five (5) and six (6), the following words, "within six (6) months from date of such sale or".

2. By striking from Section one (1), paragraph two (2), lines eight (8) and nine (9), the words "special and regular" and insert in lieu thereof the word "general".

3. By striking from Section one, paragraph three (3), line two (2), the word, "property of".

The amendment to the amendment was adopted.

Senator Breen offered the following amendment to the pending amendment and moved its adoption:

Amend the amendment to Senate File one hundred sixty-seven (167) by inserting the following section as Section six (6) and renumbering the following sections:

"Sec. 6. In any case where the period of redemption has already expired upon any tax sale certificate now held by the county, the period of time of redemption from such tax sale is hereby extended for a period of six (6) months following the effective date to this act, and in any case where the period of redemption has expired and the county has taken a tax deed to a piece of property, the county shall not sell said property until six (6) months after the effective date of this act, and any owner or owners of such property may during said six (6) month period enter into a contract with the county for the payment of such taxes or the repurchase of said property from the county for the full amount of said taxes paid for any property to which the county has taken a tax deed less the accumulated penalties and interest or on which a tax sales certificate has been purchased by the county, under the terms and conditions of this act as though said period of redemption had not expired or said tax deed had not been issued, provided, however, that where any piece

of property is redeemed after the issuance of a tax deed, all of the liens of every kind which existed prior to the issuance of said tax deed shall be reinstated and take the order of preference they had prior to the issuance of said tax deed as though no tax deed had been issued."

Senator Breen asked and received unanimous consent to make the following corrections to the amendment to the pending amendment:

Strike the word "to" in line 5 of the proposed "Sec. 6." and insert in lieu thereof the word "of"; add the letter "s" to the word "month" in line 9; and strike the "s" from the word "sales" in line 14.

Roll call was requested on the amendment to the pending amendment.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 36:

Augustine	Dewey	Hart	Miller
Baldwin	Edwards	Hill	Murray
Beardsley	Ellis	Hoeven	Pelzer
Bell of	Elthon	Irwin	Schadt
Des Moines	Geske	Kimberly	Shaw
Berg	Gillespie	Kirketeg	Smith
Billingsley	Goetsch	Levis	Stewart
Breen	Grunewald	Mason	Whitehill
Corwin	Guernsey	Mighell	Zeigler
Dean			

Nays, 6:

Donohue	Hopkins	Millhone	Stevens
Doran	Husted		

Absent or not voting, 8:

Bell of Crawford	Chrystal	Gillette	Moore
Byers	Evans	Lundy	Parker

The amendment to the amendment was adopted.

On motion of Senator Breen, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports

that it has on this 1st day of April, 1937, sent to the governor for his approval, Senate File 2.

FRANK PELZER, *Chairman*.

Passed on file.

CONSIDERATION OF SENATE FILE 167 RESUMED

Senator Breen moved the adoption of his amendment, as amended.

Senator Hill moved the previous question on the amendment, which motion prevailed.

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 167 by striking in Section 1, line 25, the words and figures "four per cent (4%)" and substituting in lieu thereof the words and figures "six per cent (6%)".

The amendment was adopted.

Senator Husted moved to amend Senate File 167 by changing the words and figures "four per cent (4%)" to "six per cent (6%)" wherever they appear in the bill.

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Senate File 167 by adding after Section 6 the following section and renumbering the following sections:

"Sec. 7. In event that the owner or owners fail to enter into a contract with the county as herein provided on or before September 30, 1937, or if said owner or owners shall fail to pay any installment or installments provided for in any contract entered into with the county under the provisions hereof, the county at any time after the expiration of sixty (60) days after the service of notice of the termination of the right of redemption as provided herein may sell for cash and assign such certificate of sale for not less than the full amount of the purchase price of such certificate. Any assignment of a tax sale certificate heretofore made by any county for the full amount of the purchase price of such tax certificate at the time of the sale is hereby legalized and is hereby declared to be valid and a legal transfer.

Senator Breen moved to amend the amendment offered by Senator Husted as follows:

Amend by striking the words and figures "on or before September 30,

1937" and inserting in lieu thereof the words "within six (6) months following the effective date of this act".

Further amend by striking the words and figures "sixty (60)" in lines 6 and 7 and inserting in lieu thereof the words and figures "ninety (90)".

The amendments to the amendment were adopted.

The amendment as amended was adopted.

Senator Doran moved to amend Senate File 167 by inserting in line 4 of Section 4 after the figure (2) the following: "and/or Section 6".

The amendment was adopted.

Senator Breen moved to amend the title of Senate File 167 by striking the period at the end of the title and adding the following: "and to legalize the assignment of any tax sale certificate heretofore made by any county for the full amount of the purchase price of such tax sale certificate at the time of said sale."

The amendment was adopted.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Dean	Guernsey	Mason
Baldwin	Dewey	Hill	Mighell
Beardsley	Edwards	Hoeven	Miller
Bell of	Ellis	Hopkins	Murray
Des Moines	Elthon	Irwin	Pelzer
Breen	Geske	Kirketeg	Schadt
Byers	Gillespie	Levis	Shaw
Chrystal	Goetsch	Lundy	Smith
Corwin	Grunewald		

Nays, 1:

Husted

Absent or not voting, 16:

Bell of Crawford	Doran	Kimberly	Stevens
Berg	Evans	Millhone	Stewart
Billingsley	Gillette	Moore	Whitehill
Donohue	Hart	Parker	Zeigler

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

Senator Breen moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Levis, House File 57, by Peisen, a bill for an act to amend Section ninety-eight hundred eighty-five (9885) of the Code of 1935, relating to unfair discrimination, so as to include in the application thereof "commercial services", reported out by the sifting committee, was taken up and considered.

Senator Levis offered the following amendment and moved its adoption:

Amend House File 57 by adding as Section Four the following:

Sec. 4. Further amend Section ninety-eight hundred eighty-five (9885) by adding after the word "allowance" in line sixteen (16) the following:

"in case of telephone service for the difference in the cost of furnishing service in different localities, and in the case of commodities and commercial services other than telephone service,".

Further amend House File 57 by adding as Section Five the following:

"Sec. 5. Publication Clause. This act being deemed of immediate importance shall be in force and effect from and after its passage and publication as provided by law in the Allerton News, a newspaper published at Allerton, Iowa, and the Russell Union Tribune, a newspaper published at Russell, Iowa.

The amendment was adopted.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Doran	Guernsey	Mighell
Baldwin	Edwards	Hart	Millhone
Beardsley	Ellis	Hill	Pelzer
Billingsley	Elthon	Hopkins	Schadt
Breen	Evans	Husted	Shaw
Byers	Geske	Kimberly	Smith
Corwin	Gillette	Kirketeg	Stevens
Dean	Goetsch	Levis	Stewart
Dewey	Grunewald	Lundy	Zeigler

Nays, none.

Absent or not voting, 14:

Bell of Crawford	Chrystal	Irwin	Murray
Bell of Des Moines	Donohue	Mason	Parker
Berg	Gillespie	Miller	Whitehill
	Hoeven	Moore	

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

Senator Levis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

EXTRA COPIES OF SENATE FILE 167

Senator Breen asked and received unanimous consent to have printed six hundred copies of Senate File 167, as it passed the Senate.

By unanimous consent, the bill was ordered engrossed.

AMENDMENTS FILED

MR. PRESIDENT: 1. Amend Senate File 278 by inserting the word "diversion" between the words "sewage system" in line 5 of Section 1, and further amend by striking from lines 5 and 6 of Section 1 the words "and/or sewage treatment works".

2. Amend Section 2 by striking all of lines 5 and 6 and inserting in lieu thereof, the following: "and necessary for fulfilling the purposes of this act."

L. S. GILLETTE.

MR. PRESIDENT: I move to amend the amendment filed to Senate File 373 by Senators Breen, Irwin and Donohue, as follows:

1. Amend by striking from line nine (9) of Section 8 of said amendment the words and figures "forty-eight hundred dollars (\$4800.00)" and inserting in lieu thereof the words and figures "thirty-six hundred dollars (\$3600.00)".

2 Amend Section 9 of the amendment by striking the comma (,) after the word "supervisors" in line twelve (12) thereof and inserting a period (.) in lieu thereof and by striking the following words as found in lines twelve (12), thirteen (13) and fourteen (14) of said section, to-wit: "but in no event shall supervisors constitute a majority of the membership of the county board."

CHARLES B. HOEVEN.

MR. PRESIDENT: I move that Senate File 447 be amended as follows:

Amend Section 4 (e) by striking the period at the end of line 4 and inserting in lieu thereof a comma and adding thereafter the following: "or if his full time weekly wages in employment by employers during the fifty-two (52) weeks immediately preceding his benefit year is not less than fifteen times his weekly benefit amount."

J. J. GILLESPIE.

MR. PRESIDENT: Amend Senate File 447 as follows:

1. Amend Section 3 (e) by striking from lines 4 and 5 the words "his base period" and inserting in lieu thereof the following: "the one hundred four (104) weeks immediately preceding his benefit year."

2. Further amend Section 3 (e) by striking from lines 14 and 15 the words "his base period" and inserting in lieu thereof the following: "the one hundred four (104) weeks immediately preceding his benefit year."

J. J. GILLESPIE.

MR. PRESIDENT: I move to amend Senate File 377 as follows:

1. Amend Section 7 by striking from lines 5 and 6 the following: "having custody of the dependent child" and by inserting in lieu thereof the following: "with whom the dependent child will live,".

2. Amend Section 10 by inserting before the word "hearing" in lines 8 and 17, the word "fair".

3. Amend Section 12 by striking all of said section after the word "assistance" in line 5 and by inserting in lieu thereof the following: "from the county from which he has removed until he shall have resided six (6) months in such other county and thereupon he shall be entitled to receive assistance from the county to which he has removed."

4. Amend Section 14 by striking all of said section after the period (.) in line 4, and by inserting in lieu thereof, the following: "Upon receipt and approval of such estimate the state department shall advance, from any funds available for carrying out the provisions of this Act, to the county department an amount equal to sixty-six and two-thirds (66 $\frac{2}{3}$) per cent of the approved estimate, subject, however, to adjustment for any excess or deficiency in the amount of the previous estimates."

5. Strike all of Section 15.

6. Amend Section 16 by inserting after the word "jurisdiction" in line 5, the following: ", provided, however, that any applicant or recipient accorded an opportunity for a fair hearing as provided in this Act shall be permitted to examine any records to be used by the state board as a basis for its decision".

7. Amend Section 18 by striking the last sentence thereof.

GEO. M. HOPKINS.

MR. PRESIDENT: Amend Senate File three hundred seventy-three (373) by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. Definitions. As used in this Act: "State department" means the state department of social welfare; "state board" means the state board of social welfare; "county board" means the county board of social welfare.

Sec. 2. State Department of Social Welfare. There is hereby created a state department of social welfare which shall consist of a state board of social welfare, and such other officers and employees as may be hereafter provided.

Sec. 3. State Board of Social Welfare. The state board of social welfare shall consist of five members appointed by the governor, subject to the approval of a two-thirds vote of the members of the Senate in executive session. At least one member of the state board shall be a woman, not more than three members shall be of the same political party, and not more than one member shall be from any one congressional district. Each member shall serve for a term of four years, or until his successor is appointed and qualified, except that the terms of the members first appointed shall expire, as designated by the governor at the time of appointment, three terms on June 30, 1939, and two terms on June 30, 1941. Within sixty days after the convening of the general assembly, the gov-

ernor shall appoint successors to the members of said board whose terms expire on the following June thirtieth.

Sec. 4. Vacancies. Vacancies occurring while the general assembly is in session shall be filled for the unexpired portion of the term in the same manner as full term appointments are made. Vacancies occurring while the general assembly is not in session shall be filled by the governor and shall be approved by the executive council, but such appointments shall terminate at the end of thirty days after the convening of the next general assembly.

Sec. 5. Compensation. Each member of the state board shall receive an annual salary of eighteen hundred dollars for necessary services. Each member shall also receive his actual necessary expenses incurred in the performance of his duties.

Sec. 6. Powers and Duties of the State Board. The state board shall be vested with the authority to administer old age assistance, aid to the blind, aid to dependent children and child welfare. To this end it shall perform such duties, formulate and make such rules and regulations as may be necessary; shall outline such policies, dictate such procedure and delegate such powers as may be necessary to carry out the provisions and purposes of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as hereafter amended, Senate File three hundred seventy-four (374), Senate File three hundred seventy-five (375), and Senate File three hundred seventy-seven (377), acts of the forty-seventh general assembly.

The state board shall:

1. Within ninety days after the close of each fiscal year, prepare and print for said year a report to the governor which shall include a full account of the operation of the acts under its control, adequate and complete statistical reports by counties and for the state as a whole concerning all payments made under its administration, and such other information as it may deem advisable, or which may be requested by the governor or by the general assembly.

2. Cooperate with the federal social security board created by Title VII of the Social Security Act, Public No. 271, enacted by the 74th Congress of the United States and approved August 14, 1935, or other agency of the federal government for public welfare assistance, in such reasonable manner as may be necessary to qualify for federal aid, including the making of such reports in such form and containing such information as the federal social security board, from time to time, may require, and to comply with such regulations as such federal social security board, from time to time, may find necessary to assure the correctness and verification of such reports.

3. Exercise general supervision over the county boards of social welfare and their employees.

4. Furnish information to acquaint the public generally with the operation of the acts under the jurisdiction of the state board.

Sec. 7. Secretary. The state board shall appoint a secretary who shall serve at its pleasure and shall perform such duties as it may require. He shall receive a salary not in excess of three thousand dollars per year.

Sec. 8. Divisions. The state board shall create divisions of old age assistance, aid to the blind, aid to dependent children, and child welfare. It shall appoint a superintendent for each division, who shall serve at the pleasure of the state board, and shall have such powers and perform such duties as are prescribed by law or as are delegated by the state board. Each superintendent shall receive such salary as is fixed by the state board but not in excess of thirty-six hundred dollars per year.

Sec. 9. County board of social welfare. The board of supervisors of each county shall appoint a county board of social welfare, which shall consist of three members in counties of less than thirty-three thousand population, not more than two of whom shall belong to the same political party, and at least one of whom shall be a woman; and which shall consist of five members in counties of more than thirty-three thousand population, not more than three of whom shall belong to the same political party, and at least one of whom shall be a woman. At the discretion of the board of supervisors one or more of said members may be chosen from the membership of said board of supervisors. Within thirty days after the effective date of this act the board of supervisors shall appoint the members of the county board, which members shall serve until their successors are appointed as hereinafter provided. Commencing with the year 1938, and annually thereafter, the board of supervisors shall appoint the members of the county board who shall serve for one year and until their successors are appointed. If a vacancy shall occur in the membership of the county board, other than by the expiration of a term, a member shall be appointed to fill such vacancy for the unexpired term. All appointments, made as herein provided, shall be made a part of the regular proceedings of the board of supervisors and shall be filed with the county auditor and with the secretary of the state board.

Sec. 10. Compensation of county board members. All members of the county board shall be reimbursed for the actual and necessary expenses incurred by them in the discharge of their duties. They shall also receive compensation for services at the rate of three dollars per diem, but such compensation shall not exceed a total of ninety dollars in any one year in counties of less than thirty-three thousand population, or one hundred twenty dollars in counties of more than thirty-three thousand population. The expenses and compensation of county board members shall be paid from the general fund of the county; provided, however, that members of the board of supervisors serving on said county board of social welfare shall not be paid compensation as members of said county board of social welfare for any day on which they are paid for their official work as members of the board of supervisors.

Sec. 11. Duties of the county board. The county board shall be vested with the authority to direct in the county old age assistance, aid to the blind and aid to dependent children with only such powers and duties as are prescribed in the laws relating thereto.

Sec. 12. County board employees. The county board shall employ such persons as are necessary for the performance of its duties. The number of such employees shall be subject to the approval of the state board. Such employees, other than clerical and stenographic employees, shall be selected from among those persons who hold credentials issued by the

state board, and such employees shall be residents of the State of Iowa. Said credentials shall be granted only to those who have passed an examination prepared and given by the state board, or under the direction of the state board, and such examination shall cover character, training and experience. Such examinations shall be open to all persons, and persons taking such examinations, upon successfully qualifying, shall be classified according to the fields of work for which said persons are fitted, all in accordance with rules and regulations of the state board adopted and published by the state board.

Sec. 13. Compensation of county board employees. The compensation of county board employees shall be fixed and paid by the state board from funds hereafter made available for that purpose.

Sec. 14. Federal grants. The state treasurer is hereby authorized to receive such federal funds as may be made available for carrying out any of the activities and functions of the state department, and all such funds are hereby appropriated for expenditures upon authorization of the state board.

Sec. 15. Publication clause. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in two newspapers of general circulation in this state, as provided by law.

HAROLD L. IRWIN.

EDWARD BREEN.

E. P. DONOHUE.

FRANK C. BYERS.

E. P. CORWIN.

ROY E. STEVENS.

CHARLES B. HOEVEN.

MR. PRESIDENT: We move to amend the pending amendment to Senate File Three hundred seventy-three (373) as follows:

Amend Section six by striking from line three the word "and" and inserting in lieu thereof a comma, and by adding following the word "welfare" in line four the following, "and emergency relief". Further amend Section six by adding following the comma in line eleven the following, "and Senate File four hundred fifty-one (451),".

Amend Section eight by striking from line three the word "and" and by adding following the word "welfare" the following, "and emergency relief".

Amend Section eleven by striking from line three the word "and" and inserting in lieu thereof a comma, and by adding following the word "children" the following, "and emergency relief".

H. V. LEVIS.

E. P. DONOHUE.

The Journal of March 31st was corrected and approved.

On motion of Senator Elthon, the Senate adjourned until 10:00 a. m., Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 2, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. L. W. Mendenhall, pastor of the Community Church of Martensdale.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gillette for the remainder of the week, on request of Senator Evans; Senator Moore for the day, on request of Senator Corwin; Senator Irwin for the day, on request of Senator Kimberly.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Augustine, from Floyd School Parent-Teachers Association of Sioux City, favoring enactment of Senate File 290.

By Senator Byers, from citizens of Cedar Rapids, favoring enactment of Senate File 197.

By Senator Byers, from The Independent Business Mens Association of Iowa, at Des Moines, favoring enactment of Senate Files 96, 177 and 204.

By Senator Murray, from citizens of Sioux City, favoring enactment of the proposed amendment to Chapter 213, Section 4233-e4 of the Code, 1935.

By Senator Stewart, from board members of Postville public schools, favoring enactment of Senate File 290.

By Senator Stewart, from citizens of Oelwein, favoring enactment of Senate File 290.

By Senator Zeigler, from citizens of Perry, favoring enactment of Senate File 290.

By Senator Zeigler, from voters of Des Moines, favoring enactment of Senate File 220.

INTRODUCTION OF BILLS

Senate File 461, by special committee on tax revision, a bill for an act to amend Sections six thousand nine hundred forty-three-f four (6943-f4), six thousand nine hundred forty-three-f six (6943-f6), six thousand nine hundred forty-three-f eight (6943-f8), six thousand nine hundred forty-three-f nine (6943-f9), six thousand nine hundred forty-three-f ten (6943-f10), six thousand nine hundred forty-three-f eleven (6943-f11), six thousand nine hundred forty-three-f fifteen (6943-f15), six thousand nine hundred forty-three-f sixteen (6943-f16), six thousand nine hundred forty-three-f seventeen (6943-f17), six thousand nine hundred forty-three-f twenty-one (6943-f21), six thousand nine hundred forty-three-f twenty-three (6943-f23), and six thousand nine hundred forty-three-f twenty-five (6943-f25), Code, 1935, and to repeal Section six thousand nine hundred forty-three-f nineteen (6943-f19), Code, 1935, all relating to taxation of the income of individuals, fiduciaries, trusts, estates, and corporations, to the administration and collection of such tax, and to the taxation of the grantor in the case of certain revocable trusts; and to amend Section six thousand nine hundred forty-three-f sixty (6943-f60), Code, 1935, relating to refunds of sales and income tax in certain cases.

Read first and second times and referred to sifting committee.

Senate File 462, by special committee on tax revision, a bill for an act to amend Chapter three hundred twenty-nine-F one (329-F1), Code, 1935, and Sections sixty-nine hundred forty-three-f four (6943-f4), sixty-nine hundred forty-three-f five (6943-f5), sixty-nine hundred forty-three-f eight (6943-f8), sixty-nine hundred forty-three-f nine (6943-f9), sixty-nine hundred forty-three-f fifteen (6943-f15) and sixty-nine hundred forty-three-f twenty-five (6943-f25), Code, 1935, all relating to the taxation of the income of individuals, fiduciaries, trusts and estates, and to the administration and collection of such tax; and to impose a tax upon certain income of any nonresident derived from sources within this state, and providing for the collection and administration of such tax, and for withholding agents, as defined herein, to withhold and pay to the board certain amounts due by them to certain nonresidents as an aid to the collection of said tax.

Read first and second times and referred to sifting committee.

Senate File 463, by committee on judiciary 1, a bill for an act to legalize and validate proceedings taken by the city council of the city of Osceola, Iowa, authorizing and providing for the issuance and sale of bonds for improvements to protect the water supply of said city, and making provisions for the levy of taxes to pay said bonds.

Read first and second times and referred to sifting committee.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendments to Senate File 181, a bill for an act relating to motor vehicles and traffic and requests a conference and the Speaker appoints, as members of the conference committee on the part of the House, Representatives Moore of Harrison, Pine of Louisa, Scott of Fayette, and Kohlhaas of Kossuth. A. C. GUSTAFSON, *Chief Clerk*.

CONFERENCE COMMITTEE ON SENATE FILE 181

Senator Hopkins moved that the rules be suspended and that the President appoint the conference committee, on the part of the Senate, on Senate File 181.

The motion prevailed, and the President appointed Senators Beardsley, Zeigler, Murray, and Augustine.

THIRD READING OF BILLS

On motion of Senator Stevens, consideration of Senate File 373, a bill for an act to create a state department of social welfare, to define its functions and duties, and to coordinate the welfare activities carried on in the state of Iowa by the federal, state, and local governments and to repeal any acts or parts of acts in conflict herewith, was resumed.

Senator Breen asked and received unanimous consent to substitute the following amendment, filed by Senators Irwin, Breen, Donohue, Byers, Corwin, Stevens, and Hoeven, for the amendment, filed by Senators Breen and Irwin, which appears on pages 887, 888 and 889 of the Senate Journal:

Amend Senate File three hundred seventy-three (373) by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. Definitions. As used in this Act: "State department" means the state department of social welfare; "state board" means the state board of social welfare; "county board" means the county board of social welfare.

Sec. 2. State department of social welfare. There is hereby created a state department of social welfare which shall consist of a state board of social welfare, and such other officers and employees as may be hereafter provided.

Sec. 3. State board of social welfare. The state board of social welfare shall consist of five members appointed by the Governor, subject to the approval of a two-thirds vote of the members of the Senate in executive session. At least one member of the state board shall be a woman, not more than three members shall be of the same political party, and not more than one member shall be from any one congressional district. Each member shall serve for a term of four years, or until his successor is appointed and qualified, except that the terms of the members first appointed shall expire, as designated by the Governor at the time of appointment, three terms on June 30, 1939, and two terms on June 30, 1941. Within sixty days after the convening of the General Assembly, the Governor shall appoint successors to the members of said board whose terms expire on the following June thirtieth.

Sec. 4. Vacancies. Vacancies occurring while the General Assembly is in session shall be filled for the unexpired portion of the term in the same manner as full term appointments are made. Vacancies occurring while the General Assembly is not in session shall be filled by the Governor and shall be approved by the executive council, but such appointments shall terminate at the end of thirty days after the convening of the next General Assembly.

Sec. 5. Compensation. Each member of the state board shall receive an annual salary of eighteen hundred dollars for necessary services. Each member shall also receive his actual necessary expenses incurred in the performance of his duties.

Sec. 6. Powers and duties of the state board. The state board shall be vested with the authority to administer old age assistance, aid to the blind, aid to dependent children and child welfare. To this end it shall perform such duties, formulate and make such rules and regulations as may be necessary; shall outline such policies, dictate such procedure and delegate such powers as may be necessary to carry out the provisions and purposes of Chapter two hundred sixty-six-F one (266-F1), Code, 1935, as hereafter amended, Senate File three hundred seventy-four (374), Senate File three hundred seventy-five (375), and Senate File three hundred seventy-seven (377), acts of the Forty-seventh General Assembly.

The state board shall:

1. Within ninety days after the close of each fiscal year, prepare and print for said year a report to the Governor which shall include a full account of the operation of the acts under its control, adequate and complete statistical reports by counties and for the state as a whole concerning all payments made under its administration, and such other informa-

tion as it may deem advisable, or which may be requested by the Governor or by the General Assembly.

2. Cooperate with the federal social security board created by Title VII of the Social Security Act, Public No. 271, enacted by the 74th Congress of the United States and approved August 14, 1935, or other agency of the federal government for public welfare assistance, in such reasonable manner as may be necessary to qualify for federal aid, including the making of such reports in such form and containing such information as the federal social security board, from time to time, may require, and to comply with such regulations as such federal social security board, from time to time, may find necessary to assure the correctness and verification of such reports.

3. Exercise general supervision over the county boards of social welfare and their employees.

4. Furnish information to acquaint the public generally with the operation of the acts under the jurisdiction of the state board.

Sec. 7. Secretary. The state board shall appoint a secretary who shall serve at its pleasure and shall perform such duties as it may require. He shall receive a salary not in excess of three thousand dollars per year.

Sec. 8. Divisions. The state board shall create divisions of old age assistance, aid to the blind, aid to dependent children, and child welfare. It shall appoint a superintendent for each division who shall serve at the pleasure of the state board, and shall have such powers and perform such duties as are prescribed by law or as are delegated by the state board. Each superintendent shall receive such salary as is fixed by the state board but not in excess of thirty-six hundred dollars per year.

Sec. 9. County board of social welfare. The board of supervisors of each county shall appoint a county board of social welfare, which shall consist of three members in counties of less than thirty-three thousand population, not more than two of whom shall belong to the same political party, and at least one of whom shall be a woman; and which shall consist of five members in counties of more than thirty-three thousand population, not more than three of whom shall belong to the same political party, and at least one of whom shall be a woman. At the discretion of the board of supervisors one or more of said members may be chosen from the membership of said board of supervisors. Within thirty days after the effective date of this act the board of supervisors shall appoint the members of the county board, which members shall serve until their successors are appointed as hereinafter provided. Commencing with the year 1938, and annually thereafter, the board of supervisors shall appoint the members of the county board who shall serve for one year and until their successors are appointed. If a vacancy shall occur in the membership of the county board, other than by the expiration of a term, a member shall be appointed to fill such vacancy for the unexpired term. All appointments, made as herein provided, shall be made a part of the regular proceedings of the board of supervisors and shall be filed with the county auditor and with the secretary of the state board.

Sec. 10. Compensation of county board members. All members of the county board shall be reimbursed for the actual and necessary expenses incurred by them in the discharge of their duties. They shall also receive compensation for services at the rate of three dollars per diem, but such compensation shall not exceed a total of ninety dollars in any one year in counties of less than thirty-three thousand population, or one hundred twenty dollars in counties of more than thirty-three thousand population. The expenses and compensation of county board members shall be paid from the general fund of the county; provided, however, that members of the board of supervisors serving on said county board of social welfare shall not be paid compensation as members of said county board of social welfare for any day on which they are paid for their official work as members of the board of supervisors.

Sec. 11. Duties of the county board. The county board shall be vested with the authority to direct in the county old age assistance, aid to the blind and aid to dependent children with only such powers and duties as are prescribed in the laws relating thereto.

Sec. 12. County board employees. The county board shall employ such persons as are necessary for the performance of its duties. The number of such employees shall be subject to the approval of the state board. Such employees, other than clerical and stenographic employees, shall be selected from among those persons who hold credentials issued by the state board, and such employees shall be residents of the State of Iowa. Said credentials shall be granted only to those who have passed an examination prepared and given by the state board, or under the direction of the state board, and such examination shall cover character, training and experience. Such examinations shall be open to all persons, and persons taking such examinations, upon successfully qualifying, shall be classified according to the fields of work for which said persons are fitted, all in accordance with rules and regulations of the state board adopted and published by the state board.

Sec. 13. Compensation of county board employees. The compensation of county board employees shall be fixed and paid by the state board from funds made available for that purpose.

Sec. 14. Federal grants. The state treasurer is hereby authorized to receive such federal funds as may be made available for carrying out any of the activities and functions of the state department, and all such funds are hereby appropriated for expenditures upon authorization of the state board.

Sec. 15. Publication clause. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in two newspapers of general circulation in this state, as provided by law.

Senator Levis called up the following amendments to the amendment, filed by Senator Donohue and himself, and moved their adoption:

Amend the pending amendment to Senate File three hundred seventy-three (373) as follows:

Amend Section six by striking from line three the word "and" and inserting in lieu thereof a comma, and by adding following the word "welfare" in line four the following, "and emergency relief". Further amend Section six by adding following the comma in line eleven the following: "and Senate File four hundred fifty-one (451),".

Amend Section eight by striking from line three the word "and" and by adding following the word "welfare" the following, "and emergency relief".

Amend Section eleven by striking from line three the word "and" and inserting in lieu thereof a comma, and by adding following the word "children" the following, "and emergency relief".

The amendments to the amendment were adopted.

Senator Donohue offered the following amendment to the amendment and moved its adoption:

Amend the amendment to Senate File 373, found on pages 899, 900, 901 and 902 of the Senate Journal of April 1, by striking all of Section 13 and substituting in lieu thereof the following:

"Compensation of county board employees. The compensation of county board employees shall be fixed by the county board of social welfare and shall be paid by the state board from funds made available for that purpose. However, the compensation of all employees shall be subject to the approval of the state board and the county board of supervisors."

The amendment to the amendment was adopted.

Senator Stevens offered the following amendment to the amendment and moved its adoption:

Amend the amendment as presented by Senators Irwin, Breen, Donohue, Byers, Corwin, Stevens, and Hoeven to Senate File 373 by striking all of Section five (5) and inserting in lieu thereof the following: "Each member of the state board shall be entitled to receive as compensation for his services the sum of fifteen dollars per day for each and every day which he devotes to the actual performance of his duties, as prescribed in this act, but the total amount of such compensation shall not exceed the sum of twelve hundred dollars per year. In addition to the compensation hereinbefore prescribed, each member of the state board shall be entitled to receive the amount of his traveling and other necessary expenses actually incurred while engaged in the performance of his official duties."

The amendment to the amendment was adopted.

Senator Stevens offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking all following the period in line three (3), Section seven (7).

Senator Donohue moved the previous question on the pending amendment to the amendment, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 11:

Chrystal	Guernsey	Mighell	Stevens
Doran	Levis	Miller	Stewart
Ellis	Mason	Murray	

Nays, 35:

Augustine	Corwin	Goetsch	Lundy
Baldwin	Dean	Grunewald	Millhone
Beardsley	Dewey	Hart	Parker
Bell of	Donohue	Hill	Pelzer
Des Moines	Edwards	Hoeven	Schadt
Berg	Elthon	Hopkins	Shaw
Billingsley	Evans	Husted	Smith
Breen	Geske	Kimberly	Whitehill
Byers	Gillespie	Kirketeg	Zeigler

Absent or not voting, 4:

Bell of Crawford	Gillette	Irwin	Moore
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The amendment to the amendment was not adopted.

Senator Hoeven offered the following amendment to the amendment and moved its adoption:

Amend Section 8 of the pending amendment, as amended, by striking from lines one (1), two (2) and three (3), the following words: "The state board shall create divisions of old age assistance, aid to the blind, aid to dependent children, child welfare and emergency relief.", and substituting in lieu thereof the following: "The state board shall create (1) a division of old age assistance, (2) a division of emergency relief, and (3) a division incorporating aid to the blind, aid to dependent children, and child welfare."

Roll call was requested.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 41:

Augustine	Corwin	Evans	Hoeven
Beardsley	Dean	Geske	Hopkins
Bell of	Dewey	Gillespie	Husted
Des Moines	Donohue	Goetsch	Kimberly
Berg	Doran	Grunewald	Kirketeg
Billingsley	Edwards	Guernsey	Levis
Breen	Ellis	Hart	Lundy
Byers	Elthon	Hill	Mighell

Miller
Millhone
Murray

Parker
Pelzer
Schadt

Smith
Stewart

Whitehill
Zeigler

Nays, none.

Absent or not voting, 9:

Baldwin
Bell of Crawford
Chrystal

Gillette
Irwin

Mason
Moore

Shaw
Stevens

The amendment to the amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend the amendment by adding the following section as Section 8:
"Sec. 8. State board employees. All employees of the state board shall be residents of the state of Iowa for at least one (1) year and shall be selected from among those who have successfully qualified in an examination given by the state board or under its direction, covering character, general training and experience. Such examination shall be open to all persons, and persons taking such examinations, upon successfully qualifying, shall be classified according to the fields of work for which said persons are fitted, all in accordance with rules and regulations of the state board adopted and published by the state board."

Further amend by renumbering the remaining sections.

Senator Breen asked and received unanimous consent to strike the words and figure "one (1) year" in line 2 of the proposed Section 8 and to insert in lieu thereof the words and figures "two (2) years".

Senator Dewey moved the previous question on the amendment to the amendment, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 34:

Augustine
Baldwin
Beardsley
Bell of
Des Moines
Billingsley
Breen
Byers
Corwin

Dean
Dewey
Donohue
Edwards
Ellis
Evans
Geske
Gillespie
Goetsch

Grunewald
Hart
Hill
Hoeven
Hopkins
Husted
Kimberly
Kirketeg
Mason

Murray
Parker
Pelzer
Schadt
Shaw
Smith
Stewart
Whitehill

Nays, 6:

Chrystal
Guernsey

Levis
Millhone

Stevens

Zeigler

Absent or not voting, 10:

Bell of Crawford	Elthon	Lundy	Miller
Berg	Gillette	Mighell	Moore
Doran	Irwin		

The amendment to the amendment was adopted.

On motion of Senator Hopkins, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CONSIDERATION OF SENATE FILE 373 RESUMED

Senator Shaw called up the following amendment, filed by Senators Donohue, Shaw and Doran, and moved its adoption:

Amend the amendment by striking all of Section 12 and substituting in lieu thereof the following:

“County board employees. The county board shall employ a county director and such other personnel as is necessary for the performance of its duties. The number of employees shall be subject to the approval of the state board. The county director and all employees shall be selected solely on the basis of the fitness for the work to be performed, with due regard to experience and training, but graduation from college shall not be made a prerequisite of any such appointment. It shall be a prerequisite to obtaining an appointment that the applicant shall have been a legal resident of Iowa for at least two (2) years prior to the time of making said application.

Any appointment made by the county board, other than clerical or stenographic help, shall be subject to review by the state board in this respect, that if any appointee is not properly carrying out the duties for which he is appointed, or if any appointee is not qualified or capable of handling the duties for which he is appointed, and the state board so finds, it shall certify a copy of such finding to the county board and the county board shall then discharge the said employee and shall fill the vacancy.”

The amendment to the amendment was adopted.

Senator Levis offered the following amendment to the amendment and moved its adoption:

Amend Section 8 of the amendment as follows:

Strike all of line one (1) and insert in lieu thereof the following: “Preference in the hiring of employees of the state board shall be given to persons who shall have been”.

Senator Donohue raised the point of order that the amendment

was out of order because the subject matter in the proposed amendment had previously been acted upon.

Senator Donohue, by unanimous consent, withdrew his point of order.

The amendment to the amendment was not adopted.

Senator Breen moved to amend Section 8 of the amendment by striking the word "be" in line 1, and inserting in lieu thereof the words "have been".

The amendment to the amendment was adopted.

Senator Donohue moved to reconsider the vote by which the amendment of Senator Stevens, to Section 5 of the pending amendment, was adopted.

Roll call was requested.

On the question, "Shall the Senate reconsider?" the vote was:

Ayes, 19:

Augustine	Byers	Goetsch	Lundy
Baldwin	Corwin	Hart	Mason
Bell of	Dewey	Hill	Murray
Des Moines	Donohue	Kimberly	Parker
Breen	Evans	Kirketeg	Schadt

Nays, 24:

Beardsley	Ellis	Hopkins	Shaw
Berg	Elthon	Husted	Smith
Billingsley	Geske	Levis	Stevens
Chrystal	Grunewald	Millhone	Stewart
Dean	Guernsey	Pelzer	Whitehill
Doran	Hoeven		Zeigler
Edwards			

Absent or not voting, 7:

Bell of Crawford	Gillette	Mighell	Moore
Gillespie	Irwin	Miller	

The motion to reconsider did not prevail.

Senator Breen moved the adoption of the amendment, filed by Senators Irwin, Breen, Donohue, Byers, Corwin, Stevens, and Hoeven, as amended.

The amendment as amended was adopted.

By unanimous consent, Senator Donohue withdrew the amendments filed by Senators Donohue, Byers and Corwin, which appear on pages 874, 875 and 876 of the Senate Journal.

By unanimous consent, Senator Hoeven withdrew his amendments, which appear on page 898 of the Senate Journal.

Senator Breen moved to amend Section 8 of Senate File 373 by inserting in line 3, after the word "years", the following: "immediately preceding their employment".

The amendment was adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 373 by striking the title and the preamble therefrom and inserting in lieu thereof the following:

"An act to create a state department of social welfare; to create a state board of social welfare and fix the amount and method of compensation for the five members thereof; to create county boards of social welfare and fix their powers, functions and duties; to fix the manner and amount of compensation for said county board members; to regulate and fix the manner of employing the officers and employees of the state board and the various county boards; and to prescribe the source of compensation of the state board members and their employees and the county board members and their employees; to create divisions within the state department, to administer old age assistance, emergency relief, aid to the blind, aid to dependent children, and child welfare; and to make appropriation of federal funds made available for carrying out the purposes of this act."

The amendment was adopted.

Senator Billingsley moved the previous question on the main bill, which motion prevailed.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass " the vote was:

Ayes, 40:

Augustine	Dean	Goetsch	Mason
Baldwin	Dewey	Grunewald	Mighell
Beardsley	Donohue	Guernsey	Millhone
Bell of	Doran	Hart	Parker
Des Moines	Edwards	Hill	Schadt
Berg	Ellis	Hoeven	Shaw
Billingsley	Elthon	Kimberly	Smith
Breen	Evans	Kirketeg	Stevens
Byers	Geske	Levis	Whitehill
Chrystal	Gillespie	Lundy	Zeigler
Corwin			

Nays, 3:

Hopkins	Husted	Pelzer
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Absent or not voting, 7:

Bell of Crawford	Irwin	Moore	Stewart
Gillette	Miller	Murray	

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

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Stevens asked and received unanimous consent to have printed six hundred copies of Senate File 373, as it passed the Senate.

Senator Stevens asked and received unanimous consent to have Senate File 373 engrossed.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 457 by striking the period at the end of Section one (1) and adding thereto the following: "and shall constitute full authority for the contracting of indebtedness and issuing bonds and levying a tax in the amounts and for the purposes provided in said proposition."
FREDERICK C. SCHADT.

The Journal of April 1st was corrected and approved.

Senator Parker moved that the Senate adjourn until 10:00 a. m., Saturday.

Senator Baldwin moved as a substitute motion that the Senate adjourn until 10:00 a. m., Monday.

By unanimous consent Senator Baldwin withdrew his substitute motion.

The motion by Senator Parker prevailed and the Senate adjourned until 10:00 a. m., Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 3, 1937.

The Senate met in regular session, President pro tem Frank C. Byers, presiding.

Prayer was offered by Rev. Raoul C. Calkins, pastor of the Easton Place Methodist Episcopal church of Des Moines.

SENATE RESOLUTION

Senators Geske and Shaw offered the following resolution:

Whereas, The Honorable H. E. Valentine, father of John K. Valentine, Lieutenant Governor and President of this body, died yesterday, therefore,

Be It Resolved: That it is the sense of this body that the Senate of the state of Iowa should adjourn out of respect for our said Lieutenant Governor and the said deceased for the day of the funeral services when the date thereof is learned.

Be It Further Resolved: That the President pro tem be authorized to appoint a committee of three to draft resolutions of sympathy and respect, and that such resolutions when drafted be printed in the Senate Journal, and that engrossed copies thereof be transmitted to the said John K. Valentine.

Be It Further Resolved: That the President pro tem appoint a committee of six to represent the Senate at the funeral.

Senator Geske moved that the rules be suspended and that the resolution be adopted.

The motion prevailed and the resolution was adopted.

The President pro tem appointed as the committee to draft the resolutions of respect, Senators Baldwin, Moore and Beardsley; and Senators Geske, Stevens, Irwin, Kimberly, Donohue, and Byers, as the committee to represent the Senate at the funeral.

LEAVE OF ABSENCE

On request of Senator Kimberly, by unanimous consent, all absent Senators were excused for the day.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Gillespie, from voters of Polk county, favoring enactment of House File 130.

By Senator Schadt, from United Brotherhood of Carpenters and Joiners of America, Iowa City, favoring enactment of Senate Files 289 and 298, and House File 228, and opposing enactment of Senate File 205 and House Files 296, 297 and 345.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 317, a bill for an act to impose a tax on the use in this state of tangible personal property. A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS TO SENATE FILE 317

Amend Section 1 by inserting in line 9 immediately after the word "include" the following: "(1)".

Further amend Section 1, line 13, by striking the word "and" following the comma after the word "retail" and inserting in lieu thereof the following: "(2)".

Further amend Section 1 by striking the period at the end of subsection one and inserting in lieu thereof a comma and by adding after said comma the following:

"(3) industrial materials and equipment, which are not readily obtainable in Iowa, and which are directly used in the actual fabricating, compounding, manufacturing or servicing of tangible personal property intended to be sold ultimately at retail."

Further amend Section 1 by placing a comma after the word "power" in line 14 and adding the word "heat".

Further amend Section 1 by inserting at the end thereof a new subsection 9 which shall read as follows:

"9. 'Trailer' shall mean every trailer, as is now or may be hereafter so defined by the motor vehicle law of this state, which is required to be registered under such motor vehicle law."

Further amend Section 1 by inserting after the word "property" in line 10 of subsection 1 the words "including containers".

Amend Section 2 by striking from line 3 the following: "April 1, 1937", and substituting therefor the words "the effective date of this act".

Amend Section 3 by adding after the word "used" in line 1 of subsection 2 the following:

"(a) in interstate transportation or interstate commerce, or (b)".

Further amend Section 3 by adding the following, to be designated as paragraph 4:

"4. All articles of tangible personal property brought into the state of

Iowa by a non-resident individual thereof for his or her use or enjoyment while within the state."

Further amend Section 3 by adding thereto a new subsection to read as follows:

"Tangible personal property not readily obtainable in Iowa and used in the operation of street railways."

Amend Section 5 by inserting after the word "vehicles" in line 3 the words "and new trailers".

Amend Section 6 by inserting after the word "vehicles" in line 2 the words "and new trailers";

By inserting after the word "vehicle" in line 4 the words "or trailer";

By inserting after the word "vehicle" in line 6 the words "or new trailer";

By inserting after the word "vehicle" in line 9 the words "or new trailer";

By inserting after the word "vehicle" in line 12 the words "or trailer";

By inserting after the word "vehicle" in line 17 the words "or trailer".

Amend Section 7 by inserting after the word "vehicle" in line 1 the words "or trailer";

By inserting after the word "vehicles" in line 5 the words "and new trailers";

By inserting after the word "vehicle" in line 6 the words "and new trailers";

By inserting after the word "vehicle" in line 10 the words "or trailer".

Amend Section 9 by inserting in line 1 after the word "discretion" the words "upon application".

Amend Section 14 by striking the word "require" in line 3 and inserting in lieu thereof the word "authorize".

Amend by striking all of Section 20.

Amend Section 24 by striking all of said section and substituting therefor the following:

"All revenues arising under the operation of this act, less cost of collection and administration, shall be paid into the general fund of the state of Iowa."

Amend by inserting the following as Section 27 and renumbering the remainder of the sections in accordance therewith:

"Sec. 27. If any article of tangible personal property has already been subjected to a tax by any other state in respect to its sale or use in an amount less than the tax imposed by this title, the provisions of this title shall apply, but at a rate measured by the difference only between the rate herein fixed and the rate by which the previous tax upon the sale or use was computed. If such tax imposed in such other state is two per cent (2%) or more, then no tax shall be due on such articles."

Amend the title by inserting after the semi-colon in line 3 the words "to provide certain exemptions therefrom;", by striking the word "apportionment" in lines 6 and 7 and substituting therefor the word "disposition", and by adding after the word "vehicles" in line 11 the words "and trailers".

INTRODUCTION OF BILLS

Senate File 464, by committee on drainage, a bill for an act so to amend Section seventy-five hundred thirty-nine (7539), Code of Iowa, 1935, as to authorize and direct boards of supervisors to move, build or rebuild secondary road bridges on public highways intersecting levees, drainage ditches, drains or changes of natural watercourses only in such instances, as in their discretion, the same shall promote the general public welfare.

Read first and second times and referred to sifting committee.

Senate File 465, by committee on manufacturing, commerce and trade, a bill for an act to repeal all of Chapter seventy-eight (78), Code, 1935, except Sections one thousand five hundred fifty-two (1552) to one thousand five hundred fifty-six (1556), inclusive, Sections one thousand five hundred eighty-five (1585) and one thousand five hundred eighty-six (1586), Code, 1935, and to amend Section one thousand five hundred fifty-two (1552), Code, 1935, all relating to the tax and restrictions upon the sale of cigarettes, cigarette papers and tubes, and to enact a substitute therefor relating to the same subject matter; to impose a stamp tax upon cigarettes, cigarette papers and tubes; to require permits for manufacturers, distributors, and wholesalers of, and retail dealers in cigarettes, cigarette papers and tubes; to provide for the enforcement and administration of said tax; and to provide penalties for the violation of the provisions of this act.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Edwards, House File 133, by Dancer, a bill for an act to change the name of the Board of Railroad Commissioners to that of State Transportation Commission, on which action was postponed Tuesday, was taken up and considered.

By unanimous consent, Senator Augustine withdrew his amendment, which appears on page 860 of the Senate Journal.

Senator Doran offered the following amendments and moved their adoption:

Amend House File 133 as follows: Strike from line two (2) of the title the words "State Transportation", and insert in lieu thereof the words "Iowa Public Service".

Further amend:

Strike from lines twenty (20), twenty-one (21), and twenty-two (22), of Section one (1), the words, "State Transportation Commission," or "Transportation Commissioner," or "Transportation Commissioners," and insert in lieu thereof the words "Iowa Public Service Commission," or "Iowa Public Service Commissioner," or "Iowa Public Service Commissioners,".

Further amend by adding the following additional section:

Sec. 2. The provisions of this act shall in no manner impair or affect pending legislation, litigation, or outstanding orders, rules, regulations, contracts or obligations made and/or entered into by the Board of Railroad Commissioners."

The amendments were adopted.

Senator Edwards moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Augustine	Dewey	Goetsch	Lundy
Berg	Edwards	Grunewald	Mighell
Billingsley	Ellis	Guernsey	Pelzer
Breen	Elthon	Hart	Schadt
Byers	Evans	Hopkins	Shaw
Corwin	Geske	Husted	Stewart
Dean	Gillespie	Kimberly	Whitehill

Nays, none.

Absent or not voting, 22:

Baldwin	Donohue	Kirketeg	Murray
Beardsley	Doran	Levis	Parker
Bell of Crawford	Gillette	Mason	Smith
Bell of	Hill	Miller	Stevens
Des Moines	Hoeven	Millhone	Zeigler
Chrystal	Irwin	Moore	

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

Senator Edwards moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Elthon moved that Senate File 278 be taken from the calendar and referred to the committee on appropriations.

The motion prevailed.

Senator Elthon asked and received unanimous consent to suspend the rules and to consider House File 288 at this time.

On motion of Senator Elthon, House File 288 by Fishbaugh, a bill for an act to permit honorably discharged disabled veterans of the nation's wars to operate news stands in the courthouses of the various counties of Iowa, and prescribing the duties of supervisors on applications for such privilege, reported out by the sifting committee, was taken up and considered.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Berg	Edwards	Grunewald	Mighell
Billingsley	Ellis	Guernsey	Pelzer
Breen	Elthon	Hart	Schadt
Byers	Evans	Hopkins	Shaw
Corwin	Geske	Husted	Stewart
Dean	Gillespie	Kimberly	Whitehill
Dewey	Goetsch	Lundy	

Nays, none.

Absent or not voting, 23:

Augustine	Chrystal	Irwin	Moore
Baldwin	Donohue	Kirketeg	Murray
Beardsley	Doran	Levis	Parker
Bell of Crawford	Gillette	Mason	Smith
Bell of	Hill	Miller	Stevens
Des Moines	Hoeven	Millhone	Zeigler

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

By unanimous consent on request of Senator Kimberly the rules were suspended and Senate File 243 was considered at this time.

On motion of Senator Kimberly, Senate File 243, a bill for an act granting to the city of Davenport title to the bed and banks of the Mississippi river and islands and made lands therein, within stated boundaries, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29:

Berg	Edwards	Grunewald	Mighell
Billingsley	Ellis	Guernsey	Parker
Breen	Elthon	Hart	Pelzer
Byers	Evans	Hopkins	Schadt
Corwin	Geske	Husted	Shaw
Dean	Gillespie	Kimerbly	Stewart
Dewey	Goetsch	Lundy	Whitehill
Donohue			

Nays, none.

Absent or not voting, 21:

Augustine	Chrystal	Kirketeg	Moore
Baldwin	Doran	Levis	Murray
Beardsley	Gillette	Mason	Smith
Bell of Crawford	Hill	Miller	Stevens
Bell of Des Moines	Hoeven	Millhone	Zeigler
	Irwin		

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

Senator Donohue asked and received unanimous consent to suspend the rules and to consider House Files 475 and 476 at this time.

On motion of Senator Donohue, House File 475, a bill for an act to repeal Section eighty-six hundred fifty (8650) of the Code, 1935, and enact a substitute therefor, relating to loans on stock of life insurance companies or to certain other companies, by life insurance companies, reported out by the sifting committee, was taken up and considered.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26:

Berg	Ellis	Guernsey	Parker
Breen	Elthon	Hart	Pelzer
Byers	Evans	Hopkins	Schadt
Corwin	Geske	Husted	Shaw
Dean	Gillespie	Kimerbly	Stewart
Donohue	Goetsch	Lundy	Whitehill
Edwards	Grunewald		

Nays, 1:

Billingsley

Absent or not voting, 23:

Augustine	Bell of Crawford	Chrystal	Gillette
Baldwin	Bell of Des Moines	Dewey	Hill
Beardsley		Doran	Hoeven

Irwin	Mason	Millhone	Smith
Kirketeg	Mighell	Moore	Stevens
Levis	Miller	Murray	Zeigler

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

On motion of Senator Donohue, House File 476, a bill for an act to amend Section eighty-six hundred fifty-five (8655) of the Code, 1935, relating to the deposit of securities with the commissioner of insurance to cover the valuation of policies of life insurance companies and associations and duties of the insurance commissioner with reference thereto, reported out by the sifting committee, was taken up and considered.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Berg	Edwards	Grunewald	Parker
Billingsley	Ellis	Guernsey	Pelzer
Breen	Elthon	Hart	Schadt
Byers	Evans	Hopkins	Shaw
Corwin	Geske	Husted	Stewart
Dean	Gillespie	Kimberly	Whitehill
Donohue	Goetsch	Mighell	

Nays, none.

Absent or not voting, 23:

Augustine	Chrystal	Irwin	Millhone
Baldwin	Dewey	Kirketeg	Moore
Beardsley	Doran	Levis	Murray
Bell of Crawford	Gillette	Lundy	Smith
Bell of	Hill	Mason	Stevens
Des Moines	Hoeven	Miller	Zeigler

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

By unanimous consent on request of Senator Donohue, the rules were suspended and House File 242 was taken up at this time.

On motion of Senator Donohue, House File 242, by Gallagher, a bill for an act authorizing the Governor of the state of Iowa to enter into reciprocal agreements with other states for supervision and return of persons on parole or probation, reported out by the sifting committee, was taken up and considered.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Bell of	Dewey	Geske	Mason
Des Moines	Donohue	Gillespie	Mighell
Berg	Edwards	Goetsch	Parker
Breen	Ellis	Grunewald	Pelzer
Billingsley	Elthon	Guernsey	Schadt
Byers	Evans	Hart	Shaw
Corwin		Hopkins	Stewart
Dean		Kimberly	

Nays, none.

Absent or not voting, 22:

Augustine	Gillette	Kirketeg	Murray
Baldwin	Hill	Levis	Smith
Beardsley	Hoeven	Lundy	Stevens
Bell of Crawford	Husted	Miller	Whitehill
Chrystal	Irwin	Millhone	Zeigler
Doran		Moore	

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

By unanimous consent on request of Senator Breen, the rules were suspended and Senate File 160 was taken up at this time.

On motion of Senator Breen, Senate File 160, a bill for an act to amend Chapter three hundred twenty-nine-C 2 (329-C2), Code, 1935, relating to the powers of the state board of assessment and review to its council; to amend Section sixty-nine hundred forty-three-c 27 (6943-c27), sixty-nine hundred forty-three-c 29 (6943-c29), sixty-nine hundred forty-three-c 30 (6943-c30); and to provide for the manner and place where action may be brought by said board and to the manner in which appeals may be taken from its orders and findings; and to provide for the form and time of notice that said board must give of its hearings and to provide for the place where said board's hearings shall be held, reported out by the sifting committee, was taken up and considered.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 160 by striking all after the enacting clause and substituting in lieu thereof the following sections:

Section 1. That Section seventy-one hundred twenty-nine-e one (7129-e1), Code, 1935, be and the same is hereby amended by striking out the comma (,) following the word "review", in line four (4) of said section, and inserting the following: "to meet at the times provided in Section seventy-one hundred twenty-nine (7129), and", after said word "review".

Sec. 2. That Section seventy-one hundred twenty-nine-e one (7129-e1), Code, 1935, be and the same is hereby amended by striking out the period (.) following the word "thereof", in line eight (8) of said section, and inserting in lieu of said period a comma (,) and adding thereafter the following: "and any aggrieved taxpayer may petition for a revaluation of his property, but no reduction or increase shall be made for prior years."

Sec. 3. That Section seventy-one hundred twenty-nine-e one (7129-e1), Code, 1935, be and the same is hereby amended by striking all of that portion of the last sentence thereof following the word "appeal", in line twenty-two (22) of said section, and inserting in lieu of the portion so stricken the following: "to the district court within the same time and in the same manner as provided in Section seventy-one hundred thirty-three (7133)."

Sec. 4. That subparagraph one (1), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, be amended by striking all of said subparagraph and inserting in lieu thereof the following:

"To have and exercise general supervision over the administration of the assessment and tax laws of the state, over boards of supervisors and all other officers or boards of assessment and levy in the performance of their official duties, in all matters relating to assessments and taxation, to the end that all assessments of property and taxes levied thereon be made relatively just and uniform in substantial compliance with the law."

Sec. 5. That subparagraph six (6) of Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, be amended by striking all of said subparagraph and inserting in lieu thereof the following:

"To hold public hearing either at the Seat of Government or elsewhere in the state, and tax the costs thereof; to summon and compel witnesses to appear and give testimony, to administer oaths to said witnesses and to compel said witnesses to produce for examination records, books, papers, and documents relating to any matter which the board shall have the authority to investigate or determine. Provided, however, that no bank or loan and trust company or its officers or employees shall be required to divulge knowledge concerning the property of any person when such knowledge was obtained through information imparted as a part of a business transaction with or for such person and in the usual and ordinary course of business of said bank or loan and trust company, and was necessary and proper to the discharge of the duty of said bank or loan and trust company in relation to such business transaction. This proviso shall be additional to other provisions of the law relating to confidential and privileged communications."

Sec. 6 That subparagraph nine (9), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, be amended as follows:

By striking the following words in said subparagraph beginning after the comma (,) in line seventeen (17), "to raise or lower the valuation of any piece of property in any taxing district when, in their judgment, it is necessary."

By striking the first comma (,) in line twenty-two (22) in said subparagraph and inserting in lieu thereof a period (.) and by striking all of the remainder of said subparagraph.

By striking the words "board of" in line five (5) of said subparagraph, and the word, "review", in line six (6) and inserting in lieu thereof, "county board of equalization."

Sec. 7. That subparagraph nine-a (9a) of Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935, be and the same is hereby repealed.

Sec. 8. This act being deemed of immediate importance shall be in force and effect from and after its passage and publication in The Fort Dodge Messenger, a newspaper published in Fort Dodge, Iowa, and the Rockwell City Advocate, a newspaper published in Rockwell City, Iowa.

Amend the title to read as follows:

An Act to amend Section seventy-one hundred twenty-nine-e one (7129-e1), Code, 1935, relating to the revaluation and reassessment of real estate in other than real estate taxing years and providing for the regular meetings of the board of review and petitions for relief by any aggrieved taxpayer; and to amend subparagraph one (1), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27); and to amend subparagraph six (6), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27); and to amend subparagraph nine (9), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27); and to repeal subparagraph nine-a (9a), Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), Code, 1935.

The amendment was adopted.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30:

Bell of	Dewey	Goetsch	Mason
Des Moines	Donohue	Grunewald	Mighell
Berg	Edwards	Guernsey	Parker
Billingsley	Ellis	Hart	Schadt
Breen	Elthon	Hopkins	Shaw
Byers	Evans	Husted	Stewart
Corwin	Geske	Kimberly	Whitehill
Dean	Gillespie	Lundy	

Nays, none.

Absent or not voting, 20:

Augustine	Doran	Kirketeg	Murray
Baldwin	Gillette	Levis	Pelzer
Beardsley	Hill	Miller	Smith
Bell of Crawford	Hoeven	Millhone	Stevens
Chrystal	Irwin	Moore	Zeigler

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

By unanimous consent on request of Senator Shaw, the rules were suspended and Senate File 280 was taken up at this time.

On motion of Senator Shaw, Senate File 280, a bill for an act to legalize and declare valid certain original notices of the commencement of actions in the district court of Iowa, reported out by the sifting committee, was taken up and considered.

Senator Donohue offered the following amendments and moved their adoption:

Amend Senate File 280 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That all judgments and decrees entered by default in causes wherein the original notices set out the date when and the place where the Court would convene, are hereby declared legal and binding, notwithstanding the fact that said original notices failed to name the term at which defendant or defendants was or were required to appear.

Sec. 2. This Act, being deemed of immediate importance, shall be of full force and effect from and after its publication in the Nashua Reporter, a newspaper published at Nashua, Iowa, and in the Fredericksburg News, a newspaper published at Fredericksburg, Iowa."

I further move to amend Senate File 280 by striking the title and substituting in lieu thereof the following:

"An Act to legalize default judgments and decrees in actions and suits wherein the original notices as served on the defendant or defendants in default did not name the term at which defendant or defendants was or were required to appear."

The amendments were adopted.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29:

Bell of Des Moines	Corwin	Ellis	Goetsch
Berg	Dean	Elthon	Grunewald
Billingsley	Dewey	Evans	Guernsey
Byers	Donohue	Geske	Hart
	Edwards	Gillespie	Hopkins

Husted
Kimberly
Lundy

Mason
Mighell
Parker

Schadt
Shaw

Stewart
Whitehill

Nays, none.

Absent or not voting, 21:

Augustine
Baldwin
Beardsley
Bell of Crawford
Breen
Chrystal

Doran
Gillette
Hill
Hoeven
Irwin

Kirketeg
Levis
Miller
Millhone
Moore

Murray
Pelzer
Smith
Stevens
Zeigler

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

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Hopkins, the rules were suspended and Senate File 297 was taken up at this time.

On motion of Senator Hopkins, Senate File 297, a bill for an act to amend Sections thirty-eight hundred eighty-one (3881), thirty-eight hundred eighty-three (3883), and thirty-nine hundred eight (3908), Code, 1935, relating to the fees for teachers' certificates, reported out by the sifting committee, was taken up and considered.

Senator Hopkins moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29:

Augustine
Beardsley
Bell of
Des Moines
Berg
Breen
Byers
Corwin

Dean
Dewey
Ellis
Elthon
Evans
Geske
Gillespie
Goetsch

Grunewald
Guernsey
Hart
Hopkins
Husted
Kimberly
Lundy

Mason
Murray
Schadt
Shaw
Stewart
Whitehill
Zeigler

Nays, 1:

Edwards

Absent or not voting, 20:

Baldwin
Bell of Crawford
Billingsley
Chrystal
Donohue

Doran
Gillette
Hill
Hoeven
Irwin

Kirketeg
Levis
Mighell
Miller
Millhone

Moore
Parker
Pelzer
Smith
Stevens

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

By unanimous consent on request of Senator Murray the rules were suspended and Senate File 236 was considered at this time.

On motion of Senator Murray, Senate File 236, a bill for an act to amend Section fifty-four hundred fifty-seven (5457), Code, 1935, relating to use of domestic animal fund, reported out by the sifting committee, was taken up and considered.

Senator Murray moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Dean	Goetsch	Mighell
Beardsley	Dewey	Grunewald	Murray
Bell of	Donohue	Guernsey	Parker
Des Moines	Edwards	Hart	Schadt
Berg	Ellis	Hopkins	Shaw
Billingsley	Elthon	Husted	Stewart
Byers	Evans	Kimberly	Whitehill
Chrystal	Geske	Lundy	Zeigler
Corwin	Gillespie	Mason	

Nays, none.

Absent or not voting, 16:

Baldwin	Gillette	Kirketeg	Moore
Bell of Crawford	Hill	Levis	Pelzer
Breen	Hoeven	Miller	Smith
Doran	Irwin	Millhone	Stevens

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

Senator Murray moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Donohue, the rules were suspended and Senate File 425 was taken up at this time.

On motion of Senator Donohue, Senate File 425, a bill for an act to legalize and validate proceedings of the Board of Supervisors of Palo Alto County, Iowa, and an election in said county, all relating to the issuance from time to time of Primary Road Bonds of the County to the aggregate amount of not exceeding

\$500,000, reported out by the sifting committee, was taken up and considered.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Corwin	Gillespie	Lundy
Beardsley	Dean	Goetsch	Mighell
Bell of	Dewey	Grunewald	Murray
Des Moines	Donohue	Guernsey	Schadt
Berg	Edwards	Hart	Shaw
Billingsley	Ellis	Hopkins	Stewart
Breen	Elthon	Husted	Whitehill
Byers	Evans	Kimberly	Zeigler
Chrystal	Geske		

Nays, none.

Absent or not voting, 17:

Baldwin	Hoeven	Mason	Parker
Bell of Crawford	Irwin	Miller	Pelzer
Doran	Kirketeg	Millhone	Smith
Gillette	Levis	Moore	Stevens
Hill			

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

By unanimous consent on request of Senator Corwin, the rules were suspended and Senate File 265 was taken up at this time.

On motion of Senator Corwin, Senate File 265, a bill for an act to legalize the act of the board of supervisors of Muscatine County, Iowa, in making payment of the sum of Two hundred Fifty-two (\$252.00) dollars to Charles Leu for services rendered as the clerk of the grand jury of Muscatine county, Iowa, reported out by the sifting committee, was taken up and considered.

By unanimous consent on request of Senator Corwin, the publication clause was corrected by changing the period at the end thereof to a comma, and adding the following: "and in the West Liberty Index, a newspaper published at West Liberty, Iowa."

Senator Corwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Corwin	Gillespie	Mason
Beardsley	Dean	Goetsch	Murray
Bell of	Dewey	Grunewald	Schadt
Des Moines	Donohue	Guernsey	Shaw
Berg	Edwards	Hart	Stewart
Billingsley	Ellis	Hopkins	Whitehill
Breen	Elthon	Husted	Zeigler
Byers	Evans	Kimberly	
Chrystal	Geske	Lundy	

Nays, none.

Absent or not voting, 17:

Baldwin	Hoeven	Mighell	Parker
Bell of Crawford	Irwin	Miller	Pelzer
Doran	Kirketeg	Millhone	Smith
Gillette	Levis	Moore	Stevens
Hill			

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

Senator Corwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shaw asked and received unanimous consent to have Senate Files 160 and 280 engrossed.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 319, by inserting after the comma (,) following the word "plan", in line five (5), the following: "and cities under special charter,".

E. P. CORWIN.

MR. PRESIDENT: I move to amend Senate File three hundred seventy-six (376) by striking all after the enacting clause and inserting in lieu thereof, the following:

Section 1. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f one (5296-f1), and inserting in lieu thereof the following:

"5296-f1. Definitions. When used herein:

"1. The term 'state department' shall mean the state department of social welfare created by Senate File three hundred seventy-three (373), acts of the Forty-seventh General Assembly.

"2. The term 'state board' shall mean the state board of social welfare created by Senate File three hundred seventy-three (373), acts of the Forty-seventh General Assembly.

"3. The term 'board' and 'county board' shall mean the county board of social welfare created by Senate File three hundred seventy-three (373) acts of the Forty-seventh General Assembly.

"4. The term 'division' shall mean the division of old age assistance.

"5. The term 'superintendent' shall mean the old age assistance superintendent.

"6. The term 'investigator' shall mean the employee of the county board of social welfare assigned to perform the duties specified under the provisions of this chapter.

"7. The term 'domicile' shall mean the fixed permanent residence of the applicant or recipient of old age assistance, to which, when absent, he has the intention of returning.

"8. The term 'residence' shall mean the place of dwelling of the applicant or recipient of old age assistance, whether permanent or temporary, and such dwelling place may or may not be the domicile of such person.

"9. The term 'income' shall mean that gain or recurrent benefit, or both, accruing to the applicant for or the recipient of old age assistance because of his own labor, business or property or because of the reasonable legal or contractual liability of another person or legal entity, whether in the form of money, goods or services of whatever nature and from whatever source, upon which a monetary value can be placed.

"10. The term 'property' shall mean those things in which a person has legal title or owns, whether in lands, goods, investments, stocks, bonds, securities, notes, money or money on deposit, insurance, on his life, or intangible rights such as patents, copyrights, or anything of value which may be alienated.

"11. The singular shall include the plural and the masculine shall include the feminine."

Sec. 2. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f two (5296-f2), and inserting in lieu thereof the following:

"5296-f2. Division Created. There is hereby created a division under the administrative jurisdiction of the state board of social welfare to be known as the division of old age assistance."

Sec. 3. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f three (5296-f3), and inserting in lieu thereof the following:

"5296-f3. Superintendent. The state board shall appoint a superintendent of the division of old age assistance who shall be qualified by character, training and experience. The superintendent, with the approval of the state board, shall appoint the necessary personnel to carry out the provisions of this chapter. The salaries of the personnel of the division shall be fixed by the state board."

Sec. 4. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of section fifty-two hundred ninety-six-f four (5296-f4).

Sec. 5. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Sections fifty-two hundred ninety-six-f five (5296-f5), fifty-two hundred ninety-six-f six (5296-f6), fifty-two hundred ninety-six-f seven (5296-f7), and fifty-two hundred ninety-six-f eight (5296-f8), and inserting in lieu thereof the following:

"5296-f7. Old Age Assistance Investigators. The county board shall employ one or more old age assistance investigators whose duty shall

be to make such investigations or reinvestigations as are necessary to furnish the information required by the county board and the division, and in such manner and form as may be prescribed in the rules and regulations of the state board relating to this division."

Sec. 6. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by adding thereto as Section fifty-two hundred ninety-six-i one (5296-i1), and following Section fifty-two hundred ninety-six-f two (5296-f2), the following:

"5296-i1. Powers and Duties of the State Board. The state board shall be the responsible authority for the efficient and impartial administration of this chapter. To this end the state board shall formulate and make such rules and regulations, outline such policies, dictate such procedures and delegate such powers as may be necessary to carry out the provisions and purposes of this act.

"The state board shall:

"1. Require the superintendent, within ninety days after the close of each fiscal year, to report to the state board for the preceding year, stating:

- a. The total number of recipients.
- b. The amount paid in cash.
- c. Cash receipts and disbursements.
- d. The total number of applications.
- e. The number granted.
- f. The number denied.
- g. The number canceled during that year.
- h. Such other information as the state board may deem advisable.

"2. Cooperate with the federal social security board, created by Title VII of the social security act, Public No. 271, enacted by the 74th Congress of the United States and approved August 14, 1935, in such reasonable manner as may be necessary to qualify for federal aid for old age assistance, including the making of such reports in such form and containing such information as the federal social security board, from time to time, may require, and to comply with such regulations as said federal social security board, from time to time, may find necessary to assure the correctness and verification of such reports.

"3. Furnish information to acquaint aged persons and the public generally with the old age assistance system of this state.

"4. Prescribe in its rules and regulations the manner and procedure by which any applicant or recipient aggrieved by any order or decision of the division may obtain a review of such order or decision.

"5. Prescribe in its rules and regulations personnel standards and qualifications necessary to the efficient and competent administration of the division."

Sec. 7. Amend Section fifty-two hundred ninety-six-f ten (5296-f10), Code, 1935, by inserting in line six (6), following the word "sources", the words and punctuation: ", exclusive of the exemptions hereinafter provided,".

Sec. 8. Amend Section fifty-two hundred ninety-six-f eleven (5296-f11), Code, 1935, by striking the word "does" in line four (4) and all of line five (5) and inserting in lieu thereof: "shows to the division's".

Further amend said section by striking from line twelve (12), the following words "the amount of", and inserting in lieu thereof the words "an amount not to exceed".

Sec. 9. Amend Section fifty-two hundred ninety-six-f twelve (5296-f12), Code, 1935, by striking all of line four (4), and inserting in lieu thereof the following: "or at the time of review for the renewal of a certificate of assistance:".

Further amend said section by striking all of lines five (5) and six (6), and inserting in lieu thereof the following:

"1. Has residence or domicile in the county from which he applies."

Further amend said section by striking all of line eight (8), and inserting in lieu thereof the following:

"3. Is a citizen of the United States or has been a continuous resident of the United States for at least twenty-five (25) years, and in good faith has thought himself to be a citizen of the United States and has conducted himself as such."

Further amend said section by striking all of lines twelve (12), thirteen (13), fourteen (14), fifteen (15), and sixteen (16), and inserting in lieu thereof: "but such domicile shall not be deemed continuous if interrupted by periods of absence totaling more than four years, except as otherwise provided elsewhere in this chapter; or".

Further amend said section by striking from line seventeen (17) the figure and punctuation "5."

Further amend said section by striking all of lines twenty-one (21) to twenty-nine (29), inclusive, and by inserting in lieu thereof: "ately preceding such date. Furthermore, absence from the state in the service of the state or the United States shall not be deemed to have interrupted such continuous residence, if domicile has not been acquired outside the state."

Further amend said section by striking all of lines thirty (30), thirty-one (31) and thirty-two (32).

Further amend said section by striking all of subsection eight (8), and inserting in lieu thereof the following:

"6. Has not deserted his wife, if a husband, or, without just cause failed to support her and his children under the age of fifteen years, for a period of six months or more during the ten years preceding the date of application; has not deserted her husband, if a wife, or without just cause failed to support such of her children as were under the age of fifteen years, during the period set out above."

Further amend said section by inserting in line fifty (50) before the word "responsible" the words "legally or contractually".

Further amend said section by striking from line fifty-one (51) the words "by the board or".

Further amend said section by renumbering subsection seven (7) as subsection five (5), subsection ten (10) as subsection seven (7) and subsection eleven (11) as subsection eight (8).

Further amend said section by adding thereto as subsection ten (10), the following:

"10. Is not, because of physical or mental condition, in need of continued institutional care, and such care is reasonably available to him

in one of the institutions provided by the United States, the state of Iowa, or one of its political subdivisions."

Sec. 10. Amend Section fifty-two hundred ninety-six-f thirteen (5296-f13), Code, 1935, by inserting in line ten (10) following the word "dollars" the words and punctuation: ", or if married and not separated from the spouse, if he and his spouse have more than four hundred fifty dollars".

Sec. 11. Amend Section fifty-two hundred ninety-six-f fourteen (5296-f14), Code, 1935, by striking all of lines one (1) to six (6), inclusive, and inserting in lieu thereof the following:

"5296-f14. Income from Property. If the applicant or spouse owns any real estate which said applicant occupies as a home, or any other real estate which does not produce a reasonable income, the value to him of such occupancy or net income, for the purpose of arriving at the amount of assistance to which said applicant is entitled, shall be computed at five per cent of the assessed value of said real estate less a proper allowance for taxes, insurance, upkeep, interest on encumbrances, and a reasonable amount for amortization of said encumbrances."

Further amend said section as it appears in the code of Iowa, 1935, by inserting in line ten (10), before the word "value", the word "actual".

Further amend said section as it appears in the Code of Iowa, by striking all of lines sixteen (16), seventeen (17) and eighteen (18).

Sec. 12. Amend Section fifty-two hundred ninety-six-f fifteen (5296-f15), Code, 1935, by striking from line four (4) the word "both" and inserting in lieu thereof the words "either or both".

Further amend said section by adding as a new sentence following the word and punctuation "notwithstanding." in line eleven (11), the following: "However, the filing of such claim shall not constitute the waiver of the rights of the state board, in behalf of the state, under any lien filed by it."

Further amend said section by striking from line fourteen (14) the word "both" and inserting in lieu thereof the words "either or both".

Sec. 13. Amend Section fifty-two hundred ninety-six-f sixteen (5296-f16), Code, 1935, by striking from lines six (6) and seven (7), the following: "in whom or in whose spouse the title to any real estate is vested".

Further amend said section by inserting in line ten (10) following the words "recorder of the county" the following: "in which the recipient lives and".

Further amend said section by inserting in line eleven (11) after the words "real estate" the words "belonging to the recipient or the spouse of such recipient".

Further amend said section by inserting as a new paragraph between lines nineteen (19) and twenty (20), the following:

"Any action to enforce an old age assistance lien shall be by equitable proceedings."

Further amend said section by striking lines twenty (20) to twenty-four (24), inclusive, and inserting in lieu thereof the following:

"The statute of limitations shall not begin to run against any lien or cause of action, belonging to the state under the provisions of this sec-

tion or chapter, until the death of the recipient, former recipient, or the surviving spouse, if any."

Further amend said section by striking the period after the word "state" in line thirty-six (36) and adding thereto the following:

"; upon the taking of such deed the division shall pay any delinquent taxes against said property and said deed shall reserve to the grantor and his spouse a life estate in said property and an option to the recipient and his heirs to purchase said property by repayment of the total amount paid for the benefit of the recipient."

Further amend said section by striking from line thirty-seven (37) the word "board" and inserting in lieu thereof the word "division".

Further amend said section by striking all of line thirty-eight (38) and the words "persons entitled thereto" in line thirty-nine (39) and inserting in lieu thereof the words "which shall credit the net income to the account of the person or persons entitled thereto".

Sec. 14. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-g one (5296-g1) and inserting in lieu thereof the following:

"5296-g1. Executor Responsible. Any transfer of any property or interest therein made by an applicant or recipient of old age assistance to any person without adequate consideration therefor or with intent to deprive the state of its interest therein shall be void.

"All administrators, executors, referees and trustees of estates subject to liens provided for by this chapter shall be liable under their bond for the settlement of any such lien and claim when such claim is filed in the estate or other legal proceedings as provided by law."

Sec. 15. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f eighteen (5296-f18) and substituting in lieu thereof the following:

"5296-f18. Procedure with Application. Whenever an application is made for old age assistance, the county board shall make an investigation within sixty days through an investigator, and make, in addition, such direct investigation as it deems advisable. After hearing the applicant, if he so requests, if it approves the application, the county board shall make a recommendation of the amount of assistance to be allowed; or, if it disapprove, make a recommendation that no assistance be allowed. The county board shall promptly send the application to the division, and, within ninety days from the date of application, shall send its recommendation, and the reason for such recommendation to the division with such supporting papers as the state board may require, unless for reasons beyond the county board's control which reasons shall be reported.

"Upon receipt of the application and supporting papers, the division may make such additional investigation as it deems necessary. Should the division disagree with the county board in the latter's recommendation regarding eligibility it shall neither approve nor disapprove said application without a further review to clarify the points of disagreement between the county board and division. In any event, the division shall make its decision within sixty days of the receipt of the supporting papers, properly prepared and executed, and either approve and fix an

amount of assistance or reject the claim of the applicant; and shall give written notice to the applicant as to the action taken.

"Any applicant or recipient aggrieved by any order or determination of the division, or by the failure of the division to so act, may make application for a review by the state board upon a prescribed form furnished by the county board. Such application shall be sent by registered mail to the superintendent within thirty days of the notice of such rejection or order. Upon receipt of such application for review, the state board shall give at least ten days' notice to said applicant by registered mail of the time and place of a hearing to be held within the county of residence of the applicant. A fair hearing and full review of said claim shall then be had before said state board or such person or persons designated by the chairman from the state board or the division. Following such hearing the state board shall take its final action and notify the applicant in writing within ninety days.

"An applicant whose application for assistance has been rejected, or a recipient whose certificate for assistance has been canceled, after a review hearing hereinabove provided, within thirty days after notice of such action is given, may appeal from the decision of the state board to the district court of the county in which the applicant or recipient resides, by serving a ten days' notice of such appeal upon the superintendent or upon any member of the state board, in the manner required for the service of an original notice in any civil action. Upon the service of such notice, the state board shall furnish the applicant with a copy of the application and all supporting papers, a transcript of the testimony taken in a hearing, if any, and a copy of its decision.

"The court shall hear said application on its merits and determine whether or not the decision of the state board was in conformity with the law. If so, the court shall affirm the decision of the state board, and, if not, shall advise the state board wherein it has failed to so conform and shall direct a reconsideration and a determination in accordance with such finding of the court.

"In any event, 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."

Sec. 16 Amend Section fifty-two hundred ninety-six-f twenty (5296-f20), Code, 1935, by striking the period after the word "discontinued" in lines thirteen (13) and fourteen (14) and adding thereto the following:

"and in such case a written order stating the reason therefor shall be filed as a part of the record of said application and an explanation of such order increasing, decreasing or discontinuing said assistance shall be mailed to the recipient of said assistance."

Sec. 17. Amend Section fifty-two hundred ninety-six-f twenty-two (5296-f22), Code, 1935, by striking from lines three (3) and four (4) the words "the first day of", and inserting in lieu thereof the words "the day fixed by the state board for payments to recipients of the county from which the applicant applied and within".

Sec. 18. Amend Chapter two hundred sixty-six-F one (266-F1), Code,

1935, by striking all of Section fifty-two hundred ninety-six-g three (5296-g3).

Sec. 19. Amend Section fifty-two hundred ninety-six-f twenty-three (5296-f23), Code, 1935, by striking from lines ten (10), eleven (11), twelve (12) and thirteen (13), the words and punctuation “, and the board may on inquiry, and with the approval of the division, either cancel the assistance or pay the amount thereof during the period of the certificate”, and inserting in lieu thereof the words and punctuation “. The board shall inform the division of such change and make its recommendation for further action by the division. The division thereupon shall cancel the certificate or lower the amount of assistance for the remaining period of the certificate and notify the recipient of the reason for such change”.

Sec. 20. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f twenty-four (5296-f24), and inserting in lieu thereof the following:

“5296-f24. Recovery of Excess Assistance. When it is found that any person who is receiving or has received old age assistance has failed to notify the board, as provided in Section fifty-two hundred ninety-six-f twenty-three (5296-f23), that he is or was possessed of property or income in excess of the amount allowed by this chapter, then his certificate shall be canceled and double the amount of assistance paid, in excess of that to which the recipient was entitled, may be recovered from him, while living, as a debt due the state; upon his death as a preferred claim against his estate. The amount so received shall be transferred to the old age assistance revolving fund of the state.”

Sec. 21. Amend Section fifty-two hundred ninety-six-f twenty-five (5296-f25), Code, 1935, by striking from line two (2) the words “receiving old age assistance”, and inserting in lieu thereof the words “whose claim has been approved and whose certificate has not been canceled”.

Further amend said section by adding at the end thereof the following sentence: “Any funeral expenses thus paid by the division shall become a part of the claim for assistance granted and enforced under the provisions of Sections fifty-two hundred ninety-six-f fifteen (5296-f15) and fifty-two hundred ninety-six-f sixteen (5296-f16) of this chapter.”

Sec. 22. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f twenty-six (5296-f26), and inserting in lieu thereof the following:

“5296-f26. Resident in Institution. Any recipient who is a resident in any charitable, benevolent, or fraternal institution, not tax supported, may expend a part of the assistance paid him under the provisions of this chapter toward defraying the actual expenses of his residence in such institution, provided, that the state board has approved and that it and its agents are permitted freely to visit and inspect such institution and, provided, the charge shall not be so much as to deprive said recipient and inmate of such cash as he needs for necessities and incidentals not furnished by said institution.”

Sec. 23. Amend Section fifty-two hundred ninety-six-f twenty-seven (5296-f27), Code, 1935, by inserting in line four (4) following the word “for” the words and punctuation “fuel, dental, nursing,”.

Sec. 24. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f twenty-eight (5296-f28), and inserting in lieu thereof the following:

"5296-f28. Incapacity of Applicant or Recipient. If the person applying for or receiving assistance, on the testimony of reputable witnesses, is thought to be incapable of taking care of himself or his money, the board shall complete the investigation, as provided elsewhere in this chapter, and send such application, investigation, and supporting papers to the division. When notified by the division of the conditional approval of said application or the renewal or continuance of a certificate, contingent upon the appointment of a legal guardian, the board shall petition the court for such appointment and shall forward the court record to the division as notice of the person to whom assistance payments shall be made.

"The application of a person who has been adjudged an incompetent shall be honored only when made by a legally appointed guardian as provided for under the provisions of Section twelve thousand six hundred fourteen (12614), Code, 1935. Upon subsequent investigations all affidavits shall be affirmed by said legal guardian and the person or persons supplying the required information in behalf of said incompetent person.

"All guardianship proceedings in the case of an applicant or recipient shall be carried out without fee or other expense when, in the opinion of the court, the aged person is unable to assume said expense. At the discretion of the court, such a guardian may serve without bond."

Sec. 25. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by adding thereto, as Section fifty-two hundred ninety-six-i two (5296-i2) following Section fifty-two hundred ninety-six-f twenty-nine (5296-f29) a new section:

"5296-i2. Confidential Records. All applications and records shall be confidential and shall be open to inspection only by persons authorized by the state or the United States in connection with their official duties, or when produced in response to a subpoena issued by a court of competent jurisdiction, or except as required for use in conducting hearings as provided for in this act.

"Any list or lists of names of applicants and/or recipients of old age assistance or other lists compiled by the old age assistance commission are hereby declared to be the personal property of the state of Iowa; and no employee of the state of Iowa, or any other person, shall give, sell or furnish such list or lists to any person or persons for any purpose except for use in the administration of this act, and as otherwise herein provided. No person shall buy, give, furnish, sell or use such list or lists or any addressograph or addressograph plates belonging to or used for the old age assistance division of the state of Iowa for any commercial or political purpose, and the violation of any of the provisions hereof is hereby made a misdemeanor, punishable by a fine of not to exceed one thousand (1000) dollars, or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment."

Sec. 26. Amend Section fifty-two hundred ninety-six-g four (5296-g4),

Code, 1935, by striking from line five (5) the word "pension" and inserting in lieu thereof the word "assistance".

Further amend said section by striking from line seven (7) the word "pension" and inserting in lieu thereof the word "assistance".

Sec. 27. Amend Section fifty-two hundred ninety-six-f thirty (5296-f30), Code, 1935, by striking the period after the word "suspension" in line seven (7) and adding thereto the following: "and it shall also promptly notify the recipient in writing of such suspension stating in such notice the reason for such suspension and such recipient shall be entitled to a hearing before the state board to show cause why such suspension should not be made permanent."

Sec. 28. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by adding as Section fifty-two hundred ninety-six-i three (5296-i3) and following Section fifty-two hundred ninety-six-f thirty (5296-f30), the following:

"5296-i3. Recovery from Responsible Relatives. If at any time under this act the state board and division or county board finds that any person, municipality, association, society or corporation as specified under subsection nine (9) of Section fifty-two hundred ninety-six-f twelve (5296-f12) of this chapter, is or was at the time any assistance was paid reasonably able to contribute to the necessary care and support of any recipient without undue hardship, during the continuance of any certificate of assistance, and such person, municipality, association, society or corporation fails or has failed or refused to do so, then, after notice to such person, municipality, association, society, or corporation, there shall exist a cause of action against such person, municipality, association, society or corporation for the recovery by the state board and division, for the state, of double such amount of assistance furnished as was or is in excess of the amount allowed by this chapter."

Sec. 29. Amend Section fifty-two hundred ninety-six-f thirty-one (5296-f31), Code, 1935, by striking all of lines ten (10) to eighteen (18), inclusive, and inserting in lieu thereof the following:

"3. Payment of any forfeited installment grant; or

"4. Who aids or abets in the selling or buying, or in any way disposing of the property of any recipient, or his spouse, or both, with intent to defraud the state of Iowa; or

"5. Who aids or abets in the selling or buying, or in any way disposing of or concealing the property of any person or his spouse, or both, for the purpose of qualifying or attempting to qualify such person or persons for old age assistance, with intent to defraud the state of Iowa, shall be guilty of a misdemeanor and the person guilty thereof, in addition to the punishment for his misdemeanor, shall be liable for double that part of the assistance paid which is in excess of the amount allowed by this chapter."

Sec. 30. Amend Section fifty-two hundred ninety-six-f thirty-four (5296-f34), Code, 1935, by striking from line three (3) the word "pension" and inserting in lieu thereof the word "assistance".

Further amend said section by striking from lines twenty-five (25) and twenty-six (26) the word "pension" and inserting in lieu thereof the word "assistance".

Further amend said section by striking from lines seventy-two (72), seventy-three (73), seventy-four (74) and seventy-five (75) the following: "Any one who becomes in arrears more than three (3) years on this tax for any year shall forfeit all claim to old age assistance provided for herein."

Further amend said section by striking from line ninety-one (91) the word "pension" and inserting in lieu thereof the word "assistance".

Further amend said section by striking from line ninety-four (94) the word "pension" and inserting in lieu thereof the word "assistance".

Further amend said section by striking from line ninety-nine (99) the word "pension" and inserting in lieu thereof the word "assistance".

Sec. 31. Amend Section fifty-two hundred ninety-six-g five (5296-g5), Code, 1935, by striking from line eleven (11) the word "pension" and inserting in lieu thereof the word "assistance".

Sec. 32. Amend Section fifty-two hundred ninety-six-g six (5926-g6), Code, 1935, by striking from line five (5) the word "pension" and inserting in lieu thereof the words "assistance revolving".

Sec. 33. Amend Section fifty-two hundred ninety-six-g seven (5296-g7), Code, 1935, by striking from line six (6) the word "pension" and inserting in lieu thereof the word "assistance".

Further amend said section by striking all of lines seven (7), eight (8) and nine (9), and inserting in lieu thereof the following: "arise under the provisions of this chapter."

Further amend said section by striking all of lines twenty (20), twenty-one (21), twenty-two (22), twenty-three (23) and twenty-four (24), and inserting in lieu thereof the following:

"All moneys received or recovered by the state board and division, from whatever source, except those specifically appropriated to the old age assistance fund, including warrants once written and subsequently returned to the comptroller uncashed, shall be credited to the old age assistance revolving fund, which together with the appropriation made hereunder, shall constitute said fund. Whenever said fund shall".

Further amend said section by striking from line twenty-eight (28) the word "pension" and inserting in lieu thereof the word "assistance".

Sec. 34. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by adding thereto, as Section fifty-two hundred ninety-six-i four (5296-i4), following section fifty-two hundred ninety-six-g seven (5296-g7) a new section:

"5296-i4. Payments to the United States. Whenever any amount shall be recovered from any source for assistance furnished under the provisions of this act and paid into the old age assistance revolving fund, upon order of the state board and division the state comptroller shall pay from said fund to the United States the amount which shall be required under the terms of Title I of the Federal Social Security Act."

Sec. 35. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by adding as Section fifty-two hundred ninety-six-i five (5296-i5) and following Section fifty-two hundred ninety-six-f thirty-five (5296-f35), the following:

"5296-i5. Mandamus Proceedings. In the event that any county audi-

tor or treasurer, or both, of any county fails to do his or their duty in the matter of listing taxable persons, or the collection of the taxes levied, or the proper recording of said collections, or the making of a proper and timely return of the money so collected to the treasurer of State, or to otherwise comply with the provisions of this chapter, mandamus shall lie and proceedings shall be instituted by the auditor of state and the state board against such county auditor or treasurer or both, to comply therewith."

Sec. 36. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f thirty-six (5296-f36).

Sec. 37. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f thirty-eight (5296-f38).

Sec. 38. Coordinating Amendments. The following sections of chapter two hundred sixty-six-F one (266-F1), Code, 1935, are hereby amended as follows:

Fifty-two hundred ninety-six-f eleven (5296-f11) by striking from line five (5) the word "commission" and inserting the word "division" and by striking the word "their" and inserting the word "its"; by striking from line twelve (12) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f twelve (5296-f12) by striking from line fifty-one (51) the word "commission" and inserting the word "division" and by striking from line fifty-three (53) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f thirteen (5296-f13) by striking from line thirteen (13) the word "commission" and inserting the word "division"; by striking from line seventeen (17) the word "commission" and inserting the word "division"; by striking from line twenty-two (22) the word "commission" and inserting the words "state board"; by striking from line forty-two (42) the word "commission" and inserting the word "division"; by striking from line forty-four (44) the word "commission" and inserting the words "state board" and by striking from lines forty-six (46) and forty-seven (47) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f fourteen (5296-f14) by striking from line twelve (12) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f sixteen (5296-f16) by striking from line twenty-five (25) the word "commission" and inserting the words "state board"; by striking from line thirty-two (32) the word "commission" and inserting the words "state board"; by striking from line thirty-nine (39) the word "commission" and inserting the words "state board"; by striking from line fifty-four (54) the word "commission" and inserting the words "state board"; by striking from line fifty-five (55) the word "commission" and inserting the words "state board" and by striking from line fifty-seven (57) the word "chapter" and inserting the word "section".

Fifty-two hundred ninety-six-g-two (5926-g2) by striking from line five (5) the word "commission" and inserting the words "state board";

by striking from line twelve (12) the word "commission" and inserting the words "state board"; by striking from lines fifteen (15) and sixteen (16) the word "commission" and inserting the word "division" and by striking from lines nineteen (19) and twenty (20) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f seventeen (5296-f17) by striking from lines four (4) and five (5) the word "commission" and inserting the words "state board".

Fifty-two hundred ninety-six-f nineteen (5296-f19) by striking from line two (2) the word "commission" and inserting the words "state board"; by striking from line three (3) the word "board" and inserting the words "county board"; by striking from line seven (7) the word "commission" and inserting the words "state board" and by striking from line seven (7) the word "board" and inserting the words "county board".

Fifty-two hundred ninety-six-f twenty (5296-f20) by striking from lines one (1) and two (2) the word "commission" and inserting the word "division"; by striking from line five (5) the word "commission" and inserting the word "division"; by striking from lines six (6) and seven (7) the word "commission" and inserting the word "division" and by striking from line twelve (12) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f twenty-one (5296-f21) by striking from line three (3) the word "commission" and inserting the word "division"; by striking from line five (5) the word "commission" and inserting the words "state board" and by striking from line fifteen (15) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f twenty-two (5296-f22) by striking from line six (6) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f twenty-three (5296-f23) by striking from line eleven (11) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f twenty-five (5296-f25) by striking from line nineteen (19) the word "commission" and inserting the words "state board".

Fifty-two hundred ninety-six-f thirty (5296-f30) by striking from line one (1) the word "commission" and inserting the word "division" and by striking from line nine (9) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f thirty-two (5296-f32) by striking from line nine (9) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-f thirty-four (5296-f34) by striking from line four (4) the word "commission" and inserting the words "state board and division"; by striking from line seventy (70) the word "commission" and inserting the word "division"; and by striking from line ninety-seven (97) the word "commission" and inserting the word "division".

Fifty-two hundred ninety-six-g six (5296-g6) by striking from line two (2) the words "commission is" and inserting the words "state board and division are"; by striking from line nine (9) the word "commission" and

inserting the word "division" and by striking from line eleven (11) the words "executive council" and inserting the words "state board".

Fifty-two hundred ninety-six-g seven (5296-g7) by striking from line sixteen (16) the word "commission" and inserting the words "state board and division"; by striking from line seventeen (17) the word "commission" and inserting the word "division" and by striking from line twenty-nine (29) the word "commission" and inserting the words "state board and division".

Fifty-two hundred ninety-six-f thirty-eight (5296-f38) by striking from line six (6) the word "commission" and inserting the words "state board".

Sec. 39. Coordinating Amendment. Amend Section fifty-three hundred two (5302), Code, 1935, by striking from line four (4) the words "old age assistance" and inserting the words "social welfare".

Further amend said section by striking from line five (5) the words "old age assistance commission" and inserting the words "division of old age assistance".

Sec. 40. Coordinating Amendment. Amend Section sixty-nine hundred fifty-g one (6950-g1), Code, 1935, by striking from line four (4) the word "pension" and inserting the word "assistance".

Further amend said section by striking from lines six (6) and seven (7) the words "old age assistance commission" and inserting the words "division of old age assistance".

Further amend said section by striking from line twenty-two (22) the word "pension" and inserting the word "assistance".

Sec. 41. Constitutionality. If any portion of this act shall be declared unconstitutional, such declaration shall not affect the validity of the remaining portions of the act but they shall remain in force as though such declaration had not been made.

Sec. 42. Short Title. This act may be cited as "The Old Age Assistance Act of 1937".

Sec. 43. This act being deemed of importance, shall be in full force and effect thirty days after its passage and publication in two newspapers of general circulation in the state, as provided by law.

B. C. WHITEHILL.

MR. PRESIDENT: Amend Senate File 374 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Repeal of Existing Laws. Sections 3661-a1 to 3661-a7 both inclusive, of the Code of Iowa, 1935, are hereby repealed and the following is enacted as a substitute. All other acts or parts of acts which are in conflict herewith are hereby repealed.

Sec. 2. Definitions. The terms "State Department", "State Board", "County Department" and "County Board" are used in this act as said terms are defined in Section 1 of Senate File 373 of the Acts of the 47th General Assembly.

As used in this Act: "Sub-Division of Child Welfare" means the section devoted to Child Welfare Work in the division of the State Department of Social Welfare charged with administering aid to the blind, aid to

dependent children and child welfare and created by Section 9 of the Senate File 373 of the Acts of the 47th General Assembly.

"Superintendent" means the superintendent of that division of the State Department incorporating aid to the blind, aid to dependent children and child welfare as provided by Section 9 of Senate File 373 of the Acts of the 47th General Assembly.

"Child Welfare Services" means social welfare services for the protection and care of children who are homeless, dependent or neglected, or in danger of becoming delinquent.

Sec. 3. Powers and Duties of Superintendent. The Superintendent shall be responsible to the State Board for the proper and lawful administration of the Sub-Division of Child Welfare. The Superintendent, under rules and regulations adopted by the State Board, shall exercise the powers and discharge all the administrative and executive duties imposed upon the Sub-Division of Child Welfare. He shall be furnished an office and all necessary equipment, supplies and personnel for the Sub-Division of Child Welfare by the State Department. The Superintendent and personnel of the Sub-Division of Child Welfare shall be paid such salaries as shall be fixed by the State Board.

The Superintendent shall also:

(1) Appoint, with the approval of the State Board and subject to its rules and regulations such personnel as may be necessary for the efficient discharge of the powers granted to and duties imposed upon the Sub-Division of Child Welfare.

(2) Make such reports and provide such information as the State Board may from time to time require, whether to the State Board or to some other office or agency, State or Federal.

(3) Prepare and submit to the State Board annually, at such time as the State Board shall designate, an annual budget indicating the funds necessary to carry out the purposes of this Act, and giving an estimate of any funds which are available and which the state may be entitled to receive from the United States or any agency thereof.

(4) Cooperate with all county departments within the state, all county boards of supervisors and other public and private local agencies charged with the protection and care of children, in establishing, extending and strengthening public and private child welfare services.

(5) Perform the executive duties and manage the activities of the Sub-Division of Child Welfare under the supervision and control of the State Department and subject to its rules and regulations.

Sec. 4. Powers and Duties of State Department. The State Department, in addition to all other powers and duties given it by law, shall:

(1) Review the acts and decisions of the Sub-Division of Child Welfare, and of the Superintendent, when upon complaint made to the State Board, a review appears necessary.

(2) Join and cooperate with the government of the United States through its appropriate agency or instrumentality or with any other officer or agency of the federal government in planning, establishing, extending and strengthening public and private child welfare services within the state.

(3) Make such investigations and to obtain such information as will permit the State Board to determine the need for public child welfare services within the state and within the several county departments thereof.

(4) Apply for and receive any funds which are or may be allotted to the state by the United States or any agency thereof for the purpose of developing child welfare services.

(5) Make such reports and budget estimates to the Governor and to the General Assembly as are required by law or such as are necessary and proper to obtain the appropriation of state funds for child welfare services within the state and for all the purposes of this Act.

(6) Cooperate with the several county departments within the state, and all county boards of supervisors and other public or private agencies charged with the protection and care of children, in the development of child welfare services.

(7) Aid in the enforcement of all laws of the state for the protection and care of children.

(8) Cooperate with the juvenile courts of the state, and with the Board of Control of State Institutions in its management and control of state institutions and the inmates thereof.

Sec. 5. Powers and Duties of Sub-Division of Child Welfare. The Sub-Division of Child Welfare, under the supervision and control of the State Board, shall:

(1) Plan and supervise all public child welfare services and activities within the state as provided by this Act.

(2) Make such reports and obtain and furnish such information from time to time as may be necessary to permit cooperation by the State Department with the United States Children's Bureau, the Social Security Board, or any other federal agency which is now or may hereafter be charged with any duty regarding child care or child welfare services.

(3) Make such rules and regulations as may be necessary or advisable for the supervision of the private child-caring agencies or officers thereof which the division is empowered to license, inspect and supervise, which rules and regulations shall provide that in dealing with any child, any officer, employee or agency so dealing shall take into consideration the religious faith or affiliations of the child or its parents, and that in placing such child it shall be, as far as practicable, placed in the home or the care and custody of some person holding the same religious faith as the parents of such child, or with or through some agency or institution controlled by persons of like religious faith with the parents of said child.

(4) Supervise and inspect private institutions for the care of dependent, neglected and delinquent children, and to make reports regarding the same.

(5) Designate and approve the private and county institutions within the state to which neglected, dependent and delinquent children may be legally committed and to have supervision of the care of children committed thereto, and the right of visitation and inspection of said institutions at all times.

(6) Receive and keep on file annual reports from the juvenile courts of the state, and from all institutions to which neglected, dependent and delinquent children are committed; compile statistics regarding juvenile delinquency, make reports regarding the same and study prevention and cure of juvenile delinquency.

(7) Require and receive from the clerks of the courts of record within the state duplicates of the findings of the courts upon petitions for adoption, and keep records and compile statistics regarding adoptions.

(8) License and inspect maternity hospitals, private boarding homes for children, and private child-placing agencies; make reports regarding the same and revoke such licenses.

(9) Perform such other functions as may from time to time be delegated to the Sub-Division by the State Board.

Sec. 6. Duties of County Departments. County departments are hereby charged with the duty of cooperating with the Sub-Division of Child Welfare and with the State Department in carrying out the provisions of this Act. They shall, upon request, make to the State Department or Sub-Division of Child Welfare such reports regarding child welfare services, or the need thereof, within the respective counties. They shall also, when requested by the State Department or the Sub-Division of Child Welfare make reports upon maternity hospitals, private boarding homes for children, private child-placing agencies and private institutions for the care of neglected, dependent or delinquent children which are located within the respective counties. For this purpose they shall act, if so designated, as agents of the State Department and the Sub-Division of Child Welfare.

Sec. 7. Coordinating Amendments. Maternity Hospitals. The following sections of the Code of Iowa, 1935, are hereby amended:

Section 3661-a11 is amended by striking from line five thereof the words "Board of control", and inserting in place thereof the words "sub-division of child welfare";

Section 3661-a12 is amended by striking from lines one and two thereof the words "the state board of control", and inserting in place thereof the words, "the sub-division of child welfare";

Section 3661-a15 is amended by striking from lines three and four thereof the words, "the state board of control", and inserting in place thereof the words, "the sub-division of child welfare";

Section 3661-a18 is amended by striking from lines one and two thereof the words, "the board of control" and inserting in place thereof the words, "the sub-division of child welfare";

Section 3661-a22 is amended by striking from line two thereof the words, "board of control" and inserting in place thereof the words "sub-division of child welfare";

Section 3661-a26 is amended by striking from lines two and three thereof the words, "state board of control" and inserting in place thereof the words, "sub-division of child welfare";

Section 3661-a27 is hereby amended by striking from lines one and two thereof the words, "the state board of control", and inserting in place thereof the words, "the subdivision of child welfare";

Section 3661-a28 is amended by striking from lines one and two thereof the words, "the state board of control" and inserting in place thereof the words, "the sub-division of child welfare";

Section 3661-a31 is amended by striking from lines six and seven thereof the words, "state board of control", and inserting in place thereof the words, "subdivision of child welfare"; also by striking from line ten thereof the word, "board" and inserting in place thereof the words, "sub-division of child welfare";

Section 3661-a32 is amended by striking from line six thereof the words, "state board of control" and inserting in place thereof the words, "subdivision of child welfare"; also by striking from line seven thereof the word, "board" and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a33 is amended by striking from lines four and five thereof the words, "members of the board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a34 is amended by striking from lines one and two thereof the words, "the board of control", and inserting in place thereof the words "the subdivision of child welfare";

Section 3661-a36 is amended by striking from line two thereof the words, "state board of control" and inserting in place thereof the words "subdivision of child welfare";

Section 3661-a37 is amended by striking from line two thereof the words, "state board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a41 is amended by striking from line four thereof the words, "state board of control" and inserting in place thereof the words, "subdivision of child welfare".

Sec. 8. Coordinating Amendments—Children's Boarding Homes. The following sections of the Code of Iowa, 1935, are hereby amended as follows:

Section 3661-a44 is amended by striking from lines one and two thereof the words "the state board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a47 is amended by striking from lines two and three thereof the words, "board of control" and inserting in place thereof the words, "subdivision of child welfare";

Section 3661a48 is amended by striking from lines one and two thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a49 is amended by striking from lines four and five thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a52 is amended by striking from line two thereof the word, "board", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a54 is amended by striking from lines one and two thereof the words, "state board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661a55 is amended by striking from line two thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a57 is amended by striking from line four thereof the words, "state board of control", and inserting in place thereof the words, "subdivision of child welfare".

Sec. 9. Coordinating Amendments—Child-placing Agencies. The following sections of the Code of Iowa, 1935, are hereby amended as follows:

Section 3661-a60 is amended by striking from lines one and two thereof the words, "the board of control of state institutions", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a62 is amended by striking from line four thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661a65 is amended by striking from lines two and three thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a67 is amended by striking from lines one and two thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare"; by striking from line six thereof the words "this board", and inserting in place thereof the words, "subdivision of child welfare"; and by striking from line twenty thereof, the words, "board of control" and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a68 is amended by striking from line five thereof the word, "board", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a69 is amended by striking from line two thereof the word, "board" and inserting in place thereof the words, "subdivision of child welfare", and by striking from line four thereof the words "board of control", and inserting in place thereof, the words, "subdivision of child welfare";

Section 3661-a71 is amended by striking from line five thereof the word, "board", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a73 is amended by striking from line two thereof the word, "board", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a74 is amended by striking from line one thereof the words, "board of control" and inserting in place thereof the words, "subdivision of child welfare", and by striking from line five thereof the word, "board", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a75 is amended by striking from line three the word, "board" and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a76 is amended by striking from line two thereof the

words "board of control" and inserting in place thereof the words, "sub-division of child welfare";

Section 3661-a77 is amended by striking from lines two and three thereof the words "board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a80 is amended by striking from line two thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare"; and by striking from line twenty-one thereof the word, "board" and inserting in place thereof the words, "sub-division of child welfare";

Section 3661-a81 is amended by striking from line twelve thereof and also from lines fifteen and sixteen, the words, "board of control" and inserting in place thereof at each place the words "subdivision of child welfare";

Section 3661-a83 is amended by striking from lines ten and eleven thereof the words, "board of control" and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a87 is amended by striking from line three thereof the words, "board of control" and inserting in place thereof the words, "sub-division of child welfare", and from lines three and nine the word "board" and inserting in each of said places the words "subdivision of child welfare";

Section 3661-a88 is amended by striking from line two thereof the words, "board of control" and inserting in place thereof the words, "sub-division of child welfare", and by striking from line four thereof the word "board" and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a90 is amended by striking from line five thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare"; also by striking from line six thereof the word "board" and inserting in place thereof the words "subdivision of child welfare";

Section 3661-a91 is amended by striking from lines nine and eleven the words "board of control", and from lines two, three, fourteen and seventeen the word, "board" and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a93 is amended by striking from lines five and six the words, "board of control" and from line eleven the word "board", and inserting in place thereof the words, "subdivision of child welfare";

Section 3661-a94 is amended by striking from line four thereof the word "board" and inserting in place thereof the words "subdivision of child welfare";

Section 3661-a96 is amended by striking from line six the words, "board of control" and from lines nine and eleven each the word, "board" and inserting in each place the words, "subdivision of child welfare";

Section 3661-a97 is amended by striking from lines ten and eleven the words, "board of control" and inserting in place thereof the words, "sub-division of child welfare";

Section 3661-a100 is amended by striking from line four thereof the

words, "board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3666 is amended by striking from line four thereof the word, "over" and inserting in place thereof the word, "under".

Sec. 10. Coordinating Amendments—Neglected, Dependent and Delinquent Children. The following sections of the Code of Iowa, 1935, are hereby amended as follows:

Section 3671 is amended by striking from lines three and four thereof the words, "state board of control" and inserting in place thereof the words, "subdivision of child welfare";

Section 3683 is amended by striking from lines three and four thereof the words, "board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 3655 is amended by striking from lines one and two thereof the words, "board of control" and inserting in place thereof the words, "subdivision of child welfare";

Section 3656 is amended by striking from line five thereof the words, "board of control" and inserting in place thereof the words, "subdivision of child welfare".

Sec. 11. Coordinating Amendments—Adoption. The following sections of the Code of Iowa, 1935, are amended as follows:

Section 10501-b7 is amended by striking from lines eleven and twelve thereof the words, "state board of control", and inserting in place thereof the words, "subdivision of child welfare";

Section 10501-b8 is amended by striking from lines six and seven thereof the words, "board of control of state institutions", and inserting in place thereof the words, "subdivision of child welfare".

Sec. 12. Licenses. Licenses issued to maternity hospitals, private boarding homes for children, and private child-placing agencies by the State Board of Control of State Institutions, shall remain in effect for the period for which issued, unless sooner revoked according to law. Thereafter it shall be the duty of each of such agencies to apply to the subdivision of Child Welfare for a new license, and to submit to such rules regarding the same as the subdivision or State Board may prescribe.

Sec. 13. Constitutionality. If any portion of this Act shall be declared unconstitutional, such declaration shall not affect the validity of the remaining portions of the Act, which shall remain in force as though such declaration had not been made.

Sec. 14. Short Title. This Act shall be known and may be cited as "The child welfare Act of 1937."

Sec. 15. Publication Clause. This Act being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the, a newspaper published at, Iowa, and in the, a newspaper published at, Iowa.

E. P. DONOHUE.

ROY E. STEVENS.

MR. PRESIDENT: Amend Senate File 451 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Repeal of existing laws. All Acts or parts of Acts which are in conflict herewith are hereby repealed.

Sec. 2. Definitions. The terms "State Department", "State Board" and "County Board" are used in this Act as said terms are defined in Section 1 of Senate File 373.

As used in this Act, "Division of Emergency Relief" means the Division of Emergency Relief established in the State Department of Social Welfare, as provided in Section 9 of Senate File 373.

"Superintendent" means the Superintendent of Emergency Relief, whose office is provided for in Section 9 of Senate File 373.

"Relief" means assistance rendered to poor persons as defined in the first six (6) lines of Section 5322 of the 1935 Code of Iowa.

"State Funds" means funds allocated by the Division of Emergency Relief throughout the various counties of the State, provided either by the Legislature of the State or by Federal grants.

"County Funds" means funds raised locally by taxation which may be used for relief purposes.

Sec. 3. Powers and Duties of Superintendent. The Superintendent shall:

(1) Appoint with the approval of the State Department and subject to the provisions of law, such personnel as may be necessary for the efficient discharge of the powers granted to and of the duties imposed upon the Division of Emergency Relief.

(2) Make such reports and provide such information as the State Department may from time to time require whether to said State Department or to some other office or agency, State or Federal.

(3) Prepare and submit annually to the State Department at such times as the State Department shall designate, an annual budget of all funds necessary to carry out the purposes of this Act, including also in such budget an estimate of county funds which may be available for relief purposes and also including any funds or other assistance which the State may be entitled to receive from the United States, or any agency thereof.

(4) Coordinate the functions of the Division of Emergency Relief with the functions of County Boards of Supervisors and other public agencies as provided in this and all other Acts and cooperate with private agencies engaged in relief activities.

(5) Perform the executive duties and manage the activities of the Division of Emergency Relief under the supervision and control of the State Department and subject to its rules and regulations.

(6) Perform such other duties and functions as may from time to time be delegated to the Superintendent by the State Department or by Act of the General Assembly.

Sec. 4. Powers and Duties of the State Department. The State Department in addition to all other powers and duties given it by law, shall have the following duties:

(1) To review the acts and decisions of the Division of Emergency

Relief and of the superintendent thereof when, upon complaint made to the state board, a review appears necessary.

(2) To join and cooperate with the government of the United States, or any of its appropriate agencies or instrumentalities, in any proper and lawful relief activity.

(3) To make such reports and budget estimates to the Governor and to the General Assembly as are required by law or are necessary and proper to obtain appropriations of state funds necessary for relief purposes and for all the purposes of this Act.

Sec. 5. Powers and Duties of the Division of Emergency Relief. The Division of Emergency Relief shall, under the supervision and control of the state department, perform the following duties:

(1) Determine the need for state funds in the various counties of the state, basing such need upon the amount of money needed in the various counties to provide adequate relief and upon the counties' ability or inability to provide such relief from county funds.

(2) Administer state funds within the various counties of the state to supplement local funds as needed.

(3) Assist and supervise county boards in establishing and maintaining standards of relief.

(4) Make such reports and obtain and furnish such information from time to time as may be required by the Governor, by the General Assembly, by the state department, or by any other proper office or agency, state or federal.

(5) Make such rules and regulations, subject to the approval of the State Board, as may be necessary or advisable covering its activities and those of the county boards pertaining to emergency relief.

(6) Apply for and receive any funds which may be allocated to the state by the government of the United States, or any agency thereof, for relief purposes.

(7) Perform such other duties and functions as may from time to time be delegated to the division by act of the General Assembly or by the state department.

Sec. 6. Duties of the County Board. The county board in addition to all other powers and duties given it by law, shall have the following duties:

(1) Cooperate with the county board of supervisors in all matters pertaining to the administration of relief.

(2) At the request of the county board of supervisors prepare requests for grants of state funds.

(3) At the request of the county board of supervisors, administer county relief funds.

(4) In counties receiving grants of state funds, administer both state and county relief funds.

(5) Submit to the county board of supervisors, after approval by the state department, a budget containing an estimate and supporting data, setting forth the amount of money needed to carry out the provisions of this Act.

(6) Perform such other duties as may be prescribed by the state de-

partment and the county board of supervisors and by Acts of the General Assembly.

Sec. 7. County Director to act as Executive Officer. The county director shall be the executive officer of the county board in all matters pertaining to relief.

Sec. 8. County appropriations. The county board of supervisors in each county in this state shall appropriate annually from the county poor fund and pay to the county department such sum as is needed to carry out the provisions of this Act based upon the budget prepared by the county board after taking into account all forms of relief furnished by the state and federal governments and shall include in the tax levy for such county the sum or sums appropriated for that purpose. Should the sum so appropriated, however, be expended or exhausted during the year for the purpose for which it was appropriated, additional sums shall be appropriated from the county poor fund by the board of supervisors and paid to the county department. The tax levy provided for in this section shall not exceed statutory tax limitations now or hereafter provided.

Sec. 9. Constitutionality. If any portion of this Act shall be declared unconstitutional, such declaration shall not affect the validity of the remaining portions of the Act but shall remain in force as though such declaration had not been made.

Sec. 10. Short Title. This Act shall be known and may be cited as "The Emergency Relief Act of 1937".

Sec. 11. Publication clause. This Act being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the, a newspaper published at, Iowa, and in the, a newspaper published at, Iowa.

ROY E. STEVENS.
E. P. DONOHUE.

The Journal of April 2nd was corrected and approved.

Senator Beardsley moved that the Senate adjourn until 10:00 a. m. Monday.

Senator Donohue moved as a substitute motion that the Senate adjourn until 9:00 a. m. Monday.

The substitute motion prevailed.

The motion to adjourn prevailed, and the Senate adjourned until 9:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 5, 1937.

The Senate met in regular session, President pro tem Frank C. Byers presiding.

Prayer was offered by Rev. Wm. F. Engelke, pastor of the Lutheran Church of New Hampton.

In accordance with the Senate resolution adopted Saturday, Senator Murray moved that, out of respect to President John K. Valentine, whose father's funeral was to be held Monday afternoon in Centerville, the Senate adjourn until 10:00 a. m., Tuesday.

The motion prevailed and the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 6, 1937.

The Senate met in regular session, President pro tem Frank C. Byers presiding.

Prayer was offered by Rev. D. B. Sorden, pastor of the Reorganized Church of Jesus Christ of Latter Day Saints of Lamoni.

SENATE RESOLUTION

Be It Resolved by the Senate of the State of Iowa, That in the death of Atty. H. E. Valentine, of Centerville, Iowa, the state of Iowa has lost an able, courageous, valuable, conscientious, useful and outstanding citizen who has rendered to his state every service possible during his lifetime and who further nobly defended this nation in time of war.

Be It Further Resolved, That a copy of this resolution be spread upon the records of the Senate, and the Secretary of the Senate is hereby instructed to deliver an engrossed copy of the same to his bereaved wife and family.

H. C. BALDWIN.
MORRIS MOORE.
WM. S. BEARDSLEY.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Breen, from citizens of the Eighth District, favoring enactment of House File 130.

By Senator Dean, from voters of Cerro Gordo, Franklin and Hancock counties, asking that beer be excluded from legislation to govern the sale of liquor.

By Senator Geske, from residents of Clayton county, favoring enactment of the farm-to-market road bill, over the Governor's veto.

By Senator Gillette, from residents of Bancroft, favoring enactment of House Files 4, 48 and 238, and opposing House File 100.

By Senator Hill, from the Independent Business Men of Hamilton county, favoring enactment of Senate Files 177 and 204.

By Senator Hill, from voters of Hamilton, Hardin and Wright counties, asking that beer be excluded from legislation to govern the sale of liquor.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

Senate File 457, a proposed bill to legalize a special election at Iowa City on December 11, 1936.

Senate File 463, a proposed bill to legalize public improvement bonds and the proceedings of the city council of Osceola, in connection with public improvements to protect the water supply of said city.

WALTER H. BEAM, *Secretary.*

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 2, 1937, he had approved the following:

Senate File 2, relating to repeal of \$2.00 old age assistance tax and to taxes erroneously paid.

Senate File 12, relating to absent voters' ballots.

Senate File 76, relating to escapes.

Senate File 225, relating to compensation of inheritance tax appraisers.

Senate File 226, an act to legalize the actions of supervisors of Appanoose county.

Senate File 253, an act to create World War Orphans' Educational Aid Fund.

Senate File 392, relating to investment of funds by life insurance companies.

Senate File 393, relating to amount of capital or surplus required of foreign companies to transact business in Iowa.

INTRODUCTION OF BILLS

Senate File 466, by committee on claims, a bill for an act to make an appropriation to the Johnston Consolidated School Dis-

trict of Johnston, Polk county, Iowa, to reimburse said school district for educating children residing in what is known as Camp Dodge and on land owned by the State of Iowa during the years nineteen hundred and nineteen to nineteen hundred and thirty-three, inclusive, the reimbursement to be for the amount of taxes which would have been paid by the State of Iowa into the treasury of the Johnston Consolidated School District had Chapter one hundred twenty-five (125), Acts of the Forty-fifth General Assembly been in effect during the years nineteen hundred and nineteen to nineteen hundred and thirty-three, inclusive.

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

Senate File 467, by committee on claims, a bill for an act to make an appropriation to R. A. Quinn.

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

Senate File 468, by committee on claims, a bill for an act to make an appropriation to Anna Dirksen Eygabroad.

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

Senate File 469, by committee on claims, a bill for an act to make an appropriation to Raymond L. Barr.

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

Senate File 470, by committee on claims, a bill for an act to make an appropriation to Emery Brownfield.

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

Senate File 471, by committee on claims, a bill for an act to make an appropriation to J. C. Hull and Son.

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

Senate File 472, by committee on claims, a bill for an act to make appropriations to Leo Frazio and Broadlawns Hospital.

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

Mr. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 118, a bill for an act legalizing transfer of funds in Boone county.

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

Senate File 218, a bill for an act providing for use of unexpended library funds.

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

Senate File 219, a bill for an act providing for control of fines and rentals collected by public libraries.

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

Senate File 301, a bill for an act legalizing action of county auditor and board of supervisors of Taylor county.

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

House File 29, a bill for an act relating to system of coordinates for designating positions of points on surface of the earth.

Also: That the House has concurred in the Senate amendments to and passed House File 57, a bill for an act relative to unfair discrimination.

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

House File 143, a bill for an act providing for a license fee for movable lunch stands.

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

House File 172, a bill for an act relative to public shows, rodeos and circuses.

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

House File 262, a bill for an act legalizing bonds of Independent School District of Hartley.

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

House File 518, a bill for an act to legalize a special election in Iowa City.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 185, a bill for an act to recognize the Iowa Swine Producers' Association.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 185

Amend Section 1 by inserting after the word "association" in line 2 the following:

"and the Iowa Sheep and Wool Growers Association".

Further amend Section 1 by striking the word "organization" in line 1 and inserting the word "organizations".

Further amend Section 1 by striking the words "its organization" from line 4 and inserting the words "their organizations".

Amend Section 2 by striking from lines 1 and 2 the words "Iowa Swine Producers Association" and inserting in lieu thereof the words "said associations".

Further amend Section 2 as follows:

a. Add the words "and sheep" after the word "swine" in line 3.

b. Add the words "and sheep" after the word "swine" in line 4.

c. Add the words "and mutton" after the word "pork" in line 6.

d. Strike the word "its" in line 6 and substitute the word "their".

Amend Section 3 by striking the word "association" in line 1 and substituting the word "associations".

Amend Section 3 by inserting after the word "husbandry" in line 8 the words "and sheep husbandry".

Amend the title by adding after the word "association" in line 1 the following: "and the Iowa Sheep and Wool Growers Association".

Further amend the title by adding after the word "swine" in line 3 the words "and sheep".

HOUSE MESSAGES CONSIDERED

House File 29, a bill for an act to describe, define, officially name, and regulate the use of a system of coordinates for designating the positions of points on the surface of the earth within the state of Iowa.

Read first and second times and referred to sifting committee.

House File 143, a bill for an act to amend Section twenty-eight hundred twelve (2812) of the Code, 1935, relating to license fees for hotels and restaurants, providing for a license fee for movable lunch stands.

Read first and second times and referred to sifting committee.

House File 172, a bill for an act to repeal Section seventy-one hundred seventy-nine (7179), Code, 1935, relative to licensing

public shows, and enacting a substitute therefor giving boards of supervisors power to regulate or prohibit shows, rodeos, and circuses, and prohibiting exhibitions without a license and fixing the maximum fee therefor.

Read first and second times and referred to sifting committee.

House File 262, a bill for an act to legalize bonds issued by the independent school district of Hartley, in O'Brien county, Iowa, for the construction of a school building, and to legalize the expenditure of certain funds for the payment of the school building in excess of the amount stated in the ballot used at the election, and the transfer of certain funds from the general fund to the school fund for the purpose of making such expenditure, and to authorize and legalize the issuance of warrants for current expenses in excess of the anticipated income for the fiscal year ending June 30, 1937.

Read first and second times and referred to sifting committee.

House File 518, a bill for an act to legalize a special election held in the city of Iowa City, Iowa, on the 11th day of December, 1936.

Read first and second times and referred to sifting committee.

HOUSE AMENDMENTS CONSIDERED

Senator Levis called up for consideration Senate File 317, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 1 by inserting in line 9 immediately after the word "include" the following: "(1)".

Further amend Section 1, line 13, by striking the word "and" following the comma after the word "retail" and inserting in lieu thereof the following: "(2)".

Further amend Section 1 by striking the period at the end of subsection one and inserting in lieu thereof a comma and by adding after said comma the following:

"(3) industrial materials and equipment, which are not readily obtainable in Iowa, and which are directly used in the actual fabricating, compounding, manufacturing or servicing of tangible personal property intended to be sold ultimately at retail."

Further amend Section 1 by placing a comma after the word "power" in line 14 and adding the word "heat".

Further amend Section 1 by inserting at the end thereof a new subsection 9 which shall read as follows:

"9. 'Trailer' shall mean every trailer, as is now or may be hereafter

so defined by the motor vehicle law of this state, which is required to be registered under such motor vehicle law."

Further amend Section 1 by inserting after the word "property" in line 10 of subsection 1 the words "including containers".

Amend Section 2 by striking from line 3 the following: "April 1, 1937", and substituting therefor the words "the effective date of this act".

Amend Section 3 by adding after the word "used" in line 1 of subsection 2 the following:

"(a) in interstate transportation or interstate commerce, or (b)".

Further amend Section 3 by adding the following, to be designated as paragraph 4:

"4. All articles of tangible personal property brought into the state of Iowa by a non-resident individual thereof for his or her use or enjoyment while within the state."

Further amend Section 3 by adding thereto a new subsection to read as follows:

"5. Tangible personal property not readily obtainable in Iowa and used in the operation of street railways."

Amend Section 5 by inserting after the word "vehicles" in line 3 the words "and new trailers".

Amend Section 6 by inserting after the word "vehicles" in line 2 the words "and new trailers";

By inserting after the word "vehicle" in line 4 the words "or trailer";

By inserting after the word "vehicle" in line 6 the words "or new trailer";

By inserting after the word "vehicle" in line 9 the words "or new trailer";

By inserting after the word "vehicle" in line 12 the words "or trailer";

By inserting after the word "vehicle" in line 17 the words "or trailer".

Amend Section 7 by inserting after the word "vehicle" in line 1 the words "or trailer";

By inserting after the word "vehicles" in line 5 the words "and new trailers";

By inserting after the word "vehicle" in line 6 the words "and new trailers";

By inserting after the word "vehicle" in line 10 the words "or trailer".

Amend Section 9 by inserting in line 1 after the word "discretion" the words "upon application".

Amend Section 14 by striking the word "require" in line 3 and inserting in lieu thereof the word "authorize".

Amend by striking all of Section 20.

Amend Section 24 by striking all of said section and substituting therefor the following:

"All revenues arising under the operation of this act, less cost of collection and administration, shall be paid into the general fund of the state of Iowa."

Amend by inserting the following as Section 27 and renumbering the remainder of the sections in accordance therewith:

"Sec. 27. If any article of tangible personal property has already

been subjected to a tax by any other state in respect to its sale or use in an amount less than the tax imposed by this title, the provisions of this title shall apply, but at a rate measured by the difference only between the rate herein fixed and the rate by which the previous tax upon the sale or use was computed. If such tax imposed in such other state is two per cent (2%) or more, then no tax shall be due on such articles."

Amend the title by inserting after the semi-colon in line 3 the words "to provide certain exemptions therefrom;"; by striking the word "apportionment" in lines 6 and 7 and substituting therefor the word "disposition", and by adding after the word "vehicles" in line 11 the words "and trailers".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 34:

Baldwin	Chrystal	Gillette	Lundy
Beardsley	Corwin	Grunewald	Miller
Bell of Crawford	Dean	Guernsey	Millhone
Bell of	Doran	Hill	Murray
Des Moines	Edwards	Hoeven	Parker
Berg	Ellis	Husted	Stevens
Billingsley	Elthon	Kimberly	Stewart
Breen	Geske	Kirketeg	Whitehill
Byers	Gillespie	Levis	

Nays, 7:

Augustine	Donohue	Hopkins	Smith
Dewey	Goetsch	Pelzer	

Absent or not voting, 9:

Evans	Mason	Moore	Shaw
Hart	Mighell	Schadt	Zeigler
Irwin			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Levis, Senate File 317, a bill for an act to impose a tax on the use in this state of tangible personal property, as such terms are defined herein, including gas, electricity, and water; to provide for the collection of such tax and the administration of this act; to fix interest, fines and penalties for the violation of the provisions of this act; to provide for the apportionment of the revenues derived from said tax; to appropriate funds for the administration of this act; to exempt from the tax imposed by Senate File 316, acts of the Forty-seventh General Assembly, gross receipts from the sale of new motor vehicles; and to amend Section five thousand ninety-three-f

twenty-nine (5093-f29), Code, 1935, relating to the refund of the motor vehicle fuel tax, to forbid such refund for fuel used in certain machinery for which the tax imposed by this act or by Senate File 316, acts of the Forty-seventh General Assembly, has not been paid, as amended, was taken up and considered.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Doran	Guernsey	Mighell
Baldwin	Edwards	Hill	Miller
Beardsley	Ellis	Hoeven	Millhone
Bell of Crawford	Elthon	Husted	Murray
Berg	Geske	Kimberly	Parker
Breen	Gillespie	Kirketeg	Stevens
Chrystal	Gillette	Levis	Stewart
Corwin	Grunewald	Lundy	Whitehill
Dean			

Nays, 11:

Bell of	Byers	Hart	Pelzer
Des Moines	Dewey	Hopkins	Smith
Billingsley	Goetsch	Mason	Zeigler

Present, 1:

Donohue

Absent or not voting, 5:

Evans	Moore	Schadt	Shaw
Irwin			

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

Senator Levis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Stewart asked and received unanimous consent to defer consideration of House File 457, the bill to retain its place on the calendar.

By unanimous consent on request of Senator Stevens, Senate Files 374 and 375 were deferred at this time, and Senate File 376 was taken up for consideration.

On motion of Senator Stevens, Senate File 376, a bill for an act to amend and revise Chapter two hundred sixty-six-F one (266-F1) of the 1935 Code of Iowa, relating to the protection, welfare

and assistance of aged persons in need and having domicile in the State of Iowa, and to amend Sections five thousand three hundred and two (5302) and six thousand nine hundred and fifty-one (6950-g1) of the 1935 Code of Iowa; creating a division of old age assistance under the administrative jurisdiction of the state department of social welfare; coordinating the provisions of Chapter two hundred sixty-six-F one (266-F1) of the 1935 Code of Iowa, with the welfare organization Act of 1937; relating to the manner and method, terms and conditions providing the protection, welfare and assistance to the said aged persons; providing for the appointment of a legal guardian for any recipient of old age assistance who shall be found incompetent; providing for the recovery by the state board and division from any person, municipality, association, society, or corporation responsible for and reasonably able to pay for the support of any recipient of double the amount of assistance furnished to said recipient; providing a penalty for violation of the old age assistance statutes; providing for payments to the United States as required by Title I of the Federal Social Security Act; and providing legal procedure to enforce compliance with the Act by certain public officers, reported out by the sifting committee, was taken up and considered.

On motion of Senator Whitehill, the Senate resolved itself into a committee of the whole for the consideration of Senate File 376.

The Senate arose from the committee of the whole and resumed regular session.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 181

MR. PRESIDENT AND MR. SPEAKER: Your conference committee appointed to consider the differences between the Senate and the House on Senate File 181, begs leave to report it has had the same under consideration and recommends that the House amendments as found on pages 881 to 886, inclusive, of the Senate Journal, be amended as follows:

1. That Section one (1), paragraph fifty-five (55) as amended by the House be further amended by inserting in line two hundred fifty (250) after the word "to" the following: "and including";

Also amend paragraph fifty-six (56) of said section by inserting in line two hundred fifty-six (256) after the word "to" the following: "and including";

2. That Section 31 as amended by the House be further amended by striking from line three (3) the word "fifty" and inserting in lieu thereof, the word, "seventy-five".

3. That the word "license" be stricken from the House amendments to Section 154 and the word, "registration" be substituted in each case.

4. That Section 157-a as inserted by the House be amended by striking from line two (2) the word, "one-twelfth" and by substituting therefor the word, "one-fourth";

Also by striking from line three (3) the words, "unexpired months" and by substituting therefor the words, "remaining quarters";

Also by striking from lines five (5) and six (6) the word "month" wherever it appears and by substituting therefor the word, "quarter" in each case.

5. That the last paragraph of the House substitute for Section 339-a1 be amended by inserting after the word "shall" in the first line of said paragraph the following: ", after January 1, 1939,".

Your committee further recommends:

1. That the House recede from its amendment to line four (4) of Section 41.

2. That the House recede from its amendment to Section 222.

3. That the House recede from its amendment to the subsection numbered "1." of Section 316.

4. That the House recede from its amendment to Section 317.

With the aforesaid changes in the amendments as found on pages 881 to 886, inclusive, of the Senate Journal, your committee recommends that the Senate concur in the House amendments.

R. G. MOORE,

FLOYD J. PINE,

GEORGE L. SCOTT,

PHILIPP J. KOHLHAAS,

On the part of the House.

WM. S. BEARDSLEY,

A. E. AUGUSTINE,

TOM E. MURRAY,

SANFORD ZEIGLER, JR.,

On the part of the Senate.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend the amendment to Senate File three hundred seventy-six (376) found in the Journal of April 3, commencing on page 931, as follows:

1. Amend paragraph three (3) of Section nine (9), page 934 of the Journal, by striking the period after the word "such", and add thereto the following: "; and who has been a resident of the state of Iowa for at least ten (10) years.".

2. Amend Section thirteen (13), page 936 of the Journal, by striking the period after the word "recipient" in line twenty-six (26), and add thereto the following: ", plus three and one-half (3½) per cent interest thereon from the date or dates of payment.".

3. Amend Section fourteen (14) by striking from lines nine (9), ten (10), eleven (11), the following: "shall be liable under their bond for the settlement of any such lien and claim when such claim is filed in the estate or other legal proceedings as provided by law.", and insert in lieu thereof the following: "shall when such lien and claim is filed in the estate or against said estate or other legal proceedings as provided by law, pay said lien or claim when so ordered by the court.".

4. Amend by inserting after the word "shall" in line eleven (11) of Section twenty-four (24), page 939 of the Journal, the following: "direct the county attorney to".

L. H. DORAN.

The Journals of April 3d and 5th were corrected and approved.

On motion of Senator Elthon, the Senate adjourned until 9:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 7, 1937.

The Senate met in regular session, President pro tem Frank C. Byers presiding.

Prayer was offered by Rev. A. R. Weed, pastor of the Methodist Episcopal Church at Carl.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Gillespie, from voters of Polk county, favoring enactment of House File 130.

By Senator Murray, from the Sioux City Ministerial Association, favoring enactment of Senate Files 373, 374, 375, 376 and 377.

By Senator Zeigler, from truck owners and operators of Jefferson county, opposing enactment of legislation to provide for a ton-mile tax on trucks, and favoring enactment of Senate File 339.

ADOPTION OF VALENTINE MEMORIAL RESOLUTION

Senator Beardsley called up the following resolution, submitted by Senators Baldwin, Moore and Beardsley, and moved its adoption:

Be It Resolved by the Senate of the State of Iowa: That in the death of Attorney H. E. Valentine, of Centerville, Iowa, the state of Iowa has lost an able, courageous, valuable, conscientious, useful and outstanding citizen who has rendered to his state every service possible during his lifetime and who further nobly defended this nation in time of war.

Be It Further Resolved: That a copy of this resolution be spread upon the records of the Senate, and the Secretary of the Senate is hereby instructed to deliver an engrossed copy of the same to his bereaved wife and family.

The motion prevailed and the resolution was unanimously adopted.

Centerville, Iowa, April 6, 1937.

HONORABLE FRANK C. BYERS,
President Pro Tempore,
Iowa State Senate,
Des Moines, Iowa.

DEAR SENATOR BYERS: Will you please assure the members of the Senate, its officers and employees, the desk force, and the committee clerks and pages, of our deep and sincere appreciation for their expressions of sympathy at the time of the death of Mr. Valentine.

We shall always remember with gratitude their flowers and messages, and their attendance at the funeral in Centerville. Our only wish is that we might be able to thank each one personally for his kindness.

Sincerely,
MRS. H. E. VALENTINE.
JOHN K. VALENTINE.
ROBERT VALENTINE.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bill under consideration and recommends that it be placed on the calendar: Senate File 451. FRANK C. BYERS, *Chairman*.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 118, 218, 219 and 301.

FRANK PELZER, *Chairman Senate Committee*.
JOHN R. IRWIN, *Chairman House Committee*.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 118, 218, 219 and 301.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 7th day of April, 1937, sent to the Governor for his approval, Senate Files 118, 218, 219 and 301.

FRANK PELZER, *Chairman*.

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 297, a bill for an act relating to fee for teacher's certificates.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 383, a bill for an act to make an appropriation to E. I. Mason.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Stewart called up for consideration Senate File 185, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 1 by inserting after the word "association" in line 2 the following: "and the Iowa Sheep and Wool Growers Association".

Further amend Section 1 by striking the word "organization" in line 1 and inserting the word "organizations".

Further amend Section 1 by striking the words "its organization" from line 4 and inserting the words "their organizations".

Amend Section 2 by striking from lines 1 and 2 the words "Iowa Swine Producers Association" and inserting in lieu thereof the words "said associations".

Further amend Section 2 as follows:

- a. Add the words "and sheep" after the word "swine" in line 3.
- b. Add the words "and sheep" after the word "swine" in line 4.
- c. Add the words "and mutton" after the word "pork" in line 6.
- d. Strike the word "its" in line 6 and substitute the word "their".

Amend Section 3 by striking the word "association" in line 1 and substituting the word "associations".

Amend Section 3 by inserting after the word "husbandry" in line 8 the words "and sheep husbandry".

Amend the title by adding after the word "association" in line 1 the following: "and the Iowa Sheep and Wool Growers Association".

Further amend the title by adding after the word "swine" in line 3 the words "and sheep".

On the question, "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 31:

Augustine
Beardsley
Berg
Billingsley

Byers
Corwin
Dean
Dewey

Doran
Edwards
Ellis
Elthon

Evans
Geske
Gillette
Grunewald

Guernsey	Kirketeg	Schadt	Stewart
Hill	Lundy	Shaw	Whitehill
Hoeven	Millhone	Smith	Zeigler
Husted	Murray	Stevens	

Absent or not voting, 19:

Baldwin	Chrystal	Hopkins	Mighell
Bell of Crawford	Donohue	Irwin	Miller
Bell of	Gillespie	Kimberly	Moore
Des Moines	Goetsch	Levis	Parker
Breen	Hart	Mason	Pelzer

The House amendments having failed to receive a constitutional majority were declared not to have been adopted and concurred in by the Senate.

CONSIDERATION OF SENATE FILE 376 RESUMED

On motion of Senator Stevens, consideration of Senate File 376, a bill for an act to amend and revise Chapter two hundred sixty-six-F one (266-F1) of the 1935 Code of Iowa, relating to the protection, welfare and assistance of aged persons in need and having domicile in the State of Iowa, and to amend Sections five thousand three hundred and two (5302) and six thousand nine hundred and fifty-g one (6950-g1) of the 1935 Code of Iowa; creating a division of old age assistance under the administrative jurisdiction of the state department of social welfare; coordinating the provisions of Chapter two hundred sixty-six-F one (266-F1) of the 1935 Code of Iowa, with the welfare organization act of 1937; relating to the manner and method, terms and conditions providing the protection, welfare and assistance to the said aged persons; providing for the appointment of a legal guardian for any recipient of old age assistance who shall be found incompetent; providing for the recovery by the state board and division from any person, municipality, association, society, or corporation responsible for and reasonably able to pay for the support of any recipient of double the amount of assistance furnished to said recipient; providing a penalty for violation of the old age assistance statutes; providing for payments to the United States as required by Title I of the Federal Social Security Act; and providing legal procedure to enforce compliance with the Act by certain public officers, was resumed.

Senator Whitehill called up for consideration the amendment to Senate File 376 which appears on pages 931 to 944 inclusive of the Senate Journal.

Senator Beardsley took the chair at 9:35 a. m.

Senator Doran offered the following amendments to the amendment filed by Senator Whitehill.

Amend the amendment to Senate File three hundred seventy-six (376) found in the Journal of April 3, commencing on page 931, as follows:

1. Amend paragraph three (3) of Section nine (9), page 934 of the Journal, by striking the period after the word "such", and add thereto the following: ", and who has been a resident of the state of Iowa for at least ten (10) years."

2. Amend Section thirteen (13), page 936 of the Journal, by striking the period after the word "recipient" in line twenty-six (26), and add thereto the following: ", plus three and one-half (3½) per cent interest thereon from the date or dates of payment."

3. Amend Section fourteen (14) by striking from lines nine (9), ten (10), eleven (11), the following: "shall be liable under their bond for the settlement of any such lien and claim when such claim is filed in the estate or other legal proceedings as provided by law.", and insert in lieu thereof the following: "shall when such lien and claim is filed in the estate or against said estate or other legal proceedings as provided by law, pay said lien or claim when so ordered by the court."

4. Amend by inserting after the word "shall" in line eleven (11) of Section twenty-four (24), page 939 of the Journal, the following: "direct the county attorney to".

Senator Doran moved the adoption of the amendments to the amendment.

Senator Doran asked and received unanimous consent to correct amendment 3, by inserting after the second "or" in line 6, the following: "established by".

The amendments to the amendment were adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend the pending amendment by striking all of sub-section 5 of Section 6.

The amendment to the amendment was adopted.

Senator Whitehill moved the adoption of his amendment, which motion prevailed and the amendment was adopted.

Senator Whitehill moved to amend the title to Senate File 376 as follows:

Strike the word "domicile" in line 3 and insert in lieu thereof the words "residence or domicile".

The amendment was adopted.

Senator Whitehill moved that the bill be read a third time now, which motion prevailed.

Senator Hill moved that the Senate reconsider the vote by which Senate File 376 went to its third reading, which motion prevailed.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 376 by striking all of sub-section 4 of Section 6.

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Section 15 by striking all of lines 66, 67 and 68 and inserting in lieu thereof the following: "shall certify the order to the state board and to the division and order the division to make payment to the applicant."

The amendment was adopted.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Donohue	Hart	Millhone
Baldwin	Doran	Hill	Murray
Beardsley	Edwards	Hoeven	Parker
Berg	Ellis	Hopkins	Schadt
Billingsley	Elthon	Husted	Shaw
Breen	Evans	Kirketeg	Smith
Byers	Geske	Levis	Stevens
Chrystal	Gillespie	Lundy	Stewart
Corwin	Goetsch	Mason	Whitehill
Dean	Grunewald	Mighell	Zeigler
Dewey	Guernsey	Miller	

Nays, none.

Absent or not voting, 7:

Bell of Crawford	Gillette	Kimberly	Pelzer
Bell of Des Moines	Irwin	Moore	

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

Senator Stevens moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Whitehill, Senate File 376 was ordered engrossed.

President pro tem Byers returned to the chair at 10:20 a. m.

On motion of Senator Stevens, Senate File 374, a bill for an act to repeal Sections 3661-a1 to 3661-a7, both inclusive, Code of Iowa, 1935, and any other provisions of law in conflict with this Act, to establish a division of child welfare in the state department of social welfare, to provide for a unified supervision of child welfare activities in the state, to promote and establish child welfare services, to prescribe the powers and duties of the state board of social welfare and the division of child welfare with regard to children, and to amend Sections 3661-a11, 3661-a12, 3661-a15, 3661-a18, 3661-a22, 3661-a26, 3661-a27, 3661-a28, 3661-a31, 3661-a32, 3661-a33, 3661-a34, 3661-a36, 3661-a37, 3661-a41, 3661-a44, 3661-a47, 3661-a48, 3661-a49, 3661-a52, 3661-a54, 3661-a55, 3661-a57, 3661-a60, 3661-a62, 3661-a65, 3661-a67, 3661-a68, 3661-a69, 3661-a71, 3661-a73, 3661-a74, 3661-a75, 3661-a76, 3661-a77, 3661-a80, 3661-a81, 3661-a83, 3661-a87, 3661-a88, 3661-a90, 3661-a91, 3661-a93, 3661-a94, 3661-a96, 3661-a97, 3661-a100, 3671, 3683, 3655, 3656, 10501-b7 and 10501-b8, Code of Iowa, 1935, reported out by the sifting committee, was taken up and considered.

By unanimous consent on request of Senator Donohue, Dr. Mae Habenicht was asked to explain Senate File 374 to the Senate.

Senator Irwin took the chair at 10:40 a. m.

Senator Donohue called up for consideration the amendment to Senate File 374, filed by Senators Stevens and Donohue, which appears on pages 944 to 951 inclusive of the Senate Journal, and moved its adoption.

The amendment was adopted.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Dean	Grunewald	Miller
Balwin	Dewey	Guernsey	Millhone
Beardsley	Donohue	Hill	Murray
Bell of	Doran	Hoeven	Parker
Des Moines	Edwards	Hopkins	Schadt
Berg	Ellis	Irwin	Shaw
Billingsley	Elthon	Kirketeg	Smith
Breen	Evans	Levis	Stevens
Byers	Geske	Lundy	Stewart
Chrystal	Gillespie	Mason	Whitehill
Corwin	Goetsch	Mighell	Zeigler

Nays, none.

Absent or not voting, 7:

Bell of Crawford	Hart	Kimberly	Pelzer
Gillette	Husted	Moore	

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

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Stevens the rules were suspended and Senate File 451 was taken up at this time.

On motion of Senator Stevens, Senate File 451, a bill for an act to establish a division of relief in the state department of social welfare, to define its functions and duties, to provide for co-ordinated administration of public relief in the State of Iowa and to repeal any provisions of the law in conflict with this Act, reported out by the sifting committee, was taken up and considered.

By unanimous consent on request of Senator Stevens, Mr. Thompson was invited to explain Senate File 451 to the Senate.

Senator Stevens called up the following amendment filed by Senators Stevens and Donohue and moved its adoption:

Amend Senate File 451 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Repeal of existing laws. All acts or parts of acts which are in conflict herewith are hereby repealed.

Sec. 2. Definitions. The terms "State Department", "State Board" and "County Board" are used in this act as said terms are defined in Section 1 of Senate File 373.

As used in this act, "Division of Emergency Relief" means the Divi-

sion of Emergency Relief established in the State Department of Social Welfare, as provided in Section 9 of Senate File 373.

"Superintendent" means the Superintendent of Emergency Relief, whose office is provided for in Section 9 of Senate File 373.

"Relief" means assistance rendered to poor persons as defined in the first six (6) lines of Section 5322 of the 1935 Code of Iowa.

"State Funds" means funds allocated by the Division of Emergency Relief throughout the various counties of the state, provided either by the Legislature of the state or by Federal grants.

"County Funds" means funds raised locally by taxation which may be used for relief purposes.

Sec. 3. Powers and Duties of Superintendent. The Superintendent shall:

(1) Appoint with the approval of the state department and subject to the provisions of law, such personnel as may be necessary for the efficient discharge of the powers granted to and of the duties imposed upon the Division of Emergency Relief.

(2) Make such reports and provide such information as the state department may from time to time require whether to said state department or to some other office or agency, state or federal.

(3) Prepare and submit annually to the state department at such times as the state department shall designate, an annual budget of all funds necessary to carry out the purposes of this act, including also in such budget an estimate of county funds which may be available for relief purposes and also including any funds or other assistance which the state may be entitled to receive from the United States, or any agency thereof.

(4) Coordinate the functions of the Division of Emergency Relief with the functions of county boards of supervisors and other public agencies as provided in this and all other acts and cooperate with private agencies engaged in relief activities.

(5) Perform the executive duties and manage the activities of the Division of Emergency Relief under the supervision and control of the state department and subject to its rules and regulations.

(6) Perform such other duties and functions as may from time to time be delegated to the superintendent by the state department or by act of the General Assembly.

Sec. 4. Powers and Duties of the State Department. The state department in addition to all other powers and duties given it by law, shall have the following duties:

(1) To review the acts and decisions of the Division of Emergency Relief and of the superintendent thereof when, upon complaint made to the state board, a review appears necessary.

(2) To join and cooperate with the government of the United States, or any of its appropriate agencies or instrumentalities, in any proper and lawful relief activity.

(3) To make such reports and budget estimates to the Governor and to the General Assembly as are required by law or are necessary and

proper to obtain appropriations of state funds necessary for relief purposes and for all the purposes of this act.

Sec. 5. Powers and Duties of the Division of Emergency Relief. The Division of Emergency Relief shall, under the supervision and control of the state department, perform the following duties:

(1) Determine the need for state funds in the various counties of the state, basing such need upon the amount of money needed in the various counties to provide adequate relief and upon the counties' ability or inability to provide such relief from county funds.

(2) Administer state funds within the various counties of the state to supplement local funds as needed.

(3) Assist and supervise county boards in establishing and maintaining standards of relief.

(4) Make such reports and obtain and furnish such information from time to time as may be required by the Governor, by the General Assembly, by the state department, or by any other proper office or agency, state or federal.

(5) Make such rules and regulations, subject to the approval of the state board, as may be necessary or advisable covering its activities and those of the county boards pertaining to emergency relief.

(6) Apply for and receive any funds which may be allocated to the state by the government of the United States, or any agency thereof, for relief purposes.

(7) Perform such other duties and functions as may from time to time be delegated to the division by act of the General Assembly or by the state department.

Sec. 6. Duties of the County Board. The county board in addition to all other powers and duties given it by law, shall have the following duties:

(1) Cooperate with the county board of supervisors in all matters pertaining to the administration of relief.

(2) At the request of the county board of supervisors prepare requests for grants of state funds.

(3) At the request of the county board of supervisors, administer county relief funds.

(4) In counties receiving grants of state funds, administer both state and county relief funds.

(5) Submit to the county board of supervisors, after approval by the state department, a budget containing an estimate and supporting data, setting forth the amount of money needed to carry out the provisions of this act.

(6) Perform such other duties as may be prescribed by the state department and the county board of supervisors and by acts of the General Assembly.

Sec. 7. County Director to act as Executive Officer. The county director shall be the executive officer of the county board in all matters pertaining to relief.

Sec. 8. County Appropriations. The county board of supervisors in each county in this state shall appropriate annually from the county

poor fund and pay to the county department such sum as is needed to carry out the provisions of this act based upon the budget prepared by the county board after taking into account all forms of relief furnished by the state and federal governments and shall include in the tax levy for such county the sum or sums appropriated for that purpose. Should the sum so appropriated, however, be expended or exhausted during the year for the purpose for which it was appropriated, additional sums shall be appropriated from the county poor fund by the board of supervisors and paid to the county department. The tax levy provided for in this section shall not exceed statutory tax limitations now or hereafter provided.

Sec. 9. Constitutionality. If any portion of this act shall be declared unconstitutional, such declaration shall not affect the validity of the remaining portions of the act but shall remain in force as though such declaration had not been made.

Sec. 10. Short Title. This act shall be known and may be cited as "The Emergency Relief Act of 1937".

Sec. 11. Publication clause. This act being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the, a newspaper published at, Iowa, and in the, a newspaper published at, Iowa.

Senator Breen offered the following amendments to the pending amendment, and moved their adoption:

Amend Section three (3) of the pending amendment to Senate File 451 by striking the word "department" wherever it appears in Section three (3) and inserting in lieu thereof the word "board".

Amend Section four (4) of the pending amendment to Senate File 451 by striking the word "department" wherever it appears in Section four (4) and inserting in lieu thereof the word "board".

Amend Section five (5) of the pending amendment to Senate File 451 by striking the word "department" wherever it appears in Section five (5) and inserting in lieu thereof the word "board".

Amend Section eight (8) of the pending amendment to Senate File 451 by striking the word "department" wherever it appears in Section eight (8) and inserting in lieu thereof the word "board".

Amend Section six (6) by striking the word "department" wherever it appears in Section six (6) and inserting in lieu thereof the word "board".

The amendments to the amendment were adopted.

Senator Breen offered the following amendments to the pending amendment and moved their adoption:

Amend Section five (5) of the pending amendment to Senate File 451 by striking the word "division" wherever it appears in Section five and inserting in lieu thereof the word, "superintendent".

Amend the pending amendment to Senate File 451 by striking Section seven (7).

Renumber the remaining sections.

The amendments to the amendment were adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 451 by adding thereto the following section:

"State Appropriation. Senate File 184 as passed by the Forty-seventh General Assembly, and approved by the Governor on March 20, 1937, is hereby amended as follows: By striking from Section three (3) thereof the words 'Iowa Emergency Relief Administration' wherever they appear in Section 2 of Senate File 184, and inserting in lieu thereof the words: 'The State Board of Social Welfare by the Division of Emergency Relief'. All funds appropriated by the Forty-sixth General Assembly for emergency relief and not expended at the time this act becomes effective shall thereafter, on the requisition of the Governor, upon warrants drawn by the State Comptroller, be made payable to the State Board of Social Welfare and administered by the Division of Emergency Relief."

The amendment was adopted.

President Valentine took the chair at 11:50.

Senator Hopkins moved that the Senate recess until 1:30.

Senator Elthon moved as a substitute for the motion of Senator Hopkins, that when the Senate adjourn it be until 10:00 a. m. Thursday.

The motion by Senator Elthon was substituted.

The substitute motion prevailed.

The amendment offered by Senators Stevens and Donohue as amended was adopted.

Senator Donohue offered the following amendment to the title and moved its adoption:

Strike all of the title and insert in lieu thereof the following:

A bill for an act to establish a Division of Emergency Relief in the State Department of Social Welfare; to define its functions and duties; to define the functions and duties of the State Board of Social Welfare as to emergency relief; to provide for coordinated administration of emergency relief in the state of Iowa; and to amend Senate File 184 of the acts of the Forty-seventh General Assembly, and to provide for the reallocation of the balance of the funds appropriated by the Forty-sixth General Assembly for emergency relief purposes; to define the duties of the county board of social welfare with respect to emergency relief;

to provide for county appropriations for emergency relief purposes; and to repeal any provisions of the law in conflict with this act.

The amendment to the title was adopted.

Senator Stevens moved that the rules be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Dewey	Guernsey	Millhone
Baldwin	Donohue	Hart	Murray
Beardsley	Doran	Hill	Parker
Berg	Edwards	Hoeven	Schadt
Billingsley	Ellis	Hopkins	Shaw
Breen	Elthon	Irwin	Stevens
Byers	Evans	Kirketeg	Stewart
Chrystal	Geske	Levis	Whitehill
Corwin	Gillespie	Mighell	Zeigler
Dean	Grunewald		

Nays, none.

Absent or not voting, 12:

Bell of Crawford	Goetsch	Lundy	Moore
Bell of	Husted	Mason	Pelzer
Des Moines	Kimberly	Miller	Smith
Gillette			

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

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

EXTRA COPIES OF SENATE FILES ORDERED

By unanimous consent on request of Senator Stevens, six hundred copies of each of Senate Files 374, 376, and 451, as they passed the Senate, were ordered printed.

By unanimous consent on request of Senator Berg, six hundred copies of Senate File 317, as it passed the Senate, were ordered printed.

By unanimous consent on request of Senator Breen, six hundred copies of Senate File 160, as it passed the Senate, were ordered printed.

By unanimous consent on request of Senator Hoeven, two hundred extra copies of Senate File 86, relating to the unlawful displaying of military badges, were ordered printed.

On motion of Senator Beardsley, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Valentine presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files 57, 88, 242, 288, 475, and 476.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 57, 88, 242, 288, 475, and 476.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File 450 as follows:

1. Strike from page 5, Section 7, sub-section (b) and renumber the remaining sub-sections thereof.
2. Insert on page 5, Section 7, sub-section (c), following the word "class" in line 28, the words and figures "V and".
3. Strike from page 13, Section 32, line 5, the word "bluejay".
4. Strike from page 20, table A, line 27, fifth column, the number "10" and substitute in lieu thereof, the number "12".
5. Strike from page 20, table A, line 55, the word "Crappies" and insert following line 59 and immediately preceding line 60, the word "crappies".

Also in second column just opposite, insert the date "June 15 to November 30".

Also in third column, insert the figure "15".

Also in fourth column, insert the figure "30".

Also in fifth column, insert the figure and word "7 inches".

6. Strike from page 20, table A, line 60, second column, the date "May 15" and substitute in lieu thereof, the date "June 15".

7. Strike from page 25, all of Section 66 wrongly numbered 68.

8. Insert on page 29, Section 88, at the end of the third line thereof,

the following: "Nothing in this section shall be construed to prevent the taking of mussels from any water for fish bait or food purposes".

L. S. GILLETTE.

MR. PRESIDENT: I move to amend Senate File 375 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Sections fifty-three hundred seventy-nine (5379) to fifty-three hundred eighty-four-a1 (5384-a1), inclusive, Code of Iowa, 1935, are hereby repealed and the following are enacted in lieu thereof:

Sec. 2. Definitions. The terms "State Board", and "County Board", are used in this act as said terms are defined in Section 1 of Senate File 373, of the acts of the 47th General Assembly; and as used in this act,

"Applicant" means a person who has applied for assistance under this act;

"Recipient" means a person who has received assistance under this act;

"Assistance" means money payments to blind persons in need;

A "blind person" within the meaning of this act shall be one who has no vision, or whose vision with corrective glasses is so defective as to prevent the performance of ordinary activities for which eyesight is essential.

Sec. 3. Eligibility for assistance to the needy blind. Assistance shall be granted under the provisions of this act to any blind person who:

(1) Is eighteen years of age or over;

(2) Is a citizen of the United States, or has made application for citizenship;

(3) Has resided in the state of Iowa for at least five years during the nine years immediately preceding the date of the application for assistance under the provisions of this act, and has resided therein one year immediately preceding the application for assistance. If, however, such person has become blind while a resident of the state or is blind and a resident of the state at the time of the passage of this act, he is eligible even though he has not resided for five years within the state;

(4) Is not an inmate of a public institution. An inmate of such an institution may, however, make application for such assistance, but the assistance, if granted, shall not begin until after he ceases to be an inmate;

(5) Is not soliciting alms in any part of the state;

(6) Is not receiving Old Age Assistance;

(7) Has not made an assignment or transfer of property for the purpose of rendering himself eligible for assistance under this act.

(8) Has not sufficient income or other resources to provide a reasonable subsistence consistent with decency and health.

Sec. 4. Amount of assistance. The amount of assistance which any person shall receive shall be determined with due regard to the resources and necessary expenditures of the individual and the conditions existing in such case, and in accordance with the rules and regulations made by the state board, and shall be sufficient, when added to all other income and support of the recipient, to provide such person with a reasonable subsistence consistent with decency and health.

Sec. 5. Powers and Duties of State Board.

The state board shall:

(1) Be the responsible authority for the efficient and impartial administration of this act. To this end the state board shall formulate and establish such rules and regulations, outline such policies, prescribe such procedure, and delegate such powers as may be necessary to carry out the provisions and purposes of this act. All rules and regulations made by the state board shall be binding on the counties and shall be complied with by the respective county boards.

(2) Prescribe, for the guidance of county boards, the qualifications and capabilities required of county board employees, consistent with the provisions of Section 13 of Senate File 373 of the acts of the 47th General Assembly.

(3) Designate the procedure to be followed in securing a competent examination for the purpose of determining blindness and the cause of blindness in the individual applicant for assistance; designate a suitable number of ophthalmologists to examine applicants and recipients of assistance to the blind; fix the fees to be paid to ophthalmologists for examination of applicants, such fees to be paid from administration funds;

(4) Cooperate with the Federal Social Security Board, created under Title VII of the Social Security Act, approved August 14, 1935, or any other agency of the Federal Government, in any reasonable manner as may be necessary to qualify for federal aid and assistance to the needy blind and in conformity with the provisions of this act; including the making of such reports in such form and containing such information as the Federal Social Security Board, or any other agency of the Federal Government, may from time to time find necessary to assure the correctness and verification of such reports;

(5) Cooperate with other agencies in developing measures for the prevention of blindness, the restoration of eyesight and the vocational adjustment of blind persons.

Sec. 6. Duties of the County Boards.

The county boards shall:

(1) Perform such services and duties as are prescribed by this act and by the rules and regulations of the state board;

(2) Report to the state board at such time and in such manner and form as the state board may from time to time direct;

(3) Submit to the county board of supervisors, after approval by the state board, a budget containing an estimate and supporting data, setting forth the amount of money needed to carry out the provisions of this act in the county.

Sec. 7. Application for Assistance. Application for assistance under this act shall be filed with the county board of the county in which the applicant resides. The application shall be in writing upon the form prescribed by the state board. Such application shall contain a statement of the amount of property, both personal and real, in which the applicant has an interest and of all sources and amounts of income which he may have, either in existence or expectancy, at the time of the filing

of the application, and such other information as may be required by the state board.

Sec. 8. Investigation of Applications. Whenever the county board receives an application for assistance under this act, an investigation and record shall promptly be made of the circumstances of the applicant in order to ascertain the facts supporting the application and in order to obtain such other information as may be required by the rules of the state board.

Sec. 9. Examination by Ophthalmologist. No application shall be approved until the applicant has been examined by an ophthalmologist designated or approved by the state board to make such examinations. The examining ophthalmologist shall certify to the county board in writing upon forms provided by the state board the findings of the examination, which findings shall be transmitted to the state board.

Sec. 10. Granting of Assistance. Upon the completion of such investigation the county board shall make findings of fact as to the eligibility of the applicant for assistance under the provisions of this act and shall recommend in accordance with the rules and regulations of the state board the amount of assistance which should be granted. This report, together with a copy of the report of the ophthalmologist, shall be forwarded to the state board. The state board may make such further investigation as it may deem desirable and, upon the basis of such reports and investigation, shall determine whether the applicant is eligible for assistance under the terms of this act, and, if eligible, the amount of such assistance and the date on which such assistance shall begin. The state board shall notify the county board of its decision, and the county board shall promptly notify the applicant thereof. Such assistance shall be paid monthly to the applicant upon the order of the state board, from the fund for the aid of the blind established by this act.

Sec. 11. Assistance not assignable. Assistance granted under this Act shall not be transferable or assignable at law or in equity, and none of the money paid or payable under this Act shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

Sec. 12. Appeal to the State Board. If an application is not acted upon by the county board or the state division within a reasonable time after the filing of the application, or is denied in whole or in part, or if any award of assistance is modified or cancelled under any provision of this act, the applicant or recipient may appeal to the state board in the manner of form prescribed by the state board. The state board shall, upon receipt of such an appeal, give the applicant or recipient reasonable notice and opportunity for a fair hearing before the state board or its duly authorized representative or representatives.

Sec. 13. Periodic Reconsideration and Changes in Amount of Assistance. All assistance grants made under this act shall be reconsidered by the county board as frequently as may be required by the rules of the state board. After such further investigation as the county board may deem necessary or as the state board may require, the county board shall make further report to the state board and the amount of assistance may

be changed or assistance may be entirely withdrawn if the state board finds that the recipient's circumstances have altered sufficiently to warrant such action.

Sec. 14. Reexamination as to Eyesight. A recipient shall submit to a reexamination as to his eyesight when required to do so by the county board or state board. He shall also furnish any information required by the County Board or the state board.

Sec. 15. Expenses for Treatment. In the basis of the finding of the ophthalmologist's examination as provided in Section nine of this act, supplementary services may be provided by the state board to any applicant or recipient who is in need of treatment either to prevent blindness or to restore his eyesight, whether or not he is a blind person as defined in this act, if he is otherwise qualified for assistance under this act. The supplementary services may include necessary traveling and other expenses to receive treatment from a hospital or clinic designated by the state board.

Sec. 16. Guardianship. When in the opinion of the county board the recipient of assistance under the provisions of this act is for any cause unable to use the assistance judiciously, the county board shall request the district court to appoint a guardian to administer such assistance for the benefit of the recipient.

Sec. 17. Recovery from Recipient. If at any time during the continuance of assistance the recipient thereof becomes possessed of any property or income in excess of the amount stated in the application provided for in this act, it shall be the duty of the recipient immediately to notify the county board of the receipt or possession of such property or income and the county board shall, if in its judgment the circumstances so require, recommend to the state board the immediate suspension of assistance payments and, after investigation, shall recommend to the state board that such assistance be continued, modified, or cancelled, as the circumstances may require. Any assistance paid after the recipient has come into possession of such property or income in excess of his need shall be recoverable by the state as a debt due, and upon recovery the state shall repay to the county that portion of the amount so recovered which is equal to the amount paid by the county for such assistance.

Sec. 18. Funeral Expenses. On the death of any person receiving aid under the provisions of this act, the reasonable funeral expenses for his burial may be paid by the state board; provided such expenses do not exceed one hundred dollars and the estate of the deceased or any life insurance or death or funeral benefit association or society payment, made by reason of the death of such person, payable to his estate or the spouse or any relative responsible under Sections 5298, 5301, and 10501-b6, Code of Iowa, 1935, is insufficient to defray the same. The person to whom such funeral expense is paid as above provided is hereby prohibited from soliciting, accepting or contracting to receive any further compensation for services rendered in connection with such burial except on written approval of the county board and subject to such rules and regulations as the state board shall prescribe.

Sec. 19. Reimbursement from Estate. Whenever it appears, after

the death of any person who has received aid under the provisions of this act, that his estate, after deducting the exemptions now allowed by law, has property over and above a sufficient amount to pay the expenses of his burial and last sickness, such property shall be charged with the amount paid under this act to such person during his lifetime, or for his burial. The amount so paid shall be allowed as a claim against his estate in favor of the state, and upon recovery the state shall repay to the county its proportionate share of the amount paid for such assistance and funeral expenses. An action may be brought in the name of the state to recover the same at any time within five years after the death of the person receiving the aid as above provided.

Sec. 20. Misdemeanor. Any person who shall obtain aid under this act by misrepresentation or failure with fraudulent intent, to bring forth all the facts required of an applicant for aid under the provisions of this act, or any person who shall knowingly make false statements concerning the applicant's eligibility for aid under the provisions of this act, shall be guilty of a misdemeanor, punishable as such.

Sec. 21. County Appropriation. The county board of supervisors in each county in this state shall appropriate annually, and pay in the manner hereinafter specified from the county poor fund, such sum as will result in the payment by such county of one-fourth of all administrative expenses within the county incident to aid to the blind, as determined and certified by the state board, other than compensation of members of the county board and their expenses, and one-fourth of all assistance and benefits payable to blind persons resident within the county under this act, and shall include in the tax levy for such county the sum or sums so appropriated for that purpose. The sums necessary as above provided shall be determined upon the basis of an annual budget prepared by the county board and approved by the state board. Should the sum so appropriated, however, be expended or exhausted during the year for which it was appropriated, such additional sums shall be appropriated by the board of supervisors from the county poor fund as shall be sufficient to meet the obligation of the county to pay one-fourth of all assistance and benefits to the blind within the county and one-fourth of the administrative expenses as above provided. The tax levy provided for in this section shall not exceed statutory tax limitations now or hereafter provided.

Sec. 22. Fund for Aid to the Blind—Reimbursement to State. There is hereby established in the state treasury a fund to be known as the "Fund for Aid to the Blind" to which shall be credited all funds appropriated by the state for the payment of administrative expenses, assistance and benefits under this Act, all monies received from the federal government for such purpose and all funds paid by the counties to the State Board as provided by this section. All assistance and benefits under this Act, and the administrative expenses incident thereto, so far as the same are payable by the State Board, shall be paid from said fund. The State Board shall report to the County Board each month the total amount of assistance and benefits paid during the preceding month to recipients residing within the county, and the amount of the adminis-

trative expenses paid by the state which are incident thereto. The County Board shall promptly report the same to the County Board of Supervisors which shall then order paid to the State Board from the county poor fund an amount equal to twenty-five per cent of the total, which payment shall be credited to the Fund for Aid to the Blind.

Sec. 23. Removal to Another County. When any recipient moves to another county he shall be entitled to continue to receive assistance which shall be chargeable to the county from which he has removed, for a period of six months and shall thereafter be charged to the county in which he then resides.

Sec. 24. Other Dependents. This Act shall not be so construed as to exclude the spouse, minor children or other dependents of a recipient under the provisions of this Act from receiving other forms of relief, aid or assistance, paid through any agency of the state or any of its political sub-divisions.

Sec. 25. Constitutionality. If any portion of this Act shall be declared unconstitutional, such declaration shall not affect the validity of the remaining portions of the Act, which shall remain in force as though such declaration had not been made.

Sec. 26. Short Title. This Act may be cited as "Aid to the Needy Blind Act of 1937".

Sec. 27. Publication Clause. This Act being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the, a newspaper published at, Iowa, and in the, a newspaper published at, Iowa.

EDWARD BREEN.

E. P. DONOHUE.

H. W. EDWARDS.

O. J. KIRKETEG.

B. C. WHITEHILL.

ROY E. STEVENS.

GEO. M. HOPKINS.

MR. PRESIDENT: Amend Senate File 377 by striking all after the enacting clause, and inserting in lieu thereof the following:

Section 1. Sections thirty-six hundred forty-one (3641) to thirty-six hundred forty-three (3643) inclusive, of the 1935 Code of Iowa, are hereby repealed and the following is enacted as a substitute therefor:

Sec. 2. Definitions. The terms "State department", "State Board", and "County Board" are used in this Act as said terms are defined in Section 1, Senate File 373, Acts of 47th General Assembly.

A "Dependent Child" means a needy child under the age of 16 who has been deprived of parental support or care by reason of the death, continued absence from home, or physical or mental incapacity of either parent, and whose relatives liable under the law for his support are not able to provide adequate care and support of such child without public assistance, and who is living with his father, mother, grandmother, grandfather, brother, sister, stepfather, stepmother, stepbrother, step-sister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their own home.

"Assistance" means money payments with respect to a dependent child or children.

"Recipient" is the person to whom money payments with respect to a dependent child or children are made.

Sec. 3. Duties of State Board. The State Board shall:

(1) Be the responsible authority for the efficient and impartial administration of this Act. To this end the State Board shall formulate and establish such rules and regulations, outline such policies, prescribe such procedure, and delegate such powers as may be necessary to carry out the provisions and purposes of this Act. All rules and regulations made by the State Board shall be binding on the counties and shall be complied with by the respective county boards.

(2) Prescribe, for the guidance of county boards, the qualifications and capabilities required of county board employees, consistent with the provisions of Section 13 of Senate File 373 of the Acts of the 47th General Assembly.

(3) Cooperate with the Federal Social Security Board, created under Title VII of the Social Security Act, approved August 14, 1935, or any other agency of the Federal Government, in any reasonable manner as may be necessary to qualify for Federal aid and assistance to dependent children and in conformity with the provisions of this Act; including the making of such reports in such form and containing such information as the Federal Social Security Board, or any other agency of the Federal Government, may from time to time find necessary to assure the correctness and verification of such reports.

Sec. 4. Duties of the County Boards. The County Boards shall:

(1) Perform such services and duties as are prescribed by this Act and by the rules and regulations of the state board.

(2) Report to the state board at such time and in such manner and form as the state board may from time to time direct.

(3) Submit to the county board of supervisors, after approval by the state board, a budget containing an estimate and supporting data, setting forth the amount of money needed to carry out the provisions of this act in the county.

Sec. 5. Eligibility for assistance to dependent children. Assistance shall be granted under this act to any dependent child who:

(1) Has resided in the state for one year immediately preceding the application for such assistance; or was born within the state within one year immediately preceding the application, or whose mother has resided in the state one year immediately preceding the birth of said child, and

(2) Is living in a suitable family home, meeting the standards of care and health, fixed by the laws of this state, and the rules and regulations of the state board thereunder.

Sec. 6. Amount of Assistance. The amount of assistance which shall be granted for any dependent child shall be determined with due regard to the resources and necessary expenditures of the family and the conditions existing in each case and shall be sufficient, when added to all other income and support available to the child, to provide such child with a reasonable subsistence consistent with decency and health.

Sec. 7. Application for Assistance. Application for assistance under this act shall be filed with the county board of the county in which the

dependent child resides. The application shall be in writing upon the form prescribed by the state board and shall be sworn to by the applicant. The application shall be made by the person with whom the dependent child will live and shall contain information as to the age and residence of the child and such other information as may be required by the rules and regulations of the state board. One application may be made for several children of the same family if they reside with the same person.

Sec. 8. Investigation of Applications. Whenever the county board receives an application for assistance under this act, an investigation and record shall promptly be made of the circumstances of the applicant in order to ascertain the facts supporting the application and in order to obtain such other information as may be required by the rules of the state board.

The investigation shall include visits to the home of the child and of the person who will have the custody of the child during the time assistance is granted.

The officers and employees designated by the county board or the state board may administer oaths and affirmations.

Sec. 9. Granting of Assistance. Upon the completion of such investigation the county board shall make findings of fact as to the eligibility of the child for assistance under the provisions of this act and shall recommend in accordance with the rules and regulations of the state board the amount of assistance which should be granted, and shall immediately forward its report to the state board. The state board may make such further investigation as it may deem desirable and, upon the basis of such reports and investigation, shall determine whether the child is eligible for assistance under the terms of this act, and, if eligible, the amount of such assistance and the date on which such assistance shall begin. The state board shall notify the county board of its decision, and the county board shall promptly notify the applicant thereof. Such assistance shall be paid monthly to the applicant upon the order of the state board from the fund for aid to dependent children established by this act.

Sec. 10. Appeal to the State Board. If an application is not acted upon by the county or the state board within a reasonable time after the filing of the application, or is denied in whole or in part, or if any award of assistance is modified or cancelled under any provision of this act, the applicant or recipient may appeal to the state board in the manner and form prescribed by the state board. The state board shall, upon receipt of such an appeal, give the applicant or recipient reasonable notice and opportunity for a fair hearing before the state board or its duly authorized representative or representatives.

Sec. 11. Periodic Reconsideration and Changes in Amount of Assistance. All assistance grants made under the Act shall be reconsidered by the County Board as frequently as may be required by the rules of the State Board. After such further investigation as the County Board may deem necessary or the State Board may require, the County Board shall make further report to the State Board and the amount of assistance may be changed or assistance may be entirely withdrawn if the

State Board finds that the child's circumstances have altered sufficiently to warrant such action.

Sec. 12. Removal to another county. When any child qualified for and receiving assistance pursuant to this Act moves or is taken to another county in this state, assistance shall continue to be paid with respect to such child. Such assistance shall be chargeable to the county from which the child has removed for a period of six months after such removal and shall thereafter be chargeable to the county to which he has removed.

Sec. 13. County Appropriation. The county board of supervisors in each county in this state shall appropriate annually, and pay in the manner hereinafter specified from the county poor fund, such sum as will result in the payment by such county of one-third of all administrative expenses within the county with respect to aid to Dependent Children, as determined and certified by the State Board, other than compensation of members of the county board and their expenses, and one-third of all assistance and benefits payable with respect to Dependent Children resident within the county under this Act, and shall include in the tax levy for such county the sum or sums so appropriated for that purpose. The sums necessary as above provided shall be determined upon the basis of an annual budget prepared by the county board and approved by the state board. Should the sum so appropriated, however, be expended or exhausted during the year for which it was appropriated, such additional sums shall be appropriated by the Board of Supervisors from the county poor fund as shall be sufficient to meet the obligation of the county to pay one-third of all assistance and benefits with respect to Dependent Children within the county and one-third of the administrative expenses as above provided. The tax levy provided for in this section shall not exceed statutory tax limitations now or hereafter provided, except that in counties having a population of 60,000 or more, the board of supervisors may levy annually a tax not to exceed one-fourth mill to carry out the provisions of this Act.

Sec. 14. Fund for Aid to Dependent Children Reimbursement to State. There is hereby established in the state treasury a fund to be known as the "Fund for Aid to Dependent Children" to which shall be credited all funds appropriated by the state for the payment of administrative expenses, assistance, and benefits under this Act, all monies received from the federal government for such purposes and all funds paid by the counties to the State Board as provided by this section. All assistance and benefits under this Act, and the administrative expenses incident thereto, so far as the same are payable by the State Board, shall be paid from said fund. The State Board shall report to the County Board each month the total amount of assistance and benefits paid during the preceding month to recipients residing within the county, and the amount of the administrative expenses paid by the state which are incident thereto. The County Board shall promptly report the same to the County Board of Supervisors which shall then order paid to the State Board from the County Poor Fund an amount equal to thirty-three and one-third per cent of the total, which payment shall be credited to the Fund for Aid to Dependent Children.

Sec. 15. County-State Ratio to remain the same. At no time shall any county be required to pay a larger proportion of the funds needed to carry out the provisions of this act than is paid from State funds.

Sec. 16. Confidential Nature of Records. All applications and records shall be confidential and shall be open to inspection only to persons authorized by the state or the United States in connection with their official duties, or when produced in response to a subpoena issued by a court of competent jurisdiction, provided, however, that any applicant or recipient who appeals to the state board, as provided in this act, shall be permitted to examine any records pertaining to his case.

Sec. 17. Fraudulent acts miscellaneous. Whoever obtains, or attempts to obtain, or aids, or abets any person to obtain by means of a wilfully false statement or representation, or by impersonation, or any fraudulent device, any assistance under this act to which such person is not entitled, shall be guilty of a misdemeanor, and upon the conviction thereof shall be fined not more than Five Hundred Dollars (\$500.00) or be imprisoned for not more than three months, or be both so fined and imprisoned.

Sec. 18. Recovery of Assistance Obtained by Fraudulent Acts. Whoever obtains, or attempts to obtain, or aids or abets any person to obtain by means of a wilfully false statement, or representation or by impersonation, or any fraudulent device, any assistance under this act to which such person is not entitled, shall be personally liable for the amount of the assistance thus obtained. Said amount may be recovered in an action brought in the name of the state and upon recovery the state shall pay to the county a portion thereof equal to the amount paid by the county with respect to such assistance.

Sec. 19. Short Title. This act may be cited as the "Aid to Dependent Children Act of 1937."

Sec. 20. Constitutionality Clause. If any section of this act shall be held unconstitutional, the remaining provisions shall be given full force and effect as if the part held unconstitutional had not been included herein.

Sec. 21. Publication Clause. This act being deemed of immediate importance, shall be in force and effect from and after its passage and publication in the _____, a newspaper published at _____, Iowa.

EDWARD BREEN.

E. P. DONOHUE.

H. W. EDWARDS.

O. J. KIRKETEG.

B. C. WHITEHILL.

ROY E. STEVENS.

GEO. M. HOPKINS.

The Journal of April 6th was corrected and approved.

On motion of Senator Edwards, the Senate adjourned until 10:00 a. m., Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 8, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. C. E. Burdine, pastor of the Presbyterian Church of Dallas Center.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Corwin, from residents of Louisa county, favoring enactment of Senate File 197.

By Senator Kimberly, from residents of Davenport, favoring enactment of Senate File 197.

By Senator Kimberly, from citizens of Scott county, favoring enactment of House File 130.

By Senator Schadt, from the Iowa City Library Club, favoring enactment of Senate File 382.

By Senator Zeigler, from citizens of Birmingham, opposing enactment of Senate File 197.

INTRODUCTION OF BILLS

Senate File 473, by committee on claims, a bill for an act to make an appropriation to Emmett F. Ivory.

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

Senate File 474, by committee on claims, a bill for an act to make an appropriation to Luella Sherling.

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

Senate File 475, by committee on claims, a bill for an act to make an appropriation to Ira Dalton.

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

Senate File 476, by committee on claims, a bill for an act to make an appropriation to Mrs. Emily A. Nicoll.

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

Senate File 477, by committee on claims, a bill for an act to make appropriations to E. R. Wald, F. D. Cox, D. H. Anderson and B. L. Basinger, M.D.

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

Senate File 478, by committee on claims, a bill for an act to make an appropriation to William M. Schneider.

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

Senate File 479, by committee on claims, a bill for an act to make an appropriation to Willie Claussen.

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

Senate File 480, by committee on claims, a bill for an act to make an appropriation to Francis Woolman.

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

Senate File 481, by committee on claims, a bill for an act to make an appropriation to John W. Abel.

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

Senate File 482, by committee on board of control, a bill for an act to amend Chapter one hundred sixty-seven (167) and Sections three thousand two hundred ninety-two (3292), three thousand two hundred ninety-three (3293), three thousand three hundred (3300), three thousand three hundred thirty-one (3331),

three thousand three hundred thirty-two (3332), three thousand three hundred fifty-two (3352), three thousand three hundred fifty-six (3356), three thousand three hundred ninety-five (3395), three thousand three hundred ninety-six (3396), three thousand four hundred six (3406), three thousand four hundred sixty-seven (3467), three thousand four hundred ninety-nine (3499) and three thousand five hundred four (3504), Code, 1935, all relating to the powers and duties of the superintendent of the Glenwood state school, state sanatorium, Woodward state school and colony, Cherokee state hospital, Clarinda state hospital, Independence state hospital, and Mount Pleasant state hospital, and providing for the appointment of a business manager for each of said institutions, and prescribing his powers and duties.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 297 and 317.

FRANK PELZER, *Chairman Senate Committee.*
JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 297 and 317.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of April, 1937, sent to the Governor for his approval, Senate Files 297 and 317. FRANK PELZER, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Hill, House File 341, a bill for an act to

amend Senate File sixteen (16), of the Acts of the Forty-seventh General Assembly of the State of Iowa, and providing for jurisdiction of the judge of the district court either in term time or in vacation to make an order fixing time and place of hearing, and manner of service of notice on an application for extension of the right of redemption, and providing that the filing of the application for an extension of the right of redemption shall automatically extend the period of redemption until final hearing on the application, and staying the issuance of Sheriff's deeds, reported out by the sifting committee, was taken up and considered.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Baldwin	Dewey	Guernsey	Miller
Beardsley	Edwards	Hill	Millhone
Berg	Ellis	Hopkins	Parker
Billingsley	Geske	Irwin	Pelzer
Breen	Gillespie	Kirketeg	Schadt
Chrystal	Goetsch	Levis	Shaw
Dean	Grunewald	Mighell	Stewart

Nays, none.

Absent or not voting, 22:

Augustine	Donohue	Hoeven	Murray
Bell of Crawford	Doran	Husted	Smith
Bell of	Eithon	Kimberly	Stevens
Des Moines	Evans	Lundy	Whitehill
Byers	Gillette	Mason	Zeigler
Corwin	Hart	Moore	

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

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hill asked and received unanimous consent to have House File 341 messaged to the House immediately.

SENATE FILE 282 REREFERRED

On motion of Senator Donohue, Senate File 282, relating to exemptions from the chain store tax, was rereferred to the sifting committee.

ADOPTION OF REPORT OF CONFERENCE COMMITTEE

Senator Beardsley called up the following conference committee report on Senate File 181, and moved its adoption:

MR. PRESIDENT AND MR. SPEAKER: Your conference committee appointed to consider the differences between the Senate and the House on Senate File 181, begs leave to report it has had the same under consideration and recommends that the House amendments as found on pages 881 to 886, inclusive, of the Senate Journal, be amended as follows:

1. That Section one (1), paragraph fifty-five (55) as amended by the House be further amended by inserting in line two hundred fifty (250) after the word "to" the following: "and including";

Also amend paragraph fifty-six (56) of said section by inserting in line two hundred fifty-six (256) after the word "to" the following: "and including";

2. That Section 31 as amended by the House be further amended by striking from line three (3) the word "fifty" and inserting in lieu thereof, the word, "seventy-five".

3. That the word "license" be stricken from the House amendments to Section 154 and the word, "registration" be substituted in each case.

4. That Section 157-a as inserted by the House be amended by striking from line two (2) the word, "one-twelfth" and by substituting therefor the word, "one-fourth";

Also by striking from line three (3) the words, "unexpired months" and by substituting therefor the words, "remaining quarters";

Also by striking from lines five (5) and six (6) the word "month" wherever it appears and by substituting therefor the word, "quarter" in each case.

5. That the last paragraph of the House substitute for Section 339-a1 be amended by inserting after the word "shall" in the first line of said paragraph the following: ", after January 1, 1939,".

Your committee further recommends:

1. That the House recede from its amendment to line four (4) of section 41.

2. That the House recede from its amendment to Section 222.

3. That the House recede from its amendment to the subsection numbered "1." of Section 316.

4. That the House recede from its amendment to Section 317.

With the aforesaid changes in the amendments as found on pages 881 to 886, inclusive, of the Senate Journal, your committee recommends that the Senate concur in the House amendments.

R. G. MOORE,
FLOYD J. PINE,
GEORGE L. SCOTT,
PHILIPP J. KOHLHAAS,

On the part of the House.

WM. S. BEARDSLEY,
A. E. AUGUSTINE,
TOM E. MURRAY,
SANFORD ZEIGLER, JR.,

On the part of the Senate.

On the question, "Shall the Senate adopt the report of the con-

ference committee and concur in the amendments therein proposed?" the vote was:

Ayes, 30:

Augustine	Geske	Hopkins	Schadt
Beardsley	Gillespie	Kimberly	Shaw
Breen	Gillette	Kirketeg	Smith
Byers	Goetsch	Mighell	Stevens
Corwin	Grunewald	Miller	Stewart
Dean	Guernsey	Millhone	Whitehill
Edwards	Hill	Murray	Zeigler
Ellis	Hoeven		

Nays, 3:

Billingsley	Dewey	Husted
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Absent or not voting, 17:

Baldwin	Chrystal	Hart	Mason
Bell of Crawford	Donohue	Irwin	Moore
Bell of	Doran	Levis	Parker
Des Moines	Elthon	Lundy	Pelzer
Berg	Evans		

The motion prevailed and the report of the conference committee was adopted, and the amendments proposed therein concurred in.

On motion of Senator Beardsley, Senate File 181, by committee on motor vehicles, a bill for an act to repeal Chapter two hundred fifty-one (251), and all amendments thereto, of the Code, 1935, and Sections forty-six hundred twenty-seven (4627), forty-six hundred eighty-six-c one (4686-c1), forty-six hundred eighty-six-c two (4686-c2), fifty-one hundred five-a thirty-two (5105-a32) to fifty-one hundred five-a thirty-five (5105-a35), inclusive, fifty-one hundred five-c eighteen (5105-c18) to fifty-one hundred five-c twenty-one (5105-c21), inclusive, sixty-seven hundred fifty-four-c one (6754-c1), sixty-seven hundred fifty-four-c two (6754-c2), twelve thousand two hundred twenty-two (12222) to twelve thousand two hundred twenty-eight (12228), inclusive, thirteen thousand eleven (13011) to thirteen thousand thirteen (13013), inclusive, thirteen thousand ninety-two (13092), thirteen thousand one hundred eighteen (13118), thirteen thousand one hundred nineteen (13119), thirteen thousand four hundred seventeen-a one (13417-a1), and thirteen thousand four hundred seventeen-a two (13417-a2) of said Code, and to enact a substitute therefor, and to amend Sections two thousand ten (2010), two thousand eleven (2011), forty-seven hundred fifty-five-b seven (4755-b7), fifty-one hundred five-a forty-one (5105-a41), fifty-one hundred

five-c seventeen (5105-c17), and thirteen thousand ninety-two-d one (13092-d1) of said Code, all relating to vehicles and traffic; to provide penalties and liabilities in relation thereto; and to provide for the administration and enforcement thereof, as amended, was taken up and considered.

Senator Beardsley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Edwards	Hill	Murray
Beardsley	Ellis	Hoeven	Schadt
Bell of Crawford	Evans	Hopkins	Shaw
Berg	Geske	Kimberly	Smith
Byers	Gillespie	Kirketeg	Stevens
Corwin	Gillette	Mason	Stewart
Dean	Goetsch	Mighell	Whitehill
Dewey	Grunewald	Miller	Zeigler
Donohue	Guernsey	Millhone	
Doran	Hart		

Nays, 3:

Billingsley	Husted	Pelzer
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Absent or not voting, 10:

Baldwin	Breen	Irwin	Lundy
Bell of	Chrystal	Levis	Moore
Des Moines	Elthon		Parker

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

Senator Beardsley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Donohue, House File 87, by Pine and Yager, a bill for an act to amend Chapter 456 of the Code of 1935, providing for artisan's lien and the enforcement thereof, reported out by the sifting committee, was taken up and considered.

Senator Smith offered the following amendments and moved their adoption:

Amend House File 87 by inserting after the word "material" in line 5, Section one (1), the following: "or storage".

The amendment was adopted.

Amend House File 87 by inserting in line fifteen (15) following the word "labor" the words "or storage".

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Section 1 of House File 87 by inserting after the word "against" in line ten (10) the following words: "existing creditors or".

The amendment was adopted.

Senator Irwin offered the following amendment and moved its adoption:

Amend House File 87, Section 1, by striking from line 5 the words "six months" and inserting in lieu thereof the words "thirty days".

Senator Donohue moved that further consideration of House File 87 be postponed until Friday morning, which motion prevailed.

On motion of Senator Stevens, Senate File 375, a bill for an act to repeal Section fifty-three hundred seventy-nine (5379) to fifty-three hundred eighty-four-a one (5384-a1) inclusive, Code of Iowa, 1935, and to enact a substitute therefor, relating to aid for the blind; providing who shall receive such aid, the amount thereof, and the terms and conditions on which such aid and benefits shall be granted, reported out by the sifting committee, was taken up and considered.

Senator Stevens called up for consideration the amendment filed by Senators Breen, Donohue, Edwards, Kirketeg, Whitehill, Stevens and Hopkins, which appears on pages 982 to 987, inclusive, of the Senate Journal.

By unanimous consent, on request of Senator Edwards, the rules were suspended, and Mrs. Holmes was invited to address the Senate on Senate File 375.

Senator Donohue offered the following amendment to the pending amendment and moved its adoption:

Amend the pending amendment by striking the period (.) after the word "health" at the end of Section 4, and inserting in lieu thereof the following: ", but in no event shall the amount of the said assistance exceed the sum of thirty dollars (\$30.00) per month."

The amendment to the amendment was adopted.

Senator Beardsley offered the following amendment to the amendment and moved its adoption:

Amend the amendment to Senate File 375 by inserting the names of the Indianola Herald, a newspaper published at Indianola, Iowa, and the Osceola Sentinel, a newspaper published at Osceola, Iowa, in Section 27, the publication clause thereof.

The amendment to the amendment was adopted.

Senator Stevens moved the adoption of the amendment as amended.

The motion prevailed and the amendment as amended was adopted.

Senator Breen offered the following amendment to the title and moved its adoption:

Amend Senate File three hundred seventy-five (375) by striking all of the title and inserting in lieu thereof the following:

"An act to repeal Section fifty-three hundred seventy-nine (5379) to Section fifty-three hundred eighty-four a-1 (5384-a1), inclusive, Code, 1935, and any other provisions of the law in conflict with this act; to provide for a unified supervision of aid to the blind in the state by the State Board of Social Welfare and by the County Boards of Social Welfare; to promote and establish such aid; to prescribe the powers and duties of the State Board of Social Welfare and the County Boards of Social Welfare with regard to aid to blind persons; to provide the manner and method, terms and conditions for providing aid to the blind; to provide a penalty for the violation of the terms of this act; to provide for county appropriations; for the creation in the state treasury of a fund for aid to the blind; to provide for reimbursement to the state by the counties of the counties' share of assistance, benefits, and cost of administration, as provided in this act."

The amendment was adopted.

By unanimous consent, Senator Edwards withdrew his amendments to Senate File 375, which appear on page 876 of the Senate Journal.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Byers	Edwards	Grunewald
Beardsley	Chrystal	Ellis	Hart
Bell of	Corwin	Evans	Hill
Des Moines	Dean	Geske	Hoeven
Berg	Dewey	Gillespie	Hopkins
Billingsley	Donohue	Gillette	Irwin
Breen	Doran	Goetsch	Kimberly

Kirketeg	Miller	Pelzer	Stevens
Levis	Millhone	Schadt	Stewart
Mason	Murray	Shaw	Whitehill
Mighell	Parker	Smith	Zeigler

Nays, none.

Absent or not voting, 7:

Baldwin	Elthon	Husted	Moore
Bell of Crawford	Guerrsey	Lundy	

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

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens, Senate File 377, a bill for an act to repeal Sections three thousand six hundred forty-one (3641) to three thousand six hundred forty-three (3643) inclusive, and to enact a substitute therefor relating to aid to dependent children, providing who shall receive such aid, the amount thereof, the terms and conditions on which such aid and benefits shall be granted, the manner in which such aid and benefits shall be granted and providing a penalty for fraudulent acts committed in connection with the Act, reported out by the sifting committee, was taken up and considered.

Senator Stevens called up the amendment to Senate File 377, filed by Senators Breen, Donohue, Edwards, Kirketeg, Whitehill, Stevens, and Hopkins, which appears on pages 987 to 991, inclusive, of the Senate Journal.

By unanimous consent on request of Senator Hopkins, the rules were suspended and Mrs. Bertha C. Laue was invited to address the Senate on Senate File 377.

Senator Levis offered the following amendments to the amendment and moved their adoption:

Amend Section 5 of the amendment to Senate File 377, found on page 988 of the Senate Journal by striking all after the word "home" in sub-division 2 thereof.

Further amend Section 5 of the amendment to Senate File 377 by adding a new paragraph to be known as sub-division 3 as follows:

"3. Where the father and mother are living but separated, assistance shall not be given until a careful examination has been made by the county board of the cause or causes of the separation, and until it has been determined that a reconciliation of the parents cannot be made."

The amendments to the amendment were adopted.

Senator Billingsley offered the following amendment to the amendment and moved its adoption:

Amend the amendment to Senate File 377 by inserting the names of the Newton Daily News, a newspaper published at Newton, Iowa, and the Baxter New Era, a newspaper published at Baxter, Iowa, in Section 21, the publication clause thereof.

The amendment to the amendment was adopted.

Senator Stevens moved the adoption of the amendment as amended.

The motion prevailed and the amendment as amended was adopted.

Senator Breen offered the following amendment to the title and moved its adoption:

Amend Senate File three hundred seventy-seven (377) by striking all of the title and inserting in lieu thereof the following:

An act to repeal Sections three thousand six hundred forty-one (3641) to three thousand six hundred forty-three (3643) inclusive and any other provisions of the law in conflict with this act; to provide for a unified supervision of aid to dependent children by the State Board of Social Welfare and by the County Boards of Social Welfare; to promote and establish such aid; to prescribe the powers of the State Board of Social Welfare and the County Boards of Social Welfare with regard to aid to dependent children; to provide the manner and method, terms and conditions for providing aid to dependent children; to provide a penalty for the violation of the terms of this act; to provide for county appropriations; to provide for the creation in the state treasury of a fund for aid to dependent children; to provide for reimbursement to the state by the counties of the counties' share of the assistance, benefits and cost of administration for aid to dependent children as provided for in this act.

The amendment was adopted.

By unanimous consent, Senator Hopkins withdrew the amendments he had previously filed to Senate File 377.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Berg	Corwin	Doran
Beardsley	Billingsley	Dean	Edwards
Bell of	Breen	Dewey	Ellis
Des Moines	Byers	Donohue	Evans

Geske	Hopkins	Mighell	Shaw
Gillespie	Husted	Miller	Smith
Goetsch	Irwin	Millhone	Stevens
Grunewald	Kimberly	Murray	Stewart
Hart	Kirketeg	Parker	Whitehill
Hill	Levis	Pelzer	Zeigler
Hoeven	Mason	Schadt	

Nays, none.

Absent or not voting, 8:

Baldwin	Chrystal	Gillette	Lundy
Bell of Crawford	Elthon	Guernsey	Moore

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

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Beardsley moved that when the Senate recess, it be until 1:30 p. m., which motion prevailed.

On motion of Senator Millhone, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

By unanimous consent on request of Senator Husted, consideration of House File 4 was deferred, the bill to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Byers, Senate File 179, a bill for an act to amend Section sixty-five hundred eighty (6580), Code, 1935, to authorize cities under commission form of government, by a two-thirds vote of its council, to lease any city property not needed for the immediate use of such city for a period of not to exceed twenty-five years in such cities, reported out by the sifting committee, was taken up and considered.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 179 by adding the following section:

Sec. 2. Section six thousand five hundred eighty (6580), Code, 1935, is hereby made applicable to cities operating under special charter.

Renumber the remaining sections.

The amendment was adopted.

Senator Byers offered the following amendment and moved its adoption:

Amend the title by inserting after the comma following the word "government" in the third line the following: "including cities operating under special charter".

The amendment was adopted.

Senator Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine	Doran	Grunewald	Miller
Beardsley	Edwards	Guernsey	Millhone
Bell of Crawford	Ellis	Hill	Murray
Berg	Evans	Hopkins	Parker
Breen	Geske	Husted	Pelzer
Byers	Gillespie	Irwin	Schadt
Corwin	Gillette	Kirketeg	Smith
Dewey	Goetsch	Levis	Whitehill

Nays, none.

Absent or not voting, 18:

Baldwin	Dean	Kimberly	Shaw
Bell of	Donohue	Lundy	Stevens
Des Moines	Elthon	Mason	Stewart
Billingsley	Hart	Mighell	Zeigler
Chrystal	Hoeven	Moore	

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens, Senate File 229, a bill for an act to provide an optional form of city government creating a planning board, by an election of people in any city having a population of five thousand (5000) or more, with powers to pass on expenditures over five hundred dollars (\$500), bond issues, tax levies, and duties as provided for by Chapter two hundred ninety-four-A1 (294-A1), Code, 1935. This board is also vested with powers, responsibilities, and duties as provided for in Sections six thousand four hundred fifty-two (6452) to six thousand four hundred fifty-six (6456) inclusive of Chapter three hundred

twenty-four (324), Code, 1935, relating to zoning; also powers and duties as prescribed in Sections six thousand four hundred sixty-one (6461) to six thousand four hundred sixty-four (6464) inclusive, Code, 1935, Section sixty-four hundred seventy-one (6471) Chapter three hundred twenty-four (324), Code of 1935, Sections sixty-four hundred sixty-six (6466), sixty-four hundred seventy (6470) and sixty-two hundred seventeen (6217), reported out by the sifting committee, was taken up and considered.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 229 by striking the word "be" in line 6 of Section 1, and inserting in lieu thereof the word "by"; also amend Section 40 by striking from line 8 the word "large" and inserting in lieu thereof the word "larger".

The amendment was adopted.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine	Doran	Hill	Millhone
Baldwin	Edwards	Hoeven	Murray
Bell of Crawford	Ellis	Hopkins	Pelzer
Berg	Geske	Husted	Schadt
Breen	Gillespie	Kirketeg	Shaw
Corwin	Gillette	Levis	Smith
Dean	Grunewald	Mighell	Stevens
Donohue	Guernsey	Miller	Whitehill

Nays, 2:

Dewey	Goetsch
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Absent or not voting, 16:

Beardsley	Byers	Hart	Mason
Bell of	Chrystal	Irwin	Moore
Des Moines	Elthon	Kimberly	Parker
Billingsley	Evans	Lundy	Stewart
			Zeigler

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

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Byers, House File 51, by Rasmussen, a

bill for an act to amend Chapter two hundred eighty-nine (289), Code, 1935, by adding new sections and to amend Sections five thousand six hundred eighty-nine (5689), five thousand six hundred ninety-three (5693), five thousand seven hundred one (5701), five thousand seven hundred three (5703), five thousand seven hundred five (5705), five thousand seven hundred seven (5707), five thousand seven hundred thirteen (5713), Code, 1935, to repeal Section five thousand six hundred ninety-one (5691), five thousand six hundred ninety-two (5692), five thousand six hundred ninety-four (5694), five thousand six hundred ninety-five (5695), five thousand six hundred ninety-six (5696), five thousand six hundred ninety-six-d-one (5696-d1), five thousand six hundred ninety-eight (5698), five thousand six hundred ninety-nine (5699), five thousand seven hundred two (5702), five thousand seven hundred four (5704), five thousand seven hundred eleven (5711), and five thousand seven hundred twelve (5712), Code, 1935, and to enact substitutes therefor and to repeal Section five thousand seven hundred twelve-d1 (5712-d1), Code, 1935; all relating to civil service employees of cities, including those operating under special charter, reported out by the sifting committee, was taken up and considered.

Senator Guernsey offered the following amendment and moved its adoption:

Amend House File 51 by adding to Section 1 thereof the following:

Said Section five thousand six hundred eighty-nine (5689), Code, 1935, is further amended by striking from line 2 of said section the word "eight" and inserting in lieu thereof the word "nine".

The amendment was not adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend House File 51, Section 5, line 8, by inserting the word "fifty" in lieu of the word "fifteen".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Baldwin	Dean	Hopkins	Mason
Bell of Crawford	Dewey	Kirketeg	Schadt
Billingsley	Guernsey	Lundy	Smith
Breen			

Nays, 27:

Beardsley	Donohue	Hill	Murray
Bell of	Doran	Hoeven	Parker
Des Moines	Edwards	Husted	Pelzer
Berg	Elthon	Irwin	Shaw
Byers	Geske	Levis	Stevens
Chrystal	Gillespie	Miller	Whitehill
Corwin	Grunewald	Millhone	Zeigler

Present, 4:

Augustine	Gillette	Goetsch	Mighell
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Absent or not voting, 6:

Ellis	Hart	Moore	Stewart
Evans	Kimberly		

The amendment was not adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend House File 51 by striking Section 25.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 2:

Baldwin	Mason
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Nays, 30:

Bell of Crawford	Edwards	Irwin	Parker
Berg	Elthon	Levis	Pelzer
Byers	Gillespie	Lundy	Schadt
Chrystal	Goetsch	Mighell	Shaw
Corwin	Grunewald	Miller	Stevens
Dean	Hill	Millhone	Whitehill
Dewey	Hopkins	Murray	Zeigler
Doran	Husted		

Absent or not voting, 18:

Augustine	Breen	Gillette	Kirketeg
Beardsley	Donohue	Guernsey	Moore
Bell of	Ellis	Hart	Smith
Des Moines	Evans	Hoeven	Stewart
Billingsley	Geske	Kimberly	

The amendment was not adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend House File 51, Section 25, by adding before the period in line 4 the following: "without expense to the state of Iowa".

The amendment was not adopted.

Senator Augustine offered the following amendments and moved their adoption:

Amend House File 51 by striking the comma following the word "chief" in line seven (7) of Section eleven (11) and inserting in lieu thereof a period, and by striking the remainder of the sentence.

Further amend by striking from line fourteen (14) of Section eleven (11) the word "such".

Further amend by striking all of Section thirteen (13) of House File 51.

Roll call was requested.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 8:

Augustine	Donohue	Goetsch	Mighell
Baldwin	Gillette	Hopkins	Schadt

Nays, 30:

Beardsley	Dewey	Hill	Millhone
Bell of Crawford	Doran	Hoeven	Murray
Berg	Edwards	Husted	Parker
Billingsley	Elthon	Irwin	Pelzer
Byers	Geske	Levis	Stevens
Chrystal	Gillespie	Mason	Whitehill
Corwin	Grunewald	Miller	Zeigler
Dean	Hart		

Absent or not voting, 12:

Bell of	Evans	Kirketeg	Smith
Des Moines	Guernsey	Lundy	Shaw
Breen	Kimberly	Moore	Stewart
Ellis			

The amendments were not adopted.

Senator Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Beardsley	Dewey	Hill	Millhone
Bell of Crawford	Donohue	Hoeven	Murray
Bell of	Doran	Hopkins	Parker
Des Moines	Edwards	Husted	Pelzer
Berg	Ellis	Irwin	Schadt
Billingsley	Elthon	Kirketeg	Shaw
Breen	Geske	Levis	Smith
Byers	Gillespie	Lundy	Stevens
Chrystal	Goetsch	Mason	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dean	Hart	Miller	

Nays, 1:

Baldwin

Absent or not voting, 7:

Augustine	Gillette	Kimberly	Stewart
Evans	Guernsey	Moore	

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 4, relating to the Greater Iowa Commission.

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

Senate File 24, a bill for an act relating to the provisions of the Workmen's Compensation Act.

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

Senate File 89, a bill for an act relating to the local budget law.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 164, a bill for an act relating to the sale of poisons and the distribution thereof.

Also: That the House has adopted the conference committee report and the amendments recommended therein, and receded from certain amendments as recommended by said conference committee report, and passed Senate File 181, a bill for an act relating to vehicles and traffic.

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

House File 184, a bill for an act relating to powers of cities and towns.

Also: That the House has receded from its amendments to the following bill in which the concurrence of the Senate was asked:

Senate File 185, a bill for an act to recognize the Iowa Swine Producers' Association.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION 4

Amend Section 3 by striking lines five and six thereof.

Amend by striking Section 4.

HOUSE AMENDMENTS TO SENATE FILE 164

Amend Section 2 by adding a period after the word "drugs" in line 15, and striking the words "and chemicals".

Amend Section 5 by adding after the figures "(157)" in line 13 the words "and commercial feeds as defined in Chapter one hundred fifty-two (152)".

Amend by striking Section 6 and renumbering the remaining sections.

Amend the title by striking from line 8 the words "to provide for licensing the sale of certain such poisons by persons not registered pharmacists;".

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

House Files 119, 171, 182, 52, 262, 107, 143, 172, 186, 56 and 414 and Senate Files 450, 161, 426, 463, 381, 166, 148, 454, 311, 241, 321, 368, 173, 276 and 434.

FRANK C. BYERS, *Chairman.*

Senator Byers moved that the foregoing report be adopted, which motion prevailed.

SENATE FILES ORDERED REPRINTED

By unanimous consent on request of Senator Stevens, six hundred copies of each of Senate Files 375 and 377, as they passed the Senate, were ordered printed.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File eighty-seven (87) as follows:

1. Amend the title by striking the period at the end of line two (2) and inserting in lieu thereof the following: "and to amend Section ten thousand two hundred sixty-nine-e three (10269-e3) Code, 1935, providing for the fee to be collected by the clerk of the district court in such matters."

2. Further amend by striking the period in line twenty-two (22) of Section one (1) and adding thereto the following: ", a fee of fifty cents (50c) shall be collected by the clerk for each lien, claim, or statement so filed under the provisions of this act and as provided for in Section ten thousand two hundred sixty-nine-e three (10269-e3), Code, 1935."

L. H. DORAN.

MR. PRESIDENT: I move to amend Senate File 465 as follows:

1. Strike the period at the end of Section six thereof and insert in lieu thereof a comma and add after said comma the following: "and prima facie evidence that such cigarettes were possessed for the purpose of being sold or removed by him in violation of this act."

2. Strike the word "report" in line two of Section seventeen and insert in lieu thereof the word "permit".

JOHN BERG.

MR. PRESIDENT: I move to amend House File 4 as follows:

Strike all after the enacting clause and insert the following:

Section 1. Section thirteen thousand two hundred ten (13210), Code, 1935, is amended by striking the period at the end of line six (6) and inserting in lieu thereof the following: "or any other machine used for gambling, or any slot machine except those slot machines which are constructed, used, and operated for the sole purpose of vending merchandise, games of skill and amusements such as pin games and rotary merchandise machines.

H. C. BALDWIN.

The Journal of April 7th was corrected and approved.

Senator Elthon moved that the Senate adjourn until 9:00 a. m. Friday.

Senator Baldwin moved to amend the motion by Senator Elthon, making it 10:00 a. m.

Roll call was requested.

On the question "Shall the amendment to the motion be adopted?" the vote was:

Ayes, 22:

Augustine	Berg	Ellis	Kirketeg
Baldwin	Billingsley	Evans	Murray
Beardsley	Corwin	Guernsey	Parker
Bell of Crawford	Dewey	Hart	Pelzer
Bell of	Doran	Hopkins	Stevens
Des Moines	Edwards	Irwin	

Nays, 14:

Breen	Goetsch	Mighell	Smith
Dean	Hill	Miller	Shaw
Elthon	Husted	Schadt	Zeigler
Gillette	Mason		

Absent or not voting, 14:

Byers	Gillespie	Levis	Moore
Chrystal	Grunewald	Lundy	Stewart
Donohue	Hoeven	Millhone	Whitehill
Geske	Kimberly		

The amendment was adopted.

The motion as amended prevailed, and the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 9, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Henry McCraven, pastor of the St. Paul M. E. Church of Des Moines.

PETITIONS AND MEMORIALS

The following petition was received and referred to the sifting committee:

By Senator Lundy, from the Albia Methodist Womans Foreign Missionary Society, favoring enactment of Senate File 197.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 14, providing for the retention of the necessary help to close up the business of the Forty-seventh General Assembly after its adjournment.

Also: That the House has concurred in the Senate amendment adding Section 2 to House File 133, a bill for an act to change the name of the Board of Railroad Commissioners to that of State Transportation Commission, and has refused to concur in the remaining Senate amendments.

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

House File 365, a bill for an act relating to authority of board of supervisors to contract for medical and dental service for the poor.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 14

Be It Resolved by the House, the Senate concurring: That the Chief Clerk of the House and the Secretary of the Senate be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the Forty-seventh

General Assembly, 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 Chief Clerk of the House and the Secretary of the Senate are hereby authorized to correct the Journals of the House and Senate, 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 by the comptroller of state upon certification by the Speaker and Chief Clerk of the House and the President and Secretary of the Senate.

HOUSE MESSAGES CONSIDERED

House File 365, a bill for an act to amend Section fifty-three hundred sixty-eight-a five (5368-a5), Code, 1935, relating to authority of board of supervisors to contract for medical and dental service for the poor.

Read first and second times and referred to sifting committee.

SENATE INSISTED ON AMENDMENTS TO HOUSE FILE 133

On motion of Senator Edwards, the action of the House on the Senate amendments to House File 133, a bill for an act to change the name of the Board of Railroad Commissioners to that of State Transportation Commission, was taken up and considered.

Senator Edwards moved that the Senate insist on its amendments.

On the question, "Shall the Senate insist?" the vote was:

Ayes, 38:

Augustine	Ellis	Hopkins	Murray
Beardsley	Evans	Husted	Pelzer
Berg	Geske	Irwin	Schadt
Breen	Gillespie	Kirketeg	Shaw
Corwin	Goetsch	Levis	Smith
Dean	Grunewald	Lundy	Stevens
Dewey	Guernsey	Mighell	Stewart
Donohue	Hart	Miller	Whitehill
Doran	Hill	Millhone	Zeigler
Edwards	Hoeven		

Nays, none.

Absent or not voting, 12:

Baldwin	Billingsley	Elthon	Mason
Bell of Crawford	Byers	Gillette	Moore
Bell of Des Moines	Chrystal	Kimberly	Parker

The Senate insisted on its amendments.

Senator Hopkins moved that the rules be suspended and that the President appoint the committee, on the part of the Senate, to confer on House File 133.

The motion prevailed, and the President appointed Senators Edwards, Doran, Augustine and Ellis as the conference committee on the part of the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Beardsley called up for consideration Senate Joint Resolution 4, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 3 by striking lines five and six thereof.

Amend by striking Section 4.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 38:

Augustine	Doran	Hill	Miller
Beardsley	Edwards	Hoeven	Millhone
Bell of Crawford	Ellis	Hopkins	Murray
Berg	Evans	Husted	Schadt
Byers	Geske	Irwin	Shaw
Chrystal	Gillespie	Kirketeg	Smith
Corwin	Gillette	Levis	Stewart
Dean	Goetsch	Lundy	Whitehill
Dewey	Grunewald	Mighell	Zeigler
Donohue	Guernsey		

Nays, none.

Absent or not voting, 12:

Baldwin	Breen	Kimberly	Parker
Bell of Des Moines	Elthon	Mason	Pelzer
Billingsley	Hart	Moore	Stevens

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On motion of Senator Beardsley, Senate Joint Resolution 4, a joint resolution relating to the Greater Iowa Commission, request-

ing the cooperation of appropriate governmental agencies, and making an appropriation therefor, as amended, was taken up and considered.

Senator Beardsley moved that the resolution be read a third time now, which motion prevailed and the resolution was read a third time.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 43:

Augustine	Dewey	Guernsey	Mighell
Beardsley	Donohue	Hart	Miller
Bell of Crawford	Doran	Hill	Millhone
Bell of	Edwards	Hoeven	Murray
Des Moines	Ellis	Hopkins	Schadt
Berg	Evans	Husted	Shaw
Breen	Geske	Irwin	Smith
Byers	Gillespie	Kimberly	Stevens
Chrystal	Gillette	Levis	Stewart
Corwin	Goetsch	Lundy	Whitehill
Dean	Grunewald	Mason	Zeigler

Nays, none.

Absent or not voting, 7:

Baldwin	Elthon	Moore	Pelzer
Billingsley	Kirketeg	Parker	

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gillespie called up for consideration Senate File 164, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 2 by adding a period after the word "drugs" in line 15, and striking the words "and chemicals".

Amend Section 5 by adding after the figures "(157)" in line 13 the words "and commercial feeds as defined in Chapter one hundred fifty-two (152)".

Amend by striking Section 6 and renumbering the remaining sections.

Amend the title by striking from line 8 the words "to provide for licensing the sale of certain such poisons by persons not registered pharmacists;"

On the question, "Shall the Senate concur?" the vote was:

Ayes, 45:

Augustine	Berg	Corwin	Edwards
Beardsley	Billingsley	Dean	Ellis
Bell of Crawford	Breen	Dewey	Evans
Bell of	Byers	Donohue	Geske
Des Moines	Chrystal	Doran	Gillespie

Gillette	Hopkins	Mighell	Schadt
Goetsch	Husted	Miller	Shaw
Grunewald	Irwin	Millhone	Stevens
Guernsey	Kirketeg	Murray	Stewart
Hart	Levis	Parker	Whitehill
Hill	Lundy	Pelzer	Zeigler
Hoeven	Mason		

Nays, none.

Absent or not voting, 5:

Baldwin	Kimberly	Moore	Smith
Elthon			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Gillespie, Senate File 164, a bill for an act to repeal Sections thirty-one seventy-four (3174) to thirty-one seventy-seven-b one (3177-b1), inclusive, of the Iowa Code, 1935, relating to the sale of poisons and the distribution thereof, and enacting a substitute for Sections thirty-one seventy-four (3174) to thirty-one seventy-seven-b one (3177--b1), inclusive, relating to the sale of certain poisons; the conditions under which they may be sold; to provide for the labeling of same; and to provide certain exemptions, as amended, was taken up and considered.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dean	Guernsey	Miller
Beardsley	Dewey	Hill	Millhone
Bell of Crawford	Donohue	Hoeven	Murray
Bell of	Doran	Hopkins	Parker
Des Moines	Edwards	Husted	Pelzer
Berg	Ellis	Irwin	Schadt
Billingsley	Geske	Kirketeg	Smith
Breen	Gillespie	Levis	Stewart
Byers	Gillette	Mason	Whitehill
Chrystal	Grunewald	Mighell	Zeigler
Corwin			

Nays, none.

Absent or not voting, 10:

Baldwin	Goetsch	Lundy	Shaw
Elthon	Hart	Moore	Stevens
Evans	Kimberly		

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

By unanimous consent on request of Senator Stewart, consideration of House File 457 was deferred at this time, the bill to retain its place on the calendar.

By unanimous consent, consideration of House Files 4 and 193 was deferred, the bills to retain their places on the calendar.

On motion of Senator Berg, Senate File 439, relating to a stamp tax on cigarettes, reported out by the sifting committee, was taken up and considered.

By unanimous consent on request of Senator Byers, the rules were suspended and Senate File 465 was withdrawn from the sifting committee and placed on the calendar.

Senator Byers moved that the rules be suspended and that Senate File 465 be substituted for Senate File 439, which motion prevailed.

On motion of Senator Berg, Senate File 465, a bill for an act to repeal all of Chapter seventy-eight (78), Code, 1935, except Sections one thousand five hundred fifty-two (1552) to one thousand five hundred fifty-six (1556), inclusive, Sections one thousand five hundred eighty-five (1585) and one thousand five hundred eighty-six (1586), Code, 1935, and to amend Section one thousand five hundred fifty-two (1552), Code, 1935, all relating to the tax and restrictions upon the sale of cigarettes, cigarette papers and tubes, and to enact a substitute therefor relating to the same subject matter; to impose a stamp tax upon cigarettes, cigarette papers and tubes; to require permits for manufacturers, distributors, and wholesalers of, and retail dealers in cigarettes, cigarette papers and tubes; to provide for the enforcement and administration of said tax; and to provide penalties for the violation of the provisions of this act, was taken up and considered.

Senator Berg offered the following amendments and moved their adoption:

Amend Senate File 465 as follows:

1. Strike the period at the end of Section six thereof and insert in lieu thereof a comma and add after said comma the following: "and prima facie evidence that such cigarettes were possessed for the purpose of being sold or removed by him in violation of this act."

2. Strike the word "report" in line two of Section seventeen and insert in lieu thereof the word "permit".

The amendments were adopted.

Senator Billingsley offered the following amendment and moved its adoption:

Amend Senate File 465, Section five (5), paragraph three (3), by striking the period (.) after the word "design" in line twenty-three (23), and substituting in lieu thereof the following: "except for philatelic purposes."

The amendment was adopted.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Edwards	Hoeven	Murray
Baldwin	Ellis	Hopkins	Parker
Beardsley	Evans	Husted	Pelzer
Berg	Geske	Irwin	Schadt
Billingsley	Gillespie	Kirketeg	Shaw
Byers	Gillette	Levis	Smith
Dean	Goetsch	Lundy	Stevens
Dewey	Grunewald	Mighell	Stewart
Donohue	Guernsey	Miller	Whitehill
Doran	Hill	Millhone	Zeigler

Nays, none.

Absent or not voting, 10:

Bell of Crawford	Breen	Elthon	Mason
Bell of	Chrystal	Hart	Moore
Des Moines	Corwin	Kimberly	

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

Senator Berg moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled, Senate Files 89 and 185.

FRANK PELZER, *Chairman Senate Committee.*
JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 89 and 185.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 9th day of April, 1937, sent to the governor for his approval, Senate Files 89 and 185. FRANK PELZER, *Chairman.*

Passed on file.

Senator Gillette moved that House File 33 be withdrawn from the sifting committee and placed on the calendar.

On motion of Senator Byers, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

Senator Elthon moved the previous question on the motion to withdraw House File 33 from the sifting committee, which motion prevailed.

On the question, "Shall House File 33 be withdrawn from the sifting committee?" the vote was:

Ayes, 24:

Augustine	Dewey	Hill	Millhone
Bell of Crawford	Ellis	Hoeven	Murray
Bell of	Elthon	Hopkins	Shaw
Des Moines	Gillespie	Mason	Smith
Breen	Goetsch	Mighell	Stevens
Chrystal	Guernsey	Miller	Stewart
Dean			

Nays, 20:

Baldwin	Corwin	Gillette	Parker
Beardsley	Donohue	Grunewald	Pelzer
Berg	Doran	Hart	Schadt
Billingsley	Edwards	Husted	Whitehill
Byers	Geske	Lundy	Zeigler

Absent or not voting, 6:

Evans	Kimberly	Levis	Moore
Irwin	Kirketeg		

The motion did not prevail, 30 votes being required to withdraw a bill from the sifting committee.

Senator Doran moved that the vote by which the motion by Senator Gillette failed to prevail be reconsidered and the motion to reconsider be laid on the table.

Roll call was requested.

On the question, "Shall the motion to reconsider prevail?" the vote was:

Ayes, 18:

Berg	Doran	Husted	Pelzer
Billingsley	Edwards	Kirketeg	Schadt
Byers	Geske	Lundy	Whitehill
Corwin	Grunewald	Parker	Zeigler
Donohue	Hart		

Nays, 27:

Augustine	Chrystal	Goetsch	Miller
Baldwin	Dean	Guernsey	Millhone
Beardsley	Dewey	Hill	Murray
Bell of Crawford	Ellis	Hoeven	Shaw
Bell of	Elthon	Hopkins	Smith
Des Moines	Gillespie	Mason	Stevens
Breen	Gillette	Mighell	Stewart

Absent or not voting, 5:

Evans	Kimberly	Levis	Moore
Irwin			

The motion failed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 144, a bill for an act relating to appeals from assessment of damages made by condemnation commissioners.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 160, a bill for an act relating to the revaluation and reassessment of real estate in other than real estate taxing years.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 212, a bill for an act to create a State Planning Board.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 227, a bill for an act making an emergency appropriation for the purpose of paying the expense of reporting fires, and for inspection of state owned liquor stores.

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

Senate File 355, a bill for an act legalizing corporate renewal of Farmers Mutual Fire and Lightning Insurance Association of Winneshiek County.

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

House File 319, a bill for an act relative to compensation of public school officers.

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

House File 398, a bill for an act relating to the duties of the state printing board.

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

House File 433, a bill for an act to legalize payments authorized to be made by Boards of Supervisors for publication of proceedings of said boards and delinquent tax lists in official newspapers.

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

House File 483, a bill for an act to make an appropriation to the National Guard of Iowa for rehabilitation of water supply at Camp Dodge.

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

House File 534, a bill for an act authorizing counties to expend any balance remaining from the proceeds of the sale of primary road bonds for road purposes.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 160

Amend by adding the following as a new section, to be numbered Section 8:

"Sec. 8. Nothing in this act shall affect pending applications and appeals before the Iowa State Board of Assessment and Review."

Further amend by renumbering the remaining section.

HOUSE AMENDMENTS TO SENATE FILE 212

Amend Section 10 by striking all of said section after the word "in" in line 3, and inserting in lieu thereof the following: "The Northwood Anchor, a newspaper published in Northwood, Iowa, and in the Tipton Conservative, a newspaper published in Tipton, Iowa."

HOUSE AMENDMENTS TO SENATE FILE 227

Amend by striking Section 2.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 447, 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; 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; to repeal Senate File 1 enacted by the 46th General Assembly of Iowa in Extraordinary Session; to repeal Senate File 191 of the 47th General Assembly of Iowa; and to repeal Acts in conflict herewith, and for other purposes, reported out by the sifting committee, was taken up and considered.

By unanimous consent on request of Senator Stevens, the rules were suspended and Hon. Claude Stanley, was invited to explain Senate File 447 to the Senate.

Senator Stevens offered the following amendments and moved their adoption:

Amend Senate File 447 as follows:

1. Amend Sec. 5(d) by inserting a comma after the word "which" at the end of line 10.
2. By adding after the word "decision" in the 6th line of Sec. 6(c) the following words "of the Commission".
3. By adding after the word "Commission" as it first appears in line 1 of Sec. 6(e) the word "Review".
4. By striking all after the period following the word "tribunal" in line 12 of Sec. 6(e) to and including the word "section" in line 14 of Sec. 6(e), and inserting in lieu thereof the following: "Any proceeding so removed to the Commission shall be heard in accordance with the requirements of Sec. 6(c), by the full membership of the Commission, or, in the absence or disqualification of the labor representative or the employer representative on the Commission, by the public representative acting alone".
5. By striking the word "qualifies" in line 16 in Sec. 10(a), and adding in lieu thereof the word "qualified".
6. Amend Sec. 14(a) by striking from line 7 the words "general rules" and inserting in lieu thereof the word "regulations".

The amendments were adopted.

Senator Stevens offered the following amendments and moved their adoption:

Amend the title to Senate File 447 by striking from lines 20, 21 and 22 the following: "to repeal Senate File 1 enacted by the 46th General Assembly of Iowa in Extraordinary Session: to repeal Senate File 191 of the 47th General Assembly of Iowa;" and to insert in lieu thereof the following: "to amend and reenact all of the provisions of Senate File 1 enacted by the 46th General Assembly of Iowa in Extraordinary Session, as amended by Senate File 191 of the Acts of the 47th General Assembly of Iowa, to conform to the provisions of this act;"

Amend Senate File 447 by striking therefrom Sec. 25, and inserting in lieu thereof: "Sec 25. The provisions of Senate File 1 of the 46th General Assembly of Iowa in Extraordinary Session, as amended by Senate File 191 of the 47th General Assembly of Iowa, are hereby amended and reenacted to conform to the provisions of this Act as hereinbefore set out. All act or parts of acts in conflict herewith are hereby repealed insofar as they are inconsistent with the provisions of this act, and of the provisions of Senate File 1 of the 46th General Assembly of Iowa in Extraordinary Session, as amended by Senate File 191 of the 47th General Assembly of Iowa, as herein amended and reenacted."

The amendments were adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 447, Section nine (9) -c by placing a period after the word "comptroller" in line seventeen (17) and striking the words "and the counter signature of a member of the commission or its duly authorized agent for that purpose" in lines seventeen (17), eighteen (18) and nineteen (19).

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Section 19 m of Senate File 447 by striking the following therefrom: "gratuities customarily received by the individual in the course of his employment from persons other than his employing unit shall be treated as wages payable by his employing unit".

By unanimous consent on request of Senator Stevens, the rules were suspended and the Honorable Claude Stanley was asked to explain the anticipated effect of the pending amendment.

The amendment was adopted.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 447, Section 19m, by striking from lines 8 and 9 thereof the following: ", and the reasonable amount of gratuities,".

The amendment was adopted.

Senator Hoeven offered the following amendments and moved their adoption:

Amend Senate File 447 as follows:

1. Amend Section eleven-d (11-d) of Senate File 447 by adding after the word "compensation", in line 3 thereof, the words, ", but not to exceed for any employee twenty-four hundred dollars (\$2400.00) per year except the compensation for certified public accountants, legal counsel and actuaries which shall not exceed thirty-six hundred dollars (\$3600.00) per year."

2. Amend Section eleven-d (11-d) of Senate File 447 by adding thereto the following: "Not more than sixty per cent of the employees of the said commission shall be members of any one political party."

By unanimous consent, Hon. Claude Stanley was asked to explain the pending amendments.

Senator Donohue moved the previous question on the pending amendments, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 28:

Beardsley	Doran	Hoeven	Pelzer
Berg	Edwards	Hopkins	Schadt
Billingsley	Evans	Husted	Shaw
Byers	Goetsch	Kirketeg	Smith
Corwin	Grunewald	Lundy	Stewart
Dewey	Hart	Millhone	Whitehill
Donohue	Hill	Parker	Zeigler

Nays, 14:

Augustine	Dean	Guernsey	Miller
Baldwin	Ellis	Mason	Murray
Breen	Elthon	Mighell	Stevens
Chrystal	Gillespie		

Absent or not voting, 8:

Bell of Crawford	Geske	Irwin	Levis
Bell of Des Moines	Gillette	Kimberly	Moore

The amendments were adopted.

Senator Parker offered the following amendment and moved its adoption:

Amend Senate File 447, Section twenty-six (26) by inserting the following newspapers: "Bulletin-Journal", a newspaper published at "Independence, Iowa"; and "The Press", a newspaper published at "Manchester, Iowa".

The amendment was adopted.

By unanimous consent, Senator Gillespie withdrew his amendments, which appear on page 898 of the Senate Journal.

Senator Gillespie offered the following amendment and moved its adoption:

Amend Senate File four hundred forty-seven (447) as follows:

Amend Section 4 (e) by striking the period at the end of line four (4) and inserting in lieu thereof a comma and adding thereafter the following:

"or he has had employment by an employer, or employers, in not less than fifteen (15) different weeks (not necessarily consecutive) within the fifty-two (52) weeks immediately preceding the termination of his employment by an employer."

By unanimous consent, Honorable Claude Stanley was invited to explain the pending amendment to the Senate.

The amendment was not adopted.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 447, Section 7 (c), by striking all of lines 29 to 63 inclusive.

Senator Beardsley moved the previous question on the pending amendment, which motion prevailed.

Roll call was requested.

Senator Doran moved that further consideration of Senate File 447 be postponed until Tuesday morning at 10:00 o'clock. The motion prevailed.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 33 failed to be withdrawn from the sifting committee. L. S. GILLETTE.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 447 by striking from line eight of Section 8 (b) the word "eight" and inserting in lieu thereof the word "one".
HUGH W. LUNDY.

MR. PRESIDENT: I move to amend House File 171, Section 1, by striking the period in line seven and adding the following: "and the cost thereof shall be paid out of the general fund of the state of Iowa."
HOWARD C. BALDWIN.

MR. PRESIDENT: I move to amend Senate File 432 by striking therefrom all of Section 19 (m) following the period in line four (4).
A. J. SHAW.

MR. PRESIDENT: I move to amend Senate File 426 by striking from Section three (3) thereof immediately following the word "required" the period (.), and substituting in lieu thereof the following: "where the same appears the second time in said paragraph of said section 8940."
E. P. DONOHUE.

MR. PRESIDENT: I move to amend Senate File 340 by striking Section two (2) therefrom.
JOHN BERG.

MR. PRESIDENT: We move to amend Senate File 461 by renumbering Sections twenty-five and twenty-six and inserting after Section twenty-four the following Section twenty-five:

"Sec. 25. Section six thousand nine hundred forty-three-f twenty-nine (6943-f29), Code, 1935, is hereby amended by inserting after the word 'business' in line nineteen thereof the words 'carried on'; and by striking the period at the end of line thirty-three thereof and inserting in lieu thereof a comma, and by adding after said comma the following:

'but in all cases in which such rule is equitable, that part of the net income attributable to business within this state shall be that proportion of the total net income which the gross income received by reason of business carried on from, by, or through offices, agencies, or branches in this state bears to the total gross income of the taxpayer.'"

SPECIAL COMMITTEE ON TAX REVISION,

By JOHN BERG, *Chairman*.

MR. PRESIDENT: We move to amend Senate File 461 as follows:

1. Amend Section twenty-three by inserting after the word "cases" in line eleven thereof the following: ", and the amendments made by Sections sixteen and seventeen shall apply to all returns heretofore and hereafter filed, even though the two year period, which was prescribed in subsection one of Section 6943-f21 prior to such amendments, has already expired."

2. Amend Section twenty-four by striking the word "the" before the word "state" both in line seven and in line nine, and inserting in lieu thereof in each line the word "any".

SPECIAL COMMITTEE ON TAX REVISION,

By JOHN BERG, *Chairman*.

MR. PRESIDENT: We move to amend Senate File 462 as follows:

1. Amend Section five by inserting after the word "nonresident" in line fifty-five thereof the following: ", without requiring the nonresident to file a claim for refund".

2. Amend Section eight by striking from lines ten and eleven thereof the words "the expiration of thirty days from the effective date of this act" and inserting in lieu thereof the words and figures "June 30, 1937".

SPECIAL COMMITTEE ON TAX REVISION,

By JOHN BERG, *Chairman*.

Senator Hoeven moved that when the Senate adjourn, it be until 10:00 a. m. Monday, which motion prevailed.

INTRODUCTION OF BILLS

Senate File 483, by committee on appropriations, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1937, and ending June 30, 1939, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium.

Read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 319, a bill for an act to amend Section forty-two

hundred thirty-nine-a three (4239-a3), Code, 1935, relative to compensation of public school officers.

Read first and second times and referred to sifting committee.

House File 398, a bill for an act to amend Section eleven thousand one hundred six (11106), Code, 1935, relating to the duties of the state printing board.

Read first and second times and referred to sifting committee.

House File 433, a bill for an act to legalize the payments authorized to be made by boards of supervisors for publication of proceedings of boards of supervisors and delinquent tax lists in official newspapers.

Read first and second times and referred to sifting committee.

House File 483, a bill for an act to make an appropriation to the National Guard of Iowa for the rehabilitation of the water supply system at Camp Dodge.

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

House File 534, a bill for an act to authorize counties to expend any balance remaining from the proceeds of the sale of primary road bonds for road purposes.

Read first and second times and referred to sifting committee.

The Journal of April 8th was corrected and approved.

On motion of Senator Breen, the Senate adjourned until 10:00 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 12, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. L. L. Bond, pastor of the First Presbyterian Church of Knoxville.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Corwin, from voters of Louisa and Des Moines counties, opposing legislation to raise license fees on commercial vehicles, and more especially opposing the proposed ton-mile tax.

By Senator Lundy, from voters of Marion county, favoring enactment of House File 238, and opposing enactment of Senate File 197.

PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proofs of publication of the following:

House File 314, a proposed bill authorizing certain towns to levy additional tax for amount due on electric light contracts.

House File 457, a proposed bill to legalize payment made by the city of Waukon.

WALTER H. BEAM, *Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files 51 and 341.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 51 and 341.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on April 8, 1937, he had approved the following:

Senate File 118, relating to transfer of funds of Boone county.

Senate File 218, providing for use of unexpended library funds.

Senate File 219, relating to control of fines and rentals collected by public libraries.

Senate File 297, relating to fees for teachers' certificates.

Senate File 301, an act to legalize expenditures in Taylor county.

FORMER SENATORS VISIT SENATE

Senators Pendray and Calhoun were present in the Senate Chamber and, by unanimous consent, were invited to address the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 15, relative to a permit for a radio station at Roland, Iowa.

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

Senate File 167, a bill for an act providing for payment of certain taxes in installments where property has been sold to county.

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

Senate File 215, a bill for an act legalizing corporate acts and renewal of Greeley Mutual Fire Insurance Association.

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

Senate File 234, a bill for an act to make an appropriation to Muscatine county, Iowa, and Louisa county, Iowa.

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

Senate File 243, a bill for an act granting to the city of Davenport title to bed and banks of the Mississippi within certain boundaries.

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

Senate File 265, a bill for an act legalizing act of board of supervisors of Muscatine county, Iowa.

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

Senate File 425, a bill for an act legalizing proceedings of board of supervisors of Palo Alto county, and an election in said county.

Also: That the Speaker has appointed as the conference committee, on the part of the House, on House File 133, a bill for an act to change the name of the Board of Railroad Commissioners to the State Transportation Commission: Representatives Dancer, Fox, Blue and McFatrige.

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

House File 165, a bill for an act to provide for the establishment of benefited water districts.

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

House File 258, a bill for an act relating to the chief of fire department in cities under manager plan.

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

House File 302, a bill for an act relating to civil liability of radio broadcasting stations for radio defamation.

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

House File 454, a bill for an act relating to official newspapers.

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

House File 484, a bill for an act relating to trusts created as part of plan of reorganization of banks and trust companies.

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

House File 496, a bill for an act relating to suspension of taxes on property of recipients of old age assistance.

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

House File 519, a bill for an act to appropriate \$1000.00 to repair, re-finish, clean and inspect Iowa monument in the National Cemetery at Andersonville, Georgia.

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

House File 527, a bill for an act making an appropriation for national encampment of the G. A. R.

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

House File 531, a bill for an act to extend the date of expiration of motor vehicle operators' licenses.

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

House File 533, a bill for an act providing that petitions for road assessment districts may be signed by nonresident land owners.

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

House File 538, a bill for an act to legalize the notarial acts of R. A. Hawk.
A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 15

Whereas, N. B. Egeland, of Roland, Iowa, has, or is about to make application to the Federal Communications Commission for a license to construct, own and operate a one hundred—two hundred and fifty (100-250) watt transmitter radio broadcasting station at Roland, Iowa; and

Whereas, the applicant was stricken with severe attacks of arthritis when in his teens, due to an injury suffered when a child, and at the age of twenty-two he became confined in bed and has been so confined ever since, it being a period of fourteen years, and is now, and will continue to be in the future, paralyzed, and

Whereas, N. B. Egeland has become skilled in the technique of radio, and has by his wide and diversified reading become well educated, particularly along religious lines; and

Whereas, the said N. B. Egeland is desirous of establishing for himself a business which will be remunerative enough to provide him a living; and

Whereas, if a license is granted to the said N. B. Egeland, and a board-casting station is established, that the programs emanating therefrom will be of distinct interest and of an educational and religious character, and will be of particular value to the listeners. Now, therefore,

Be It Resolved by the House, the Senate concurring: That the Federal Communications Commission are respectfully requested to grant to the said N. B. Egeland a permit, authorizing him to construct, own and

operate a radio station at Roland, Iowa, under such terms and conditions as said Federal Communications Commission shall see fit to impose.

Be It Further Resolved: That a copy of this resolution be sent to the Federal Communications Commission at Washington, D. C.

HOUSE MESSAGES CONSIDERED

House File 165, a bill for an act to repeal Chapter two hundred eighty-two (282) of the Code of Iowa, 1935; to provide for the establishment of benefited water districts and the construction of a water system to serve such district; to provide for submission of the question of the establishment of such district and the construction of said system to the voters in such district and to create a board of trustees to supervise and manage such system; to provide for the issuance of bonds for the purpose of constructing said system and for a levy of a tax to retire said bonds and to pay the cost of upkeep and maintenance of such system.

Read first and second times and referred to sifting committee.

House File 258, a bill for an act to amend Section fifty-six hundred ninety-four (5694) of the Code, 1935, relating to the chief of fire department in cities under the manager plan.

Read first and second times and referred to sifting committee.

House File 302, a bill for an act in relation to the civil liability of owners, lessees, licensees and operators of radio broadcasting stations and the agents and employees of any such owner, lessee, licensee or operator, for radio defamation.

Read first and second times and referred to sifting committee.

House File 454, a bill for an act to amend Chapter 274, Code of Iowa, 1935; to add a new section providing a definition of a bona fide subscriber, and legalizing carrier subscriptions; all relating to official newspapers and relating to counties divided into two divisions for court purposes.

Read first and second times and referred to sifting committee.

House File 484, a bill for an act to amend Chapter four hundred fifteen (415), Code, 1935, and providing for the method and manner of handling and terminating trusts created as a part of the plan of reorganization of state banks, savings banks and trust companies, and providing the manner and method of liquidation

and distribution of the assets, the appointment of the superintendent of banking as receiver, the designation of the attorney general or assistants as attorney for the superintendent of banking in the liquidation and distribution; providing the method and manner of filing claims against the state sinking fund for public deposits; providing rules of construction, and providing that insofar as the provisions of this act shall conflict with any other act or parts thereof the provisions of this act shall govern.

Read first and second times and referred to sifting committee.

House File 496, a bill for an act to repeal Section sixty-nine hundred fifty-g one (6950-g1), Code, 1935, and enact a substitute therefor, relating to the suspension of taxes on property of recipients of old age assistance.

Read first and second times and referred to sifting committee.

House File 519, a bill for an act to appropriate the sum of five hundred (\$500.00) dollars to repair, refinish, clean and inspect the damage done by lightning, to the Iowa Monument in the National Cemetery at Andersonville, Georgia, to authorize the Governor to appoint a commission to supervise and inspect such repair, refinishing and cleaning, and to appropriate not to exceed five hundred (\$500.00) dollars to pay the expenses of such commission.

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

House File 527, a bill for an act making an appropriation for the purpose of aiding in defraying the expenses of a national encampment of the Grand Army of The Republic to be held in this state.

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

House File 531, a bill for an act to extend the date of expiration of motor vehicle operators' licenses, and to this end to amend Section forty-nine hundred sixty-d thirty (4960-d30), Code, 1935.

Read first and second times and referred to sifting committee.

House File 533, a bill for an act to amend Section four thousand seven hundred forty-six (4746), providing that petitions for

road assessment districts may be signed by non-resident land owners.

Read first and second times and referred to sifting committee.

House File 538, a bill for an act to legalize the notarial acts of R. A. Hawk.

Read first and second times and referred to sifting committee.

By unanimous consent, on request of Senator Donohue, consideration of Senate File 87 was deferred at this time.

HOUSE AMENDMENTS CONSIDERED

Senator Levis called up for consideration Senate File 227, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking Section 2.

On the question, "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 32:

Baldwin	Edwards	Hoeven	Miller
Beardsley	Elthon	Hopkins	Millhone
Berg	Evans	Husted	Murray
Byers	Gillespie	Irwin	Schadt
Corwin	Goetsch	Kirketeg	Shaw
Dean	Grunewald	Levis	Stevens
Dewey	Guernsey	Lundy	Whitehill
Donohue	Hill	Mighell	Zeigler

Absent or not voting, 18:

Augustine	Breen	Gillette	Parker
Bell of Crawford	Chrystal	Hart	Pelzer
Bell of	Doran	Kimberly	Smith
Des Moines	Ellis	Mason	Stewart
Billingsley	Geske	Moore	

The House amendment having failed to receive a constitutional majority was declared not to have been adopted and concurred in by the Senate.

Senator Evans called up for consideration Senate File 212, amended by the House, and moved that the Senate concur in the following amendment:

Amend Section 10 by striking all of said section after the word "in" in line 3, and inserting in lieu thereof the following: "The Northwood

Anchor, a newspaper published in Northwood, Iowa, and in the Tipton Conservative, a newspaper published in Tipton, Iowa."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 32:

Augustine	Edwards	Hoeven	Millhone
Baldwin	Elthon	Hopkins	Murray
Berg	Evans	Irwin	Pelzer
Billingsley	Gillespie	Kirketeg	Schadt
Byers	Goetsch	Levis	Shaw
Corwin	Grunewald	Lundy	Stevens
Dewey	Guernsey	Mighell	Whitehill
Donohue	Hill	Miller	Zeigler

Nays, none.

Absent or not voting, 18:

Beardsley	Chrystal	Gillette	Moore
Bell of Crawford	Dean	Hart	Parker
Bell of	Doran	Husted	Smith
Des Moines	Ellis	Kimberly	Stewart
Breen	Geske	Mason	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Evans, Senate File 212, a bill for an act to create a State Planning Board, to prescribe its powers and duties and to amend Section three hundred two (302), Code, 1935, as amended, was taken up and considered.

Senator Evans moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Augustine	Dean	Hill	Miller
Beardsley	Donohue	Hoeven	Millhone
Berg	Edwards	Hopkins	Murray
Billingsley	Elthon	Irwin	Schadt
Breen	Gillespie	Kirketeg	Shaw
Byers	Grunewald	Levis	Stevens
Corwin	Guernsey	Mighell	Whitehill

Nays, 2:

Dewey Zeigler

Absent or not voting, 20:

Baldwin	Bell of	Doran	Geske
Bell of Crawford	Des Moines	Ellis	Gillette
	Chrystal	Evans	Goetsch

Hart
Husted
Kimberly

Lundy
Mason
Moore

Parker
Pelzer

Smith
Stewart

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

On motion of Senator Donohue, House File 193, a bill for an act to amend Sections eighty-five hundred eighty-one-c eight (8581-c8), eighty-five hundred eighty-one-c ten (8581-c10) and eighty-five hundred eighty-one-c eleven (8581-c11), Code, 1935, relating to the registration of securities by qualification, the revocation of same, and the registration of dealers and salesmen, all under the Iowa Securities Act, reported out by the sifting committee, was taken up and considered.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Augustine
Baldwin
Berg
Billingsley
Byers
Corwin
Dewey
Donohue

Doran
Edwards
Evans
Gillespie
Goetsch
Grunewald
Guernsey
Hill

Hoeven
Hopkins
Irwin
Kirketeg
Levis
Mighell
Miller
Millhone

Murray
Pelzer
Schadt
Shaw
Stewart
Whitehill
Zeigler

Nays, none.

Absent or not voting, 19:

Beardsley
Bell of Crawford
Bell of
Des Moines
Breen

Chrystal
Dean
Ellis
Elthon
Geske

Gillette
Hart
Husted
Kimberly
Lundy

Mason
Moore
Parker
Smith
Stevens

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

On motion of Senator Husted, House File 4, by Bowers, a bill for an act to amend Section thirteen thousand two hundred ten (13210), Code, 1935, relating to the possession of gambling devices, reported out by the sifting committee, was taken up and considered.

Senator Baldwin moved that further consideration of House File 4 be postponed until Monday, April 19th.

Senator Zeigler moved the previous question on the motion by Senator Baldwin, which motion prevailed.

On the question, "Shall consideration of House File 4 be postponed?" the vote was:

Ayes, 10:

Baldwin	Doran	Goetsch	Murray
Berg	Evans	Irwin	Stewart
Billingsley	Gillespie		

Nays, 26:

Beardsley	Elthon	Levis	Pelzer
Breen	Grunewald	Lundy	Schadt
Byers	Hill	Mason	Shaw
Dean	Hoeven	Mighell	Stevens
Dewey	Hopkins	Miller	Whitehill
Edwards	Husted	Millhone	Zeigler
Ellis	Kirketeg		

Absent or not voting, 14:

Augustine	Chrystal	Gillette	Moore
Bell of Crawford	Corwin	Guernsey	Parker
Bell of	Donohue	Hart	Smith
Des Moines	Geske	Kimberly	

The motion did not prevail.

Senator Baldwin called up the following amendment:

Amend House File 4 as follows:

Strike all after the enacting clause and insert the following:

Section 1. Section thirteen thousand two hundred ten (13210), Code, 1935, is amended by striking the period at the end of line six (6) and inserting in lieu thereof the following: "or any other machine used for gambling, or any slot machine except those slot machines which are constructed, used, and operated for the sole purpose of vending merchandise, games of skill and amusements such as pin games and rotary merchandise machines.

Senator Baldwin offered the following amendment to the pending amendment and moved its adoption:

Amend the Baldwin amendment to House File 4 by striking the words "such as pin games and rotary merchandise machines" in lines six and seven thereof.

The amendment to the amendment was adopted.

By unanimous consent, on request of Senator Baldwin, the amendment was corrected by striking the word "amusements" and inserting in lieu thereof the word "amusement".

Senator Baldwin moved the adoption of the amendment, as amended.

Senator Hopkins moved the previous question on the amendment as amended, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment as amended be adopted?" the vote was:

Ayes, 12:

Augustine	Billingsley	Evans	Irwin
Baldwin	Byers	Gillespie	Parker
Berg	Doran	Goetsch	Schadt

Nays, 21:

Beardsley	Grunewald	Levis	Pelzer
Dean	Hoeven	Lundy	Shaw
Dewey	Hopkins	Miller	Stewart
Edwards	Husted	Millhone	Whitehill
Ellis	Kirketeg	Murray	Zeigler
Elthon			

Absent or not voting, 17:

Bell of Crawford	Corwin	Hart	Mighell
Bell of Des Moines	Donohue	Hill	Moore
Breen	Geske	Kimberly	Smith
Chrystal	Gillette	Mason	Stevens
	Guernsey		

The amendment was not adopted.

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine	Donohue	Hoeven	Millhone
Beardsley	Doran	Hopkins	Parker
Berg	Edwards	Husted	Pelzer
Breen	Ellis	Kirketeg	Schadt
Byers	Elthon	Levis	Shaw
Corwin	Grunewald	Lundy	Stewart
Dean	Guernsey	Mighell	Whitehill
Dewey	Hill	Miller	Zeigler

Nays, 4:

Baldwin	Gillespie	Goetsch	Irwin
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Present, 1:

Murray

Absent or not voting, 13:

Bell of Crawford	Chrystal	Hart	Moore
Bell of Des Moines	Evans	Kimberly	Smith
Billingsley	Geske	Mason	Stevens
	Gillette		

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

Senator Husted moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Berg, Senate File 340, a bill for an act to appropriate funds with which to remove Police Radio Station KNFN from Waterloo to Cedar Falls and to install it in housing facilities to be furnished to the State by the city of Cedar Falls and local bodies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend by striking Section 2 therefrom.

The amendment was adopted.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Dewey	Guernsey	Miller
Baldwin	Donohue	Hill	Murray
Beardsley	Doran	Hopkins	Pelzer
Berg	Edwards	Husted	Schadt
Billingsley	Ellis	Irwin	Shaw
Breen	Evans	Kirketeg	Stewart
Byers	Gillespie	Lundy	Whitehill
Corwin	Goetsch	Mighell	Zeigler
Dean	Grunewald		

Nays, none.

Absent or not voting, 16:

Bell of Crawford	Geske	Kimberly	Moore
Bell of Des Moines	Gillette	Levis	Parker
Chrystal	Hart	Mason	Smith
Elthon	Hoeven	Millhone	Stevens

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

Senator Berg moved that the vote by which the bill passed the

Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mason, Senate File 443, a bill for an act to make an appropriation to Harry R. Frankle, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Donohue	Hill	Millhone
Baldwin	Edwards	Hoeven	Murray
Beardsley	Ellis	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Billingsley	Evans	Irwin	Shaw
Breen	Gillespie	Kirketeg	Stevens
Byers	Goetsch	Mason	Stewart
Corwin	Grunewald	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey			

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Doran	Kimberly	Moore
Bell of	Geske	Levis	Parker
Des Moines	Gillette	Lundy	Smith
Chrystal	Hart		

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

On motion of Senator Mason, Senate File 446, a bill for an act to make an appropriation to Ella Talbott, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On motion of Senator Doran, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 144, 164 and 355, and Senate Joint Resolution 4.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 144, 164, 355 and Senate Joint Resolution 4.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 12th day of April, 1937, sent to the Governor for his approval, Senate Files 144, 164, 355, and Senate Joint Resolution 4.

FRANK PELZER, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Beardsley, House File 119, by Love, a bill for an act extending the time in which to pay, without penalty, the first installment of all taxes payable in 1937, and to provide for interest on said installment in case payment is not made within the time specified, reported out by the sifting committee, was taken up and considered.

Senator Beardsley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Baldwin	Donohue	Goetsch	Kirketeg
Beardsley	Edwards	Grunewald	Levis
Berg	Ellis	Guernsey	Lundy
Billingsley	Elthon	Hill	Mason
Dean	Evans	Hopkins	Mighell
Dewey	Gillespie	Irwin	Miller

Millhone
Murray
Parker

Pelzer
Schadt

Shaw
Smith

Stewart
Whitehill

Nays, none.

Absent or not voting, 17:

Augustine
Bell of Crawford
Bell of
Des Moines
Breen

Byers
Chrystal
Corwin
Doran
Geske

Gillette
Hart
Hoeven
Husted

Kimberly
Moore
Stevens
Zeigler

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

INTRODUCTION OF BILLS

Senate File 484, by committee on claims, a bill for an act to make an appropriation to the estate of George Mogridge.

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

Senate File 485, by committee on claims, a bill for an act to make an appropriation to C. W. Storms.

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

Senate File 486, by committee on claims, a bill for an act to make an appropriation to Leo J. Wegman.

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

Senate File 487, by committee on claims, a bill for an act to make an appropriation to the Estate of Mrs. Alex Miller.

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

Senate File 488, by committee on claims, a bill for an act to make an appropriation to Ray Murray.

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

Senate File 489, by committee on claims, a bill for an act to make an appropriation to Edward L. O'Connor.

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

Senate File 490, by committee on claims, a bill for an act to make an appropriation to Louis H. Cook.

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

Senate File 491, by committee on claims, a bill for an act to make an appropriation to Louis Roddewig.

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

Senate File 492, by committee on claims, a bill for an act to make an appropriation to C. F. Green.

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

Senate File 493, by committee on claims, a bill for an act to make an appropriation to the Estate of John W. Foster.

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

Senate File 494, by committee on claims, a bill for an act to make an appropriation to the Estate of J. W. Reynolds.

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

Senate File 495, by committee on claims, a bill for an act to make an appropriation to B. C. Whitehill.

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

Senate File 496, by committee on claims, a bill for an act to make an appropriation to O. S. Von Krog.

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

Senate File 497, by committee on claims, a bill for an act to make an appropriation to Ray M. Hanchett.

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

Senate File 498, by committee on claims, a bill for an act to make an appropriation to R. E. Zerwick.

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

Senate File 499, by committee on claims, a bill for an act to make an appropriation to H. A. Mitchell.

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

Senate File 500, by committee on claims, a bill for an act to make an appropriation to Ray Murphy.

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

Senate File 501, by committee on claims, a bill for an act to make an appropriation to Hazel A. Todd.

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

Senate File 502, by committee on claims, a bill for an act to make an appropriation to Mr. and Mrs. Frank M. Burnell.

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

CONSIDERATION OF SENATE FILE 446 RESUMED

Senator Donohue moved to reconsider the vote by which Senate File 446 went to its third reading, which motion prevailed.

Senator Donohue moved that further consideration of Senate File 446 be postponed until Thursday at 10:00 a. m., which motion prevailed.

On motion of Senator Dewey, Senate File 450, by committee on conservation, a bill for an act relating to the powers, duties and jurisdiction of the state conservation commission, to amend Chapter eighty-five (85), Code, 1935, relating to licensing of boats and pilots and inspection, by repealing Section seventeen hundred

three-e eight (1703-e8) thereof, relating to rules and regulations of the state conservation commission, to amend Section seventeen hundred three-e ten (1703-e10) thereof, relating to penalties, to further amend said chapter by enacting laws to be included in said chapter pertaining to the operation and equipment of boats used for hire and other boats used upon state-owned waters, and to provide a penalty for the violation of such laws; to amend Chapter eighty-five-D one (85-D1), Code, 1935, relating to the state conservation commission, by repealing Section seventeen hundred three-g twenty-one (1703-g21) thereof and by repealing paragraphs five (5) and six (6) of Section seventeen hundred three-d twelve (1703-d12) thereof, relating to the specific powers of the state conservation commission, and to enact a substitute therefor, to repeal Section seventeen hundred three-e twelve (1703-e12) thereof, relating to publication and to enact a substitute therefor, to amend Section seventeen hundred three-d fifteen (1703-d15) thereof, relating to interpretation and limitations; to amend Chapter eighty-six-E one (86-E1), Code, 1935, relating to fish and game licenses, by amending Section seventeen hundred ninety-four-e ten (1794-e10) thereof, relating to form of license, and to amend Section seventeen hundred ninety-four-e twelve (1794-e12) thereof, relating to revocation or suspension of license; to amend Chapter eighty-six (86), Code, 1935, relating to propagation and protection of fish, game, wild birds and animals, by amending Section seventeen hundred eighty-nine (1789) thereof, relating to violations, and to enact laws to be added to said chapter pertaining to the protection of fish, game, wild birds and animals, and to the commercial taking or disposition thereof, and to provide a penalty for the violation of such laws; to amend Chapter eighty-seven (87), Code, 1935, relating to conservation and public parks, by repealing Section seventeen hundred ninety-nine-b one (1799-b1) thereof, pertaining to rules and regulations, and to enact laws to be added to said chapter prohibiting, restricting, or controlling the use by the public of state parks, preserves, or state-owned property or waters under the jurisdiction of the state conservation commission, reported out by the sifting committee, was taken up and considered.

By unanimous consent on request of Senator Dewey, Mr. Hutton was asked to explain Senate File 450 to the Senate.

Senator Gillette offered the following amendments and moved their adoption:

Amend Senate File 450 as follows:

1. Strike from page 5, Section 7, sub-section (b) and renumber the remaining sub-sections thereof.

2. Insert on page 5, Section 7, sub-section (c), following the word "class" in line 28, the words and figures "V and".

3. Strike from page 13, Section 32, line 5, the word "bluejay".

4. Strike from page 20, table A, all of line 27, fifth column, the number "10" and substitute in lieu thereof, the number "12".

5. Strike from page 20, table A, all of line 55. Insert following line 59 and immediately preceding line 60, the word "crappies".

Also in second column just opposite, insert the date "June 15 to November 30".

Also in third column, insert the figure "15".

Also in fourth column, insert the figure "30".

Also in fifth column, insert the figure and word "7 inches".

6. Strike from page 20, table A, line 60, second column, the date "May 15" and substitute in lieu thereof, the date "June 15".

7. Strike from page 25, all of Section 66 wrongly numbered 68.

8. Insert on page 29, Section 88, at the end of the third line thereof, the following: "Nothing in this section shall be construed to prevent the taking of mussels from any water for fish bait or food purposes".

By unanimous consent, Senator Gillette amended his amendment as follows:

Amend the pending amendment by inserting the following:

"5-a. Amend line 56 opposite the words "yellow perch" in column headed "open season" the words and figures "May 15th to November 30th"; in the column headed "daily catch limit" the figures "15"; in the column headed "possession limit" the figures "30"; and in the column headed "minimum length" the word and figure "7 inches".

The amendments, as amended were adopted, except amendment 8 which applies to Section 88.

By unanimous consent, Senator Gillette withdrew his amendment to Section 88.

By unanimous consent, Senator Dewey offered the following amendment and moved its adoption:

Amend Senate File 450, Section 90, line 2, by adding the following: "Nothing in this or preceding sections shall be construed to prohibit a licensed fisherman from taking mussels to be used by him for food or bait."

The amendment was adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 450 by striking all of line thirteen (13) of Section 76.

Also amend Section 76 by renumbering the subdivisions therein following subdivision 3.

The amendment was not adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend Section 76 by adding after the comma in line 13 the following: "in all counties of the state except Lucas and Wayne".

Senator Doran moved to amend the pending amendment adding after the word "Wayne" the words "and Warren".

The amendment to the amendment was adopted.

Senator Hopkins moved to amend the pending amendment by adding after the word "Warren" the words "and Guthrie".

The amendment to the amendment was adopted.

Senator Levis asked and received unanimous consent to correct his amendment to read as follows:

Amend Section 76 by adding after the comma in line 13 the following: "in all counties of the state except Lucas, Wayne, Warren and Guthrie".

Roll call was requested.

On the question, "Shall the amendment as amended be adopted?" the vote was:

Ayes, 19:

Augustine	Corwin	Hopkins	Parker
Baldwin	Dean	Irwin	Schadt
Beardsley	Doran	Levis	Shaw
Berg	Edwards	Miller	Smith
Breen	Goetsch	Millhone	

Nays, 16:

Byers	Elthon	Hill	Murray
Dewey	Evans	Hoeven	Pelzer
Donohue	Gillette	Husted	Stewart
Ellis	Guernsey	Mighell	Zeigler

Present, 2:

Billingsley	Kirketeg
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Absent or not voting, 13:

Bell of Crawford	Geske	Kimberly	Moore
Bell of	Gillespie	Lundy	Stevens
Des Moines	Grunewald	Mason	Whitehill
Chrystal	Hart		

The amendment was adopted.

Senator Dewey offered the following amendments and moved their adoption:

Amend line 12 of Section seven of Senate File 450 by striking the word "of" in said line and inserting the word "to".

Further amend Senate File 450 by adding a section following Section twenty-seven as follows: Section 1703d-15, Code of Iowa, 1935, is hereby amended by inserting between the words "extend" and "any" in line six thereof, the following: "except as provided in this chapter".

Further amend Senate File 450, line seven, Section 28, by striking the period and adding the words "and administrative orders necessary to carry out the purposes set out in Section 29."

The amendments were adopted.

Senator Dewey offered the following amendment and moved its adoption:

Amend Senate File 450, Section 38, by striking all of line 26.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 29:

Augustine	Edwards	Hoeven	Millhone
Beardsley	Ellis	Hopkins	Murray
Berg	Elthon	Husted	Pelzer
Billingsley	Evans	Irwin	Shaw
Breen	Goetsch	Kirketeg	Stevens
Dewey	Guernsey	Levis	Stewart
Donohue	Hill	Miller	Zeigler
Doran			

Nays, 4:

Corwin	Gillette	Schadt	Smith
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Absent or not voting, 17:

Baldwin	Chrystal	Hart	Mighell
Bell of Crawford	Dean	Kimberly	Moore
Bell of	Geske	Lundy	Parker
Des Moines	Gillespie	Mason	Whitehill
Byers	Grunewald		

The amendment was adopted.

Senator Dewey offered the following amendments and moved their adoption:

Amend Senate File 450, Section 55, by adding a line following line 75 by inserting the word "minnows" in the column entitled "kind of fish", inserting the dates "May 15th to November 30th" in the column entitled "open season" and the word "none" in the columns entitled "daily catch limit", "possession limit", and "minimum length of weight".

Further amend Senate File 450 by adding a line following line 105 of Section 55 by inserting the words "wall-eyed pike" in the column entitled "kind of fish" and the words "May 15th to November 30th" in the column entitled "open season" and inserting the figure "8" in the column entitled "daily catch limit", and inserting the figure "16" in the column entitled "possession limit" and inserting the words and figures "thirteen inches", in the column entitled "minimum length or weight".

Further amend Senate File 450, Section 55, by adding a line to table "B" by inserting the word "minnows" in the column entitled "kind of fish" and inserting the words "May 15th to November 30th" in the column entitled "open season" and by adding the word "none" in the columns entitled "daily catch limit", "possession limit", and "minimum length or weight".

The amendments were adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 450, Section seventy-six (76), line seventeen (17), by striking the words "continuous open season" and inserting in lieu thereof the words, "open season except during the months of May and June".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 6:

Baldwin	Corwin	Husted	Smith
Breen	Donohue		

Nays, 31:

Augustine	Elthon	Hopkins	Parker
Beardsley	Evans	Irwin	Pelzer
Berg	Gillette	Kirketeg	Schadt
Dean	Goetsch	Levis	Shaw
Dewey	Grunewald	Mighell	Stevens
Doran	Guernsey	Miller	Stewart
Edwards	Hill	Millhone	Zeigler
Ellis	Hoeven	Murray	

Absent or not voting, 13:

Bell of Crawford	Byers	Hart	Mason
Bell of	Chrystal	Kimberly	Moore
Des Moines	Geske	Lundy	Whitehill
Billingsley	Gillespie		

The amendment was not adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend Senate File 450 by adding to Section seventy-nine (79) the following: "It shall be unlawful for any person, except upon order of a conservation officer and in his presence, to molest, disturb or destroy a fox den."

The amendment was not adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 450 as follows: Insert a period (.) following the last word "river" in line three (3) of Section 62 and strike the remainder of the section.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 14:

Augustine	Ellis	Hopkins	Shaw
Dean	Elthon	Kirketeg	Smith
Doran	Evans	Mighell	Stewart
Edwards	Goetsch		

Nays, 18:

Beardsley	Dewey	Miller	Pelzer
Berg	Guernsey	Millhone	Schadt
Billingsley	Hill	Murray	Stevens
Byers	Husted	Parker	Zeigler
Corwin	Irwin		

Present, 2:

Donohue	Hoeven
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Absent or not voting, 16:

Baldwin	Chrystal	Grunewald	Lundy
Bell of Crawford	Geske	Hart	Mason
Bell of	Gillespie	Kimberly	Moore
Des Moines	Gillette	Levis	Whitehill
Breen			

The amendment was not adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend Senate File 450 by striking therefrom all of Section 62.

By unanimous consent, Mr. Fred Schwob of the conservation commission was asked to explain the effect of the pending amendment.

Senator Augustine moved the previous question on the pending amendment which motion prevailed.

Roll call was ordered.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Beardsley	Edwards	Hill	Miller
Berg	Elthon	Irwin	Parker
Billingsley	Goetsch	Kirketeg	Pelzer
Corwin	Guernsey	Levis	Shaw
Doran			

Nays, 19:

Augustine	Dewey	Hoeven	Schadt
Baldwin	Donohue	Hopkins	Stevens
Breen	Ellis	Husted	Stewart
Byers	Evans	Mighell	Zeigler
Dean	Gillette	Murray	

Absent or not voting, 14:

Bell of Crawford	Geske	Kimberly	Moore
Bell of	Gillespie	Lundy	Smith
Des Moines	Grunwald	Mason	Whitehill
Chrystal	Hart	Millhone	

The amendment was not adopted.

SENATE FILE 483 MADE SPECIAL ORDER

Senator Elthon moved that the rules be suspended and that Senate File 483, the appropriation bill, be considered at this time.

Senator Baldwin moved as a substitute motion, that the rules be suspended and that the appropriation bill be made a special order to follow immediately Senate File 447.

The motion prevailed and the motion by Senator Baldwin was substituted.

The substitute motion prevailed, the rules were suspended and Senate File 483, the appropriation bill, was made a special order to immediately follow Senate File 447.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting 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. 159, H. F. 534, S. F. 132, S. F. 157, H. F. 380, S. F. 91, S. F. 35, H. F. 184, S. F. 482, S. F. 461, S. F. 462, S. F. 323, H. F. 211, S. F. 325, H. F. 167.

FRANK C. BYERS, *Chairman.*

SENATE CONCURRENT RESOLUTION 16

Whereas, beginning in the year 1939 there will be held in New York City a World's Fair to commemorate the one hundred fiftieth anniversary of the inauguration of George Washington as the first President of the United States, which event occurred in New York City, then the Capital of the United States, on April 30, 1789, and

Whereas, the State of Iowa has been invited to participate in said World's Fair, and a committee should be appointed to consider the question of Iowa's participation and to report its findings and recommendations to the next Session of the General Assembly,

Now, Therefore, Be It Resolved by the Senate, the House Concurring, that a committee is hereby created composed of the Secretary of State, the members of the legislative committee on Retrenchment and Reform, and three citizens of the State of Iowa to be appointed by the Governor. The Governor shall be an ex-officio member of said committee. Said committee, the members of which shall receive no compensation, shall make such investigation and study as it may deem advisable to determine the question of Iowa's participation in said World's Fair, and shall report its findings and recommendations to the next Session of the General Assembly. The committee shall have the authority to accept pledges of gifts, grants and donations of money and property to be used in the event of Iowa's participation in said World's Fair, and shall also make report of such pledges to the next session of the General Assembly.

COMMITTEE ON APPROPRIATIONS,

LEO ELTHON, *Chairman.*

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 483, Section 7, by striking from line 7 thereof the following: "purchase of land". JOHN BERG.

MR. PRESIDENT: We move to amend Senate File 447 by adding as Sec. 19 (s) the following:

Sec. 19 (s) "Agricultural Labor" shall be interpreted so as to include farmer owned cooperatives.

H. V. LEVIS.

EARL DEAN.

SANFORD ZEIGLER, JR.

MR. PRESIDENT: I move to amend Senate File 450 as follows:

Strike lines fifteen (15) to twenty-five (25) inclusive of Section 38.

H. D. MILLER.

MR. PRESIDENT: I move to amend Senate File 450 as follows:

Strike from lines 1, 2 and 3 of Section 61 the words "in the inland waters of the state open to the use of trot or throw lines,".

Insert after the word "line" in line three (3) of Section 61 the words "in the rivers herein specified".

L. H. DORAN.

MR. PRESIDENT: I move to amend Senate File 450 by adding a period (.) after the word "speared" in line four (4) in Section 68, and by striking the balance of the said section.

A. J. SHAW.

MR. PRESIDENT: I move to amend Senate File 450, Section 38, by inserting after the comma following the word "Grundy" in line 36 the words "Black Hawk, Buchanan," and by renumbering the remaining lines of the section accordingly.

JOHN BERG.

MR. PRESIDENT: I move to amend Section 38 of Senate File 450 by striking the figure eighteen (18) from line twenty-seven (27) and inserting in lieu thereof the figure fifteen (15).

E. P. DONOHUE.

MR. PRESIDENT: I move to amend Section thirty-eight (38) of Senate File 450 by striking the semicolon after the word "counties" in line thirty (30) and inserting after the word "counties" the following: "each odd numbered years:".

E. P. DONOHUE.

MR. PRESIDENT: I move to amend Senate File 450 as follows:

Strike the word "and" in line 10 of Section 62 and insert in lieu thereof the following: "Greene, Boone, Polk and".

Strike all of Section 62 following the period (.) in line 10 thereof.

L. H. DORAN.

The Journal of April 9th was corrected and approved.

On motion of Senator Shaw, the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 13, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. S. P. Williams, pastor of the Christian Church of Fairfield.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Byers for the day, on request of Senator Donohue.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Baldwin, from residents of Zwingle, opposing legislation to increase taxes and licenses on commercial vehicles.

By Senator Ellis, from citizens of Jackson county, opposing legislation to increase taxes and licenses on commercial vehicles.

By Senator Geske, from voters of Clayton county, favoring the farm-to-market road legislation.

By Senator Grunewald, from farmers of Benton county, opposing legislation to increase taxes and licenses on commercial vehicles.

By Senator Mighell, from the Cherokee Chamber of Commerce, favoring enactment of legislation for the improvement of both the Okoboji Lakes and Storm Lake.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on April 10, 1937, he had approved the following:

Senate File 89, providing for a state board of review and stipulating the duties and privileges thereof.

REPORT OF COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files 4, 119 and 193.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 4, 119 and 193.

INTRODUCTION OF BILLS

Senate File 503, by committee on cities and towns, a bill for an act to amend Section five thousand six hundred sixty-four (5664), Code, 1935, relating to compensation of councilmen.

Read first and second times and referred to sifting committee.

Senate File 504, by committee on cities and town, a bill for an act to amend Section fifty-seven hundred ninety-two (5792) of the 1935 Code of Iowa, relating to the levy of tax for park purposes.

Read first and second times and referred to sifting committee.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has receded from its amendments to and passed Senate File 227, a bill for an act to make an emergency appropriation for the purpose of paying the expenses of reporting fires, and for the inspection of state owned liquor stores.

A. C. GUSTAFSON, *Chief Clerk.*

By unanimous consent on request of Senator Beardsley, the rules were suspended and Senate File 463 was taken up at this time.

THIRD READING OF BILLS

On motion of Senator Beardsley, Senate File 463, a bill for an

act to legalize and validate proceedings taken by the city council of the city of Osceola, Iowa, authorizing and providing for the issuance and sale of bonds for improvements to protect the water supply of said city, and making provisions for the levy of taxes to pay said bonds, reported out by the sifting committee, was taken up and considered.

Senator Beardsley offered the following amendment and moved its adoption:

Amend the publication clause by inserting following the comma, after the word "Iowa" in line 4, the following: "and the Murray Journal, a newspaper published in Murray, Iowa,".

The amendment was adopted.

The bill was read for information.

Senator Beardsley moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Edwards	Hill	Murray
Baldwin	Elthon	Hoeven	Pelzer
Beardsley	Evans	Hopkins	Schadt
Bell of Crawford	Geske	Irwin	Shaw
Berg	Gillespie	Levis	Smith
Billingsley	Gillette	Mason	Stewart
Dean	Goetsch	Mighell	Whitehill
Dewey	Grunewald	Millhone	Zeigler
Doran	Guernsey		

Nays, none.

Absent or not voting, 16:

Bell of	Corwin	Husted	Miller
Des Moines	Donohue	Kimberly	Moore
Breen	Ellis	Kirketeg	Parker
Byers	Hart	Lundy	Stevens
Chrystal			

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

Senator Beardsley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Hill, the rules were suspended and House File 56 was taken up at this time.

On motion of Senator Hill, House File 56, by Peisen, a bill for an act to amend Sections sixty-one hundred ninety-five (6195), sixty-two hundred eleven (6211), and sixty-two hundred thirty-nine (6239), Code, 1935, relating to the power of cities and towns to purchase land and buildings for hospital purposes; to levy annual taxes for purchasing, constructing or reconstructing buildings, to be used for hospitals or purchasing sites therefor and for the retirement of bonds issued in payment thereof; and to incur indebtedness for said purposes, reported out by the sifting committee, was taken up and considered.

Senator Hill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Edwards	Hill	Murray
Baldwin	Elthon	Hoeven	Pelzer
Beardsley	Geske	Hopkins	Schadt
Berg	Gillespie	Kirketeg	Shaw
Billingsley	Gillette	Levis	Smith
Corwin	Goetsch	Mighell	Stewart
Dean	Grunewald	Miller	Whitehill
Dewey	Guernsey	Millhone	Zeigler
Doran			

Nays, none.

Absent or not voting, 17:

Bell of Crawford	Chrystal	Husted	Mason
Bell of	Donohue	Irwin	Moore
Des Moines	Ellis	Kimberly	Parker
Breen	Evans	Lundy	Stevens
Byers	Hart		

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

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Corwin, the rules were suspended and Senate File 166 was taken up at this time.

On motion of Senator Corwin, Senate File 166, a bill for an act to authorize levee and/or drainage districts to maintain actions to collect damages resulting from the construction of locks, dams and pools; to make settlements and adjustments of said

damages, and to employ legal engineering counsel; and to become members of drainage associations, reported out by the sifting committee, was taken up and considered.

Senator Corwin offered the following amendment and moved its adoption:

Amend Senate File 166, Section 1, by inserting after the comma following the word "thereto" in line 11 the following: "and receive any appropriations that may be made by the Congress of the United States for the increased cost to drainage or levy districts".

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 166, Section 1, by striking from lines 9 and 10 the words "or in any stream within the state".

The amendment was adopted.

Senator Corwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Corwin	Guernsey	Millhone
Baldwin	Dean	Hill	Murray
Beardsley	Dewey	Hoeven	Pelzer
Bell of Crawford	Donohue	Hopkins	Schadt
Bell of Des Moines	Edwards	Irwin	Shaw
Berg	Ellis	Kirketeg	Stevens
Billingsley	Geske	Levis	Stewart
Breen	Gillespie	Mighell	Whitehill
Chrystal	Grunewald	Miller	Zeigler

Nays, none.

Absent or not voting, 14:

Byers	Gillette	Kimberly	Moore
Doran	Goetsch	Lundy	Parker
Elthon	Hart	Mason	Smith
Evans	Husted		

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

On motion of Senator Stevens, Senate File 447, 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 and unemployment administration fund; 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; to repeal Senate File 1 enacted by the 46th General Assembly of Iowa in Extraordinary Session; to repeal Senate File 191 of the 47th General Assembly of Iowa; and to repeal Acts in conflict herewith, and for other purposes, on which action was postponed Friday, was taken up and considered.

By unanimous consent, Senator Lundy withdrew the following amendment:

Amend Senate File 447, Section 7 (c), by striking all of lines 29 to 63 inclusive.

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 447, sub-section (b) of paragraph (4) of Section 7 (c), by striking therefrom all of said paragraph following the period in line 48.

By unanimous consent, the rules were suspended and the Honorable Claude Stanley was asked to explain the effect of the pending amendment.

Roll call was requested.

Senator Hopkins moved the previous question on the pending amendment, which motion prevailed.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 16:

Augustine	Gillespie	Hopkins	Millhone
Corwin	Goetsch	Kirketeg	Parker
Dewey	Guernsey	Levis	Shaw
Edwards	Hill	Lundy	Smith

Nays, 26:

Baldwin	Dean	Gillette	Murray
Beardsley	Donohue	Grunewald	Pelzer
Bell of Crawford	Doran	Hart	Schadt
Berg	Ellis	Hoeven	Stewart
Billingsley	Elthon	Mighell	Whitehill
Breen	Evans	Miller	Zeigler
Chrystal	Geske		

Absent or not voting, 8:

Bell of	Husted	Kimberly	Moore
Des Moines	Irwin	Mason	Stevens
Byers			

The amendment was not adopted.

By unanimous consent, Senator Lundy withdrew the following amendment:

Amend Senate File 447 by striking from line eight of Section 8 (b) the word "eight" and inserting in lieu thereof the word "one".

Senator Lundy offered the following amendment and moved its adoption:

Amend Senate File 447, Section 8 (b), by striking from line eight (8) the word "eight" and inserting in lieu thereof the word "four".

Further amend by striking from line six (6) of Section 19 (f) the word "eight" and inserting in lieu thereof the word "four".

Senators Stevens, Lundy, Donohue and Breen offered, as a substitute for the amendment offered by Senator Lundy, the following:

Amend Senate File 447 by inserting as Section 25 the following: "On and after January 1, 1938, the provisions of this act shall apply to any employing unit having four (4) or more employees all as defined in this act."

Senator Stevens moved the substitution, which motion prevailed.

Senator Beardsley moved the previous question, which motion prevailed.

Roll call was requested.

On the question, "Shall the substitute amendment be adopted?" the vote was:

Ayes, 16:

Augustine	Dean	Geske	Mighell
Baldwin	Donohue	Guernsey	Murray
Bell of	Doran	Lundy	Schadt
Des Moines	Edwards	Mason	Stevens
Breen			

Nays, 25:

Beardsley	Goetsch	Irwin	Pelzer
Berg	Grunewald	Kirketeg	Shaw
Billingsley	Hart	Levis	Smith
Corwin	Hill	Miller	Stewart
Dewey	Hoeven	Millhone	Whitehill
Elthon	Hopkins	Parker	Zeigler
Gillespie			

Absent or not voting, 9:

Bell of Crawford	Ellis	Gillette	Kimberly
Byers	Evans	Husted	Moore
Chrystal			

The amendment was not adopted.

Senators Levis, Dean and Zeigler offered the following amendment and moved its adoption:

Amend Senate File 447 by adding as Section 19 (s) the following:

Sec. 19 (s) "Agricultural Labor" shall be interpreted so as to include farmer owned cooperatives.

On motion of Senator Hill, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CONSIDERATION OF SENATE FILE 447 RESUMED

By unanimous consent, Senator Levis withdrew the pending amendment, and offered the following in lieu thereof:

Amend Senate File 447 by inserting the following subsection:

"Sec. 19 (s) 'Agricultural labor' shall be interpreted so as to include the service performed by employees or members of farmer-owned producers cooperatives for such cooperatives."

Senator Dean moved the previous question.

By unanimous consent, Senator Dean withdrew his motion for the previous question.

Senator Donohue offered the following as a substitute for the pending amendment:

Amend Senate File 447 by inserting the following subsection:

"Sec. 19 (s) 'Agricultural labor' shall be interpreted so as to include the services performed by employees of farmer-owned producer cooperative creameries for such cooperatives."

Senator Millhone moved the previous question on the substitution and on the pending amendment, which motion prevailed.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 12:

Beardsley	Donohue	Hopkins	Schadt
Chrystal	Elthon	Levis	Shaw
Corwin	Grunewald	Lundy	Zeigler

Nays, 23:

Augustine	Edwards	Hill	Murray
Berg	Geske	Hoeven	Pelzer
Breen	Gillespie	Irwin	Smith
Dean	Goetsch	Mighell	Stevens
Dewey	Guernsey	Miller	Stewart
Doran	Hart	Millhone	

Absent or not voting, 15:

Baldwin	Billingsley	Gillette	Mason
Bell of Crawford	Byers	Husted	Moore
Bell of	Ellis	Kimberly	Parker
Des Moines	Evans	Kirketeg	Whitehill

The motion to substitute did not prevail.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Beardsley	Grunewald	Lundy	Shaw
Dean	Hopkins	Pelzer	Stewart
Donohue	Levis	Schadt	Zeigler
Goetsch			

Nays, 26:

Augustine	Chrystal	Geske	Mighell
Baldwin	Corwin	Gillespie	Miller
Bell of	Dewey	Guernsey	Millhone
Des Moines	Doran	Hart	Murray
Berg	Edwards	Hill	Smith
Billingsley	Ellis	Hoeven	Stevens
Breen	Elthon	Irwin	

Absent or not voting, 11:

Bell of Crawford	Gillette	Kirketeg	Parker
Byers	Husted	Mason	Whitehill
Evans	Kimberly	Moore	

The amendment was not adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend Section 19 (q) by striking all of said section and inserting in lieu thereof the following:

"Sec. 19 (q). "Base period" means the period beginning with the first day of the nine completed calendar quarters immediately preceding the first day of an individual's benefit year and ending with the last day of the next to the last completed calendar quarter immediately preceding any week with respect to which benefits are payable."

By unanimous consent on request of Senator Stevens, the rules were suspended and the Honorable Claude Stanley was asked to explain the pending amendment to the Senate.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 20:

Baldwin	Dewey	Grunewald	Murray
Bell of	Ellis	Hill	Parker
Des Moines	Elthon	Kirketeg	Schadt
Berg	Gillette	Lundy	Shaw
Breen	Goetsch	Millhone	Whitehill
Dean			

Nays, 10:

Billingsley	Hart	Smith	Stewart
Corwin	Hopkins	Stevens	Zeigler
Evans	Miller		

Absent or not voting, 20:

Augustine	Donohue	Guernsey	Levis
Beardsley	Doran	Hoeven	Mason
Bell of Crawford	Edwards	Husted	Mighell
Byers	Geske	Irwin	Moore
Chrystal	Gillespie	Kimberly	Pelzer

The amendment was adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend Senate File 447 by striking from Section 11 (d) the words "legal counsel and".

Further amend by striking from Section 11 (d) the period (.) following the word "year" and inserting in lieu thereof the following: ", and legal counsel which shall not exceed four thousand (\$4,000.00) dollars per year."

The amendment was adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend Section 19 (n) by inserting in line 2, after the comma following the word "midnight", the word "or".

The amendment was adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend Section 19 (n) by striking from line 3 the word "be" and inserting in lieu thereof the word "by".

The amendment was adopted.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Donohue	Guernsey	Miller
Baldwin	Doran	Hart	Millhone
Beardsley	Edwards	Hill	Moore
Bell of	Ellis	Hoeven	Murray
Des Moines	Elthon	Hopkins	Parker
Berg	Evans	Irwin	Schadt
Billingsley	Geske	Kirketeg	Shaw
Breen	Gillespie	Levis	Smith
Corwin	Gillette	Lundy	Stevens
Dean	Goetsch	Mason	Whitehill
Dewey	Grunewald	Mighell	Zeigler

Nays, none.

Absent or not voting, 7:

Bell of Crawford	Chrystal	Kimberly	Stewart
Byers	Husted	Pelzer	

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

Senator Stevens moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Elthon, the rules were suspended and consideration of Senate File 483, a special order for this time, was deferred, the bill to follow immediately after completion of action on Senate File 450.

On motion of Senator Dewey, consideration was resumed on Senate File 450, by committee on conservation, a bill for an act

relating to the powers, duties and jurisdiction of the state conservation commission, to amend Chapter eighty-five (85), Code, 1935, relating to licensing of boats and pilots and inspection, by repealing Section seventeen hundred three-e eight (1703-e8) thereof, relating to rules and regulations of the state conservation commission, to amend Section seventeen hundred three-e ten (1703-e10) thereof, relating to penalties, to further amend said chapter by enacting laws to be included in said chapter pertaining to the operation and equipment of boats used for hire and other boats used upon state-owned waters, and to provide a penalty for the violation of such laws; to amend Chapter eighty-five-D one (85-D1), Code, 1935, relating to the state conservation commission, by repealing Section seventeen hundred three-g twenty-one (1703-g21) thereof and by repealing paragraphs five (5) and six (6) of Section seventeen hundred three-d twelve (1703-d12) thereof, relating to the specific powers of the state conservation commission, and to enact a substitute therefor, to repeal Section seventeen hundred three-e twelve (1703-e12) thereof, relating to publication and to enact a substitute therefor, to amend Section seventeen hundred three-d fifteen (1703-d15) thereof, relating to interpretation and limitations; to amend Chapter eighty-six-E one (86-E1), Code, 1935, relating to fish and game licenses, by amending Section seventeen hundred ninety-four-e ten (1794-e10) thereof, relating to form of license, and to amend Section seventeen hundred ninety-four-e twelve (1794-e12) thereof, relating to revocation or suspension of license; to amend Chapter eighty-six (86), Code, 1935, relating to propagation and protection of fish, game, wild birds and animals, by amending Section seventeen hundred eighty-nine (1789) thereof, relating to violations, and to enact laws to be added to said chapter pertaining to the protection of fish, game, wild birds and animals, and to the commercial taking or disposition thereof, and to provide a penalty for the violation of such laws; to amend Chapter eighty-seven (87), Code, 1935, relating to conservation and public parks, by repealing Section seventeen hundred ninety-nine-b one (1799-b1) thereof, pertaining to rules and regulations, and to enact laws to be added to said chapter prohibiting, restricting, or controlling the use by the public of state parks, preserves, or state-owned property or waters under the jurisdiction of the state conservation commission.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 450 as follows:

Strike the word "and" in line 10 of Section 62 and insert in lieu thereof the following: "Greene, Boone, Polk and".

Strike all of Section 62 following the period (.) in line 10 thereof.

Senator Shaw moved to amend the pending amendment by adding, after the comma following the word "Greene", the following: "Pocahontas,".

The amendment to the amendment was adopted.

Senator Miller moved to amend the pending amendment, as amended, by inserting after the comma following the word "Pocahontas", the following: "Jones,".

The amendment to the amendment was adopted.

Senator Parker moved to amend the pending amendment, as amended, by inserting after the comma following the word "Jones", the following:

"Black Hawk, Buchanan, Winneshiek, Howard, Jackson,".

The amendment to the amendment was adopted.

Senator Doran asked for a division vote on his amendment as amended. On the division vote, the following counties were added to those "excepted" in Section 62: Greene, Pocahontas, Black Hawk, Buchanan, Winneshiek, Howard, Boone, Polk.

Senator Donohue moved to reconsider the vote by which Winneshiek county was added to the list of those included in the amendment.

The motion prevailed, the vote was reconsidered, and the question of adding Winneshiek county to the list of counties in Section 62 was before the Senate.

Roll call was requested.

On the question, "Shall Winneshiek county be added to the counties in Section 62?" the vote was:

Ayes, 16:

Beardsley
Berg
Corwin
Doran

Goetsch
Hopkins
Irwin
Kirketeg

Levis
Miller
Millhone
Moore

Parker
Pelzer
Schadt
Shaw

Nays, 21:

Baldwin	Donohue	Geske	Murray
Billingsley	Edwards	Gillette	Smith
Breen	Ellis	Guernsey	Stevens
Chrystal	Elthon	Hill	Stewart
Dean	Evans	Mighell	Zeigler
Dewey			

Absent or not voting, 13:

Augustine	Byers	Hoeven	Lundy
Bell of Crawford	Gillespie	Husted	Mason
Bell of Des Moines	Grunewald	Kimberly	Whitehill
	Hart		

Winneshiek county was not added to the counties "excepted" in Section 62.

Senator Donohue moved to reconsider the vote by which Howard county was added to the list of those included in the amendment.

The motion prevailed, the vote was reconsidered, and the question of adding Howard county to the list of counties in Section 62 was before the Senate.

Senator Donohue moved that Howard county be not added to the list of those included in the amendment to Section 62, which motion prevailed.

Senator Doran moved the adoption of that part of his amendment as follows:

"Strike all of Section 62 following the period (.) in line 10 thereof."

The amendment was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend Section 62 by adding after the comma following the word "Boone", the word "Humboldt".

Senator Breen moved to amend the amendment offered by Senator Shaw by inserting after the comma following the word "Humboldt", the following:

"except above the two (2) dams in the Des Moines River at Humboldt".

The amendment to the amendment was lost.

The amendment was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend Senate File 450 by striking all of Section 62 and inserting in lieu thereof the following: "It shall be unlawful to use trot or throw lines in the rivers and streams of the state, except in the Mississippi River, Missouri River, Big Sioux River, Skunk River, and all rivers and streams south of United States Highway 30 as it is now located."

Senator Irwin raised the point of order that the motion of Senator Elthon was out of order since it applied to the same subject matter as was contained in an amendment acted upon yesterday.

By unanimous consent, Senator Irwin withdrew his point of order.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 29:

Baldwin	Donohue	Guernsey	Millhone
Beardsley	Edwards	Hill	Moore
Berg	Ellis	Hoeven	Murray
Breen	Elthon	Hopkins	Smith
Chrystal	Evans	Irwin	Stevens
Corwin	Geske	Kirketeg	Stewart
Dean	Gillette	Miller	Zeigler
Dewey			

Nays, 8:

Doran	Levis	Parker	Schadt
Goetsch	Mighell	Pelzer	Shaw

Absent or not voting, 13:

Augustine	Billingsley	Hart	Lundy
Bell of Crawford	Byers	Husted	Mason
Bell of Des Moines	Gillespie	Kimberly	Whitehill
	Grunewald		

The amendment was adopted.

By unanimous consent, Senator Donohue withdrew the following amendment:

Amend Section thirty-eight (38) of Senate File 450 by striking the semicolon after the word "counties" in line thirty (30) and inserting after the word "counties" the following: "each odd numbered years:".

Senator Donohue called up the following amendment and moved its adoption:

Amend Section 38 of Senate File 450 by striking the figure eighteen

(18) from line twenty-seven (27) and inserting in lieu thereof the figure fifteen (15).

Senator Hill moved to amend the pending amendment by striking the word and figure "fifteen (15)" and inserting in lieu thereof the word and figure "fourteen (14)".

The amendment to the amendment was adopted.

The amendment was adopted.

By unanimous consent Senator Shaw withdrew the following amendment:

Amend Senate File 450 by adding a period (.) after the word "speared" in line four (4) in Section 68, and by striking the balance of the said section.

Senator Irwin offered the following amendment and moved its adoption:

Amend Senate File 450 by striking the period in the last line of Section 64 and adding the following: ", providing, however, that it shall be lawful to spear carp, buffalo, quillback, gar and dogfish in the overflow waters of the Mississippi River."

The amendment was adopted.

Senator Berg called up the following amendment and moved its adoption:

Amend Senate File 450, Section 38, by inserting after the comma following the word "Grundy" in line 36 the words "Black Hawk, Buchanan," and by renumbering the remaining lines of the section accordingly.

The amendment was adopted.

Senator Miller called up the following amendment and moved its adoption:

Amend Senate File 450 as follows: Strike lines fifteen (15) to twenty-five (25) inclusive of Section 38.

Senator Baldwin offered as a substitute:

Amend Section 38 by striking from line 23 the following: ", Jones, Jackson".

The amendment was substituted.

The substitute amendment was adopted.

Senator Gillette offered the following amendment and moved its adoption:

Amend Section 56 by inserting after the word "taken" in line 4 the words "from such artificial lakes".

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Section 38 by striking from line 15 the word and figure "Dec. 15th" and inserting in lieu thereof the word and figure, "Nov. 20th".

The amendment was not adopted.

By unanimous consent, Senator Doran withdrew the following amendment.

Amend Senate File 450 as follows:

Strike from lines 1, 2 and 3 of Section 61 the words "in the inland waters of the state open to the use of trot or throw lines,".

Insert after the word "line" in line three (3) of Section 61 the words "in the rivers herein specified".

Senator Dewey called up the following amendment offered by Senators Dewey and Baldwin and moved its adoption:

Amend Section 96 of Senate File 450 by adding after the comma following the second word "River" in line 3, the following: "except as hereinafter provided in this section;" and by adding a paragraph to the section reading as follows:

"(c) That part of the Mississippi River in Lee County, Iowa, between the Mississippi River Power Company dam and the Toledo, Peoria and Western railway and vehicle bridge at Keokuk, Iowa, and beginning at a point on the west bank of the Mississippi River where the center line of Section 24 intersects it and continuing north along the west bank of said river through Sections 23, 15, 14 to a point on the north line of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10, thence east to the head of Green's Island, otherwise charted as 'Nine Mile Island', thence south and east along the east bank of said island and continuing to the foot of Mundt's Island, thence west to the point of beginning, all in township 88, 3 E, Dubuque County, State of Iowa, said waters being locally known as 'Nine Mile Slough' and also as 'Massey Cut,' are closed to the use of all fishing tackle except that pole, line and hook may be used for the purpose of taking fish."

The amendment was adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Senate File 450, Section 55, by striking from line 65 thereof the words and figures, "April 15th" in the second column and inserting in lieu thereof the words and figures "May 1st".

The amendment was adopted.

Senator Dewey offered the following amendment and moved its adoption:

Amend Senate File 450 by renumbering the sections after the final amendment.

The amendment was adopted.

Senator Dewey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Baldwin	Doran	Hoeven	Murray
Beardsley	Edwards	Hopkins	Parker
Berg	Ellis	Irwin	Pelzer
Billingsley	Elthon	Kirketeg	Schadt
Breen	Evans	Levis	Shaw
Chrystal	Geske	Mighell	Smith
Corwin	Gillette	Miller	Stevens
Dean	Goetsch	Millhone	Stewart
Dewey	Guernsey	Moore	Zeigler
Donohue	Hill		

Nays, none.

Absent or not voting, 12:

Augustine	Byers	Hart	Lundy
Bell of Crawford	Gillespie	Husted	Mason
Bell of Des Moines	Grunewald	Kimberly	Whitehill

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

Senator Dewey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

EXTRA COPIES OF SENATE FILES

By unanimous consent on request of Senator Dewey, six hundred copies of Senate File 450, as it passed the Senate, were ordered printed.

By unanimous consent on request of Senator Stevens, six hundred copies of Senate File 447, as it passed the Senate, were ordered printed.

By unanimous consent Senator Gillette withdrew his amend-

ments to Senate File 278 which appear on page 898 of the Senate Journal.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 278, a bill for an act to provide for the construction of sewers and sewage disposal works in Dickinson county, Iowa, which will provide for the protection of the state waters, commonly known as the Iowa Great Lakes System, in said county, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 442, a bill for an act to make an appropriation to W. L. Murphy, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 448, a bill for an act to amend Chapter 91-C2, Code of Iowa, 1935, Section 1905-c29, by appropriating from the fees received the sum of two thousand five hundred dollars (\$2,500.00) annually to be used for educational purposes under the direction of the Real Estate Commissioner, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 467, a bill for an act to make an appropriation to R. A. Quinn, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 468, a bill for an act to make an appropriation to Anna Dirksen Eygabroad, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 469, a bill for an act to make an appropriation to Raymond L. Barr, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 470, a bill for an act to make an appropriation to Emery Brownfield, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 471, a bill for an act to make an appropriation to J. C. Hull and Son, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 472, a bill for an act to make an appropriation to Leo Fazio and Broadlawns Hospital, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 473, a bill for an act to make an appropriation to Emmett F. Ivory, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 474, a bill for an act to make an appropriation to Luella Sherling, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 475, a bill for an act to make an appropriation to Ira Dalton, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 476, a bill for an act to make an appropriation to Mrs. Emily A. Nicoll, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 477, a bill for an act to make appropriations to E. R. Wald, F. D. Cox, D. H. Anderson and B. L. Basinger, M. D., begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 478, a bill for an act to make an appropriation to William M. Schneider, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 479, a bill for an act to make an appropriation to Willie Claussen, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 480, a bill for an act to make an appropriation to Francis Woolman, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 481, a bill for an act to make an appropriation to John W. Abel, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 483, a bill for an act to make an appropriation to the National Guard of Iowa for the rehabilitation of the water supply system at Camp Dodge, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 519, a bill for an act to appropriate the sum of \$1000.00 to repair, refinish, clean and inspect the damage done by lightning, to the Iowa Monument in the National Cemetery at Andersonville, Georgia, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 527, a bill for an act making an appropriation for the purpose of aiding in defraying the expenses of a national encampment of the Grand Army of The Republic to be held in this state, begs leave to report it has had the same under consideration and recommends the same do pass.

LEO ELTHON, *Chairman.*

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files 24, 212, 215, 234, 243, and 265.

FRANK PELZER, *Chairman Senate Committee.*
JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 24, 212, 215, 234, 243 and 265.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 13th day of April, 1937, sent to the Governor for his approval, Senate Files 24, 212, 215, 234, 243, and 265.

FRANK PELZER, *Chairman.*

Passed on file.

Senator Donohue moved that, when the Senate adjourn, it be until 10:00 a. m., Wednesday, which motion prevailed.

INTRODUCTION OF BILLS

Senate File 505, by committee on cities and towns, a bill for an act to make permanent a temporary transfer of funds made in January, 1934, by authority of the State Comptroller of Iowa of twenty-four thousand five hundred twenty dollars and forty-two cents (\$24,520.42) from the bond sinking fund of the city of Dubuque, Iowa, to the consolidated and fire maintenance funds of said city.

Read first and second times and referred to sifting committee.

Senate File 506, by committee on claims, a bill for an act to make appropriations to Willis & Moore, G. A. Holland, Dan McEniry, P. J. Clancy & Sons, Hopkins & Mulock, Wissler Insurance Agency, Webster Insurance Agency, Ruhl & Ruhl, Snyder, Walsh & Hynes, Waterman & Lohmiller, C. I. Snyder Company, A. A. Luchow, James Mulqueen, F. C. Hendricks, Everest Agency, J. M. Lynch, Goldsmith & Co., Continental Mort. Company, Daugherty Insurance Agency, L. R. Myers, C. W. Bittinger, J. P. Gable, Richardson Brothers, Hoffman Insurance Agency, Dick Bell Insurance Agency, John F. Golden, Walter M. Spriggs, J. A. Daugherty, H. H. Schulte, W. E. Schmich, E. J. Murtagh, Vaughn & Moen, William J. Carter & Son, Tom Kelley, T. Grant Janney & Son, Walton Brothers, C. D. Hutchins, Carl Johnson, Ralph T. McElroy, F. P. Baer & Son, Phoenix Insurance Agency, J. E. Hull,

O. J. Graham, Brunn Insurance Agency, Herman C. Miller, Ed J. Lang, Frank Jewell, Haines-Johnson & Baker, Rene Rosenthal, J. W. Greenley, Klaus Insurance Agency, John M. Welch, I. M. Lobenstein, Don C. Cook, R. D. Gray & Company, Slavia Realty Company, Incorporated, John Tumultey, Hobbs Agency, Ed S. Lofton & Son, Heitzman Land & Loan Company, Pete G. Kern, Scherfs Insurance Agency, William F. Kiel & Son, H. W. Peel & Son, James E. Jamieson, C. H. Topping, Maeglin & Diercks, Fred M. Zeigler, Kern Insurance Agency, F. W. Eversmeyer, John T. McCarthy, A. C. Root Agency, A. W. Hansen Insurance, Phillip Holm, Murphy Insurance Agency, Schlueter Insurance Agency, Kretschmer Insurance Agency, Joseph C. Gehrig, B. L. Belt, G. R. Feltus, Helen C. Johnson, E. E. Duer, H. H. Spayde, H. C. Modlin, G. A. Cooper, A. J. Kading Agency, James Z. May, Ray W. Miller Company, Frank D. Hamilton, F. W. Bearman, A. C. Klatt, J. A. Murphy, Anna M. Hermann, J. Q. Laner, Leo E. Mooney, Stanley D. Hoyne, Tyrell Insurance Agency and John F. Grote Company.

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

Senate File 507, by committee on claims, a bill for an act to make appropriations to the guards and turnkeys at the State Penitentiary at Fort Madison.

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

Senate File 508, by committee on claims, a bill for an act to make appropriations to the guards and turnkeys at the Men's Reformatory at Anamosa.

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

Senate File 509, by committee on claims, a bill for an act to make an appropriation to Lydia Pearl Riesland.

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

Senate File 510, by committee on claims, a bill for an act to make an appropriation to Mills county, Iowa.

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

Senate File 511, by committee on claims, a bill for an act to make an appropriation to Cleon A. Ferger.

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

Senate File 512, by committee on claims, a bill for an act to make an appropriation to Key City Refrigerator Line.

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

Senate File 513, by committee on claims, a bill for an act to make an appropriation to Grace Kountz.

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

Senate File 514, by committee on claims, a bill for an act to make an appropriation to Mrs. Estella Abernathy.

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

Senate File 515, by committee on claims, a bill for an act to make an appropriation to the Citizens Savings Bank.

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

Senate File 516, by committee on claims, a bill for an act to make an appropriation to James E. Risdén.

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

Senate File 517, by committee on claims, a bill for an act to make an appropriation to Vergil E. Kepford.

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

Senate File 518, by committee on claims, a bill for an act to make an appropriation to the Avoca State Bank.

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

Senate File 519, by committee on claims, a bill for an act to make an appropriation to Bezer Lodge No. 135.

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

AMENDMENTS FILED

MR. PRESIDENT: We move to amend Section three of Senate File 462 by inserting after the comma following the word "corporations" in line 11 the following: "whether received by the nonresident directly or as beneficiary of a trust,".

SPECIAL COMMITTEE ON TAX REVISION,
By J. BERG, *Chairman.*

MR. PRESIDENT: I move to amend Senate File 132 as follows:

In line 15 of Section one (1), following the word "secretary", insert the words "at such time as said association is conducting a state-wide educational meeting and for that purpose only".

In line 18 of Section one (1), following the word "secretary", insert the words "at such time as said association is conducting a state-wide educational meeting and for that purpose only".

E. I. MASON.

MR. PRESIDENT: I move to amend Senate File 483, Section 35, by adding after the period in line 47 thereof the following:

"The following departments are hereby limited in their demands for printing during the biennial period, commencing July 1, 1937, and ending June 30, 1939, to an amount not to exceed the following:

Commerce counsel, \$1000.00; Auditor of State, \$10,000.00; Custodian, \$20.00; Board of Control, \$1000.00; Executive Council, \$4000.00; Board of Education, \$3000.00; Department of Agriculture, \$25,000.00; Department of Public Instruction, \$12,000.00; Academy of Science, \$2,000.00; Pioneer Lawmakers, \$15.00; Entomologist, \$150.00; Banking Department, \$2400.00; Securities Department, \$1000.00; Supreme Court Reporters, \$25,000.00; Supreme Court, \$200.00; Board of Assessment and Review, \$8000.00; Comptroller, \$10,000.00; Bureau of Labor, \$1400.00; Fire Marshal, \$1000.00; Geological Survey, \$4000.00; Governor, \$2500.00; Horticulture, \$3000.00; Industrial Commission, \$1500.00; Insurance Department, \$10,000.00; Historical Department, \$4000.00; Mine Inspectors, \$500.00; Pharmacy Examiners, \$500.00; Printing Board, \$20,000.00; Railroad Commission, \$5000.00; Adjutant General, \$2000.00; Department of Health, \$10,000.00; Board of Parole, \$500.00; Secretary of State, \$5000.00; Treasurer of State, \$10,000.00; Attorney General, \$12,000.00; Clerk of Supreme Court, \$3000.00; it is, however, provided that in case of emergency, the executive council may authorize increased amounts where necessary.

HOWARD C. BALDWIN.

MR. PRESIDENT: I move to amend Senate File 483, Section forty-eight (48), paragraph eight (8), lines eighty (80) and eighty-one (81) by striking the words and figures "twelve thousand two hundred-twenty-six dollars (\$12,226.00)" and inserting in lieu thereof the words and figures "forty thousand dollars (\$40,000.00)".

JOHN W. BILLINGSLEY.

MR. PRESIDENT: 1. Amend Senate File 278 by inserting the word "diversion" following the word "sewage" in line 5 of Section 1, and further amend by striking from lines 5 and 6 of Section 1 the words "and/or sewage treatment works".

2. Amend Section 2 by striking all of lines 5 and 6 and inserting in lieu thereof, the following:

"and necessary for fulfilling the purposes of this act."

L. S. GILLETTE.

MR. PRESIDENT: Amend Senate File 278 by striking the title and all of that portion of said Senate File 278 which precedes the enacting clause and inserting in lieu thereof, the following:

"A Bill for An Act to provide for an appropriation to the State Conservation Commission for the construction of sewers and sewage diversion works in Dickinson County, Iowa, which will provide for the protection of the state waters, commonly known as the Iowa Great Lakes System in said county, and providing for the construction, maintenance, and operation of said works in cooperation with Federal or other agencies.

Whereas, there is situated in Dickinson County, Iowa, a chain of lakes consisting of Spirit, East Okoboji, West Okoboji, Upper and Lower Gar and Minnewashta Lakes; and the incorporated town of Arnolds Park and Spirit Lake now have sewage disposal plants which outlet into said lake system and for which said towns have expended funds or indebted themselves for substantial sums in conforming with the requirements of the State Department of Health; and the emptying of such sewage into these lakes, which are great natural resources and assets of the state, tends to damage the recreational and biological value of these lakes and jeopardize the public health of the state wide users thereof; and other towns and districts adjacent to this lake system do not have sewage disposal systems at the present time, and hesitate to provide sewage system of their own in view of the experience of Arnolds Park and Spirit Lake and the effect of those installations on the lake system; and

Whereas, it is physically possible to install a comprehensive system of sewage diversion which will provide an outlet serving the incorporated towns, resident districts and residences in the area surrounding these lakes whereby the sewage will have a common outlet remote from the lakes aforesaid, and will not further contaminate them; and the towns, resident districts and individuals in the area aforesaid are financially unable to provide such a system which will be adequate for the high-summer population without aid from the state and other agencies; and it is urgent that positive relief be afforded at as early a date as possible to check the rapid increase in contamination of the said state

waters, and there is an opportunity at this time to construct the sewage disposal system in cooperation with Federal and other agencies; and

Whereas, the State Conservation Commission is an agency of the state charged with the duties and responsibilities of maintaining and the conservation of the natural resources of the state, therefore,"

L. S. GILLETTE.

LEO ELTHON.

MR. PRESIDENT: I move to amend Senate File 483, Section seven (7) by striking from lines three (3) and four (4) the words and figures "one hundred ten thousand dollars (\$110,000.00)" and insert in lieu thereof the words and figures "one hundred seventy-five thousand dollars (\$175,000.00)".

Further amend Section seven (7) by striking from line seven (7) the words "purchase of land". Amend Senate File 483 further by striking the figures "\$110,000.00" and insert in lieu thereof the figures "\$175,000.00".

ROY E. STEVENS.

MR. PRESIDENT: I move to amend Senate File 483, Section forty-one (41), line nine (9) by striking the figures "five thousand five hundred (5,500)" and inserting in lieu thereof "six thousand ninety-two (6,092)".

L. H. DORAN.

The Journal of April 12th was corrected and approved.

On motion of Senator Berg, the Senate adjourned until 10:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 14, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Alexander Wimberly, pastor of the Presbyterian Church of Guthrie Center.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on April 12, 1937, he had approved the following:

Senate File 317, providing for a tax on use of tangible personal property.

A communication was received from the Governor, announcing that, on April 13, 1937, he had approved the following:

Senate File 185, providing for recognition of the Iowa Swine Producers' Association.

INTRODUCTION OF BILLS

Senate File 520, by committee on cities and towns, a bill for an act to amend Sections six thousand sixty-six-f one (6066-f1), six thousand sixty-six-f two (6066-f2), and six thousand sixty-six-f six (6066-f6), Code, 1935, relating to self-liquidating improvements and the financing thereof.

Read first and second times and referred to the sifting committee.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House requests the return of the following bill:

Senate File 425, a bill for an act to legalize proceedings of the board of supervisors of Palo Alto county and an election in said county.

A. C. GUSTAFSON, *Chief Clerk.*

SENATE FILE 425 RETURNED TO HOUSE

Senator Gillette moved that Senate File 425 be returned to the House in accordance with the foregoing request, which motion prevailed, and Senate File 425, a legalizing act to validate the proceedings of the board of supervisors of Palo Alto county, was returned to the House.

ADOPTION OF SENATE CONCURRENT RESOLUTION 16

Senator Elthon called up Senate Concurrent Resolution 16, which appears on page 1053 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Elthon asked and received unanimous consent to suspend the rules, defer action temporarily on Senate File 483, and consider, at this time, unfinished business, small appropriation and claim bills.

By unanimous consent, on request of Senator Donohue, Senate File 87 was deferred at this time.

HOUSE AMENDMENTS CONSIDERED

Senator Breen called up for consideration Senate File 160, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding the following as a new section, to be numbered Section 8:

"Sec. 8. Nothing in this act shall affect pending applications and appeals before the Iowa State Board of Assessment and Review."

Further amend by renumbering the remaining section.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 36:

Augustine	Edwards	Hart	Murray
Beardsley	Ellis	Hill	Parker
Berg	Elthon	Hopkins	Schadt
Breen	Evans	Kirketeg	Shaw
Byers	Geske	Levis	Smith
Chrystal	Gillette	Lundy	Stevens
Corwin	Goetsch	Mighell	Stewart
Dewey	Grunewald	Miller	Whitehill
Donohue	Guernsey	Millhone	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Billingsley	Hoeven	Mason
Bell of Crawford	Dean	Husted	Moore
Bell of	Doran	Irwin	Pelzer
Des Moines	Gillespie	Kimberly	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Breen, Senate File 160, a bill for an act to amend Chapter three hundred twenty-nine-C two (329-C2), Code, 1935, relating to the powers of the State Board of Assessment and Review to its council; to amend Section sixty-nine hundred forty-three-c twenty-seven (6943-c27), sixty-nine hundred forty-three-c twenty-nine (6943-c29), sixty-nine hundred forty-three-c thirty (6943-c30); and to provide for the manner and place where action may be brought by said board and to the manner in which appeals may be taken from its orders and findings; and to provide for the form and time of notice that said board must give of its hearings and to provide for the place where said board's hearings shall be held, as amended, was taken up and considered.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Ellis	Hoeven	Murray
Beardsley	Elthon	Hopkins	Parker
Berg	Evans	Husted	Pelzer
Breen	Geske	Kirketeg	Schadt
Byers	Gillette	Levis	Shaw
Chrystal	Goetsch	Lundy	Smith
Corwin	Grunewald	Mason	Stevens
Dean	Guernsey	Mighell	Stewart
Dewey	Hart	Miller	Whitehill
Donohue	Hill	Millhone	Zeigler
Edwards			

Nays, none.

Absent or not voting, 9:

Baldwin	Billingsley	Gillespie	Kimberly
Bell of Crawford	Doran	Irwin	Moore
Bell of			
Des Moines			

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent, on request of Senator Stevens, Senate File 432, relating to unemployment insurance, was withdrawn from the further consideration of the Senate.

On motion of Senator Mason, Senate File 445, a bill for an act to make an appropriation to W. J. Steckel, a committee bill, was taken up and considered.

Senator Guernsey moved that further consideration of Senate File 445 be postponed until Thursday morning, to immediately follow Senate File 446.

The motion did not prevail.

Senator Doran moved to amend Senate File 445, Section 1, by striking from lines 4 and 5 the words and figures "six hundred and ten dollars and forty cents (\$610.40)" and inserting in lieu thereof the words and figures "three hundred five dollars and twenty cents (\$305.20)".

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, none.

Nays, 31:

Beardsley	Doran	Husted	Murray
Berg	Edwards	Kirketeg	Parker
Billingsley	Ellis	Levis	Pelzer
Breen	Elthon	Lundy	Schadt
Byers	Geske	Mason	Shaw
Chrystal	Grunewald	Mighell	Whitehill
Corwin	Hill	Miller	Zeigler
Dewey	Hopkins	Millhone	

Absent or not voting, 19:

Augustine	Dean	Goetsch	Kimberly
Baldwin	Donohue	Guernsey	Moore
Bell of Crawford	Evans	Hart	Smith
Bell of	Gillespie	Hoeven	Stevens
Des Moines	Gillette	Irwin	Stewart

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 449, a bill for an act to make appropriations to John Terpstra, Walter L. Wickett and Lyle E. Davis, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Donohue	Hart	Millhone
Baldwin	Doran	Hill	Murray
Beardsley	Edwards	Hoeven	Parker
Bell of	Ellis	Hopkins	Pelzer
Des Moines	Elthon	Husted	Schadt
Berg	Evans	Irwin	Shaw
Breen	Geske	Kirketeg	Stevens
Byers	Gillette	Levis	Stewart
Chrystal	Goetsch	Mason	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dewey	Guernsey	Miller	

Nays, none.

Absent or not voting, 8:

Bell of Crawford	Dean	Kimberly	Moore
Billingsley	Gillespie	Lundy	Smith

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

On motion of Senator Gillette, Senate File 278, a bill for an act to provide for the construction of sewers and sewage disposal works in Dickinson county, Iowa, which will provide for the protection of the state waters, commonly known as the Iowa Great Lakes System in said county, and providing for the construction, maintenance and operation of said works and for an appropriation to the state conservation commission for said purpose in cooperation with Federal or other agencies, was taken up and considered.

Senator Shaw offered the following amendment, and moved its adoption:

Amend Senate File 278 as follows:

1. Amend by striking the period at the end of Section one (1) and inserting in place thereof a comma and adding after the said comma the following: "and to provide for the improvement of Storm lake in Buena Vista county, Iowa."

2. Amend subsection one (1) of Section three (3) of said Senate File 278 by adding after the comma following the words "Dickinson county" in line six (6) of said Section three (3) the following: "and/or Buena Vista county,".

3. Amend subsection three (3) of Section three (3) of Senate File 278 by adding after the comma following the word "county" in line fifteen (15) of Section three (3) the following: "or board of supervisors of Buena Vista county,".

4. Amend Section three (3) of Senate File 278 by adding a comma after the word "county" in line seventeen (17) and inserting thereafter "or the board of supervisors of Buena Vista county,".

5. Further amend Section three (3) of Senate File 278 by inserting a comma after the word "County" in line twenty-one (21) of Section three (3) and adding the following: "or board of supervisors of Buena Vista county,".

6. Further amend Section three (3) of Senate File 278 by adding after the comma in line twenty-four (24) of Section three (3) the following: "or other improvement approved by the board of conservation."

7. Amend Senate File 278 by striking Section four (4) thereof and inserting in place thereof, a new Section four (4) as follows: "Section four (4). There is hereby appropriated out of the funds in the state treasury, not otherwise appropriated, the sum of one hundred twenty-five thousand (\$125,000.00) dollars or so much thereof as may be needed for the construction, maintenance and operation of the sewer and sewage disposal works in said Dickinson county, Iowa, and there is hereby appropriated out of the funds of the state treasury not otherwise appropriated, the sum of eighty thousand (\$80,000.00) dollars or as much thereof as may be needed for the purposes of the improvement and protection of Storm lake in Buena Vista county, Iowa, which sums shall be available to the state conservation commission for the purposes of this act and shall be available until the purposes hereinbefore set forth are attained, or until such sum is expended."

8. Amend the title of Senate File 278 as follows: strike the period following the word "agencies" at the end of line seven (7) and insert in lieu thereof the following: "and to provide for the improvement of Storm lake in Buena Vista county, Iowa, as a replacement of the moneys already expended by the city of Storm Lake and its inhabitants in diverting sewage from said lake."

9. Amend the title or reasons given for this act by inserting a new paragraph just prior to the last "Whereas" preceding the enacting clause as follows: "Whereas, there is located in Buena Vista county, Iowa, a lake known as Storm lake with an area of more than three thousand (3000) acres, which lake is the property of the State of Iowa; and,

"Whereas, the incorporated town of Storm Lake, Iowa, and its citizens have heretofore for the protection of said lake and for the purpose of diverting therefrom sewage, expended of their own funds a sum in excess of one hundred fifty-nine thousand (\$159,000) dollars; and,

"Whereas, the said lake by reason of silt deposit is rapidly being de-

stroyed and made unavailable as a recreation ground for the residents of the State of Iowa and should in justice to the state and to the residents of the town of Storm Lake, and Buena Vista county, be protected and improved; and,".

Senator Byers raised the point of order that the amendment offered by Senator Shaw was not germane to the subject matter in the main bill.

The President ruled the point of order not well taken.

Senator Donohue offered the following amendment to the amendment:

Amend the amendment by striking the words and figures "eighty thousand dollars (\$80,000.00)" and inserting in lieu thereof the words and figures, "forty thousand dollars (\$40,000.00) for the biennium".

The amendment to the amendment was adopted.

Senator Hoeven moved the previous question on the amendment as amended, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment as amended be adopted?" the vote was:

Ayes, 16:

Beardsley	Donohue	Goetsch	Mighell
Bell of	Doran	Hoeven	Parker
Des Moines	Edwards	Hopkins	Schadt
Berg	Ellis	Kirketeg	Shaw
Dewey			

Nays, 25:

Billingsley	Evans	Hill	Murray
Breen	Geske	Husted	Pelzer
Byers	Gillette	Irwin	Stevens
Chrystal	Grunewald	Levis	Stewart
Corwin	Guernsey	Miller	Whitehill
Dean	Hart	Millhone	Zeigler
Elthon			

Present, 1:

Augustine

Absent or not voting, 8:

Baldwin	Gillespie	Lundy	Moore
Bell of Crawford	Kimberly	Mason	Smith

The amendment was not adopted.

FORMER SENATOR VISITS

The Honorable Joseph R. Frailey, former Senator from Lee county, appeared in the Senate and, by unanimous consent on request of Senator Byers, was invited to address the Senate.

On motion of Senator Parker, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CONSIDERATION OF SENATE FILE 278 RESUMED

Senator Gillette called up the following amendment, filed by Senators Gillette and Elthon, and moved its adoption:

Amend Senate File 278 by striking the title and all of that portion of said Senate File 278 which precedes the enacting clause and inserting in lieu thereof, the following:

"A Bill for An Act to provide for an appropriation to the State Conservation Commission for the construction of sewers and sewage diversion works in Dickinson county, Iowa, which will provide for the protection of the state waters, commonly known as the Iowa Great Lakes System in said county, and providing for the construction, maintenance, and operation of said works in cooperation with Federal or other agencies.

Whereas, there is situated in Dickinson County, Iowa, a chain of lakes consisting of Spirit, East Okoboji, West Okoboji, Upper and Lower Gar and Minnewashta Lakes; and the incorporated town of Arnolds Park and Spirit Lake now have sewage disposal plants which outlet into said lake system and for which said towns have expended funds or indebted themselves for substantial sums in conforming with the requirements of the State Department of Health; and the emptying of such sewage into these lakes, which are great natural resources and assets of the state, tends to damage the recreational and biological value of these lakes and jeopardize the public health of the state wide users thereof; and other towns and districts adjacent to this lake system do not have sewage disposal systems at the present time, and hesitate to provide sewage system of their own in view of the experience of Arnolds Park and Spirit Lake and the effect of those installations on the lake system; and

Whereas, it is physically possible to install a comprehensive system of sewage diversion which will provide an outlet serving the incorporated towns, resident districts and residences in the area surrounding these lakes whereby the sewage will have a common outlet remote from the lakes aforesaid, and will not further contaminate them; and the towns, resident districts and individuals in the area aforesaid are financially unable to provide such a system which will be adequate for the high summer population without aid from the state and other agencies; and

it is urgent that positive relief be afforded at as early a date as possible to check the rapid increase in contamination of the said state waters, and there is an opportunity at this time to construct the sewage disposal system in cooperation with Federal and other agencies; and

Whereas, the State Conservation Commission is an agency of the state charged with the duties and responsibilities of maintaining and the conservation of the natural resources of the state, therefore,"

The amendment was adopted.

Senator Gillette offered the following amendments and moved their adoption:

1. Amend Senate File 278 by inserting the word "diversion" following the word "sewage" in line 5 of Section 1, and further amend by striking from lines 5 and 6 of Section 1 the words "and/or sewage treatment works".

2. Amend Section 2 by striking all after the word "structures" in line 4 and all of lines 5 and 6 and inserting in lieu thereof the following: "and necessary for fulfilling the purposes of this act."

The amendments were adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend by inserting after Section 5 the following additional section: "Nothing in this act shall be construed as creating any obligation on the state for maintenance or cost of operation of said sewage diversion system."

Further amend by renumbering the remaining section.

The amendment was adopted.

Senator Elthon offered the following amendment, and moved its adoption:

Amend Senate File 278, Section four (4), by striking Section 4 and inserting in lieu thereof the following:

"Sec. 4. Appropriation. There is hereby appropriated out of the state funds now available for the division of Emergency Relief of the State Board of Social Welfare the sum of \$125,000.00, or as much thereof as may be needed, which sum shall be available to the State Conservation Commission for the purposes of this act when the project for which this appropriation has been made is approved by the Federal Government and when the Federal Government has made available its funds for the development of this project."

By unanimous consent on request of Senator Stevens, Mr. Thompson of the emergency relief commission was asked to explain the effect of the pending amendment, if adopted.

Senator Guernsey moved the previous question on the amendment, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 22:

Beardsley	Edwards	Hopkins	Pelzer
Berg	Elthon	Kirketeg	Schadt
Billingsley	Geske	Mason	Shaw
Chrystal	Gillette	Millhone	Stewart
Corwin	Goetsch	Parker	Zeigler
Dewey	Grunewald		

Nays, 21:

Augustine	Evans	Husted	Miller
Baldwin	Gillespie	Irwin	Murray
Breen	Guernsey	Levis	Smith
Byers	Hart	Lundy	Stevens
Dean	Hill	Mighell	
Donohue	Hoeven		

Absent or not voting, 7:

Bell of Crawford	Doran	Kimberly	Whitehill
Bell of Des Moines	Ellis	Moore	

The amendment was adopted.

Senator Zeigler moved the previous question on the main bill, which motion prevailed.

Senator Gillette moved that the rules be suspended and that the spelling of the names of the Gar lakes and Lake Minnewashta be corrected.

The motion prevailed and the corrections were made.

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Baldwin	Dean	Gillespie	Mason
Beardsley	Dewey	Gillette	Mighell
Bell of Des Moines	Donohue	Grunewald	Miller
Berg	Doran	Hart	Murray
Breen	Edwards	Hoeven	Schadt
Byers	Elthon	Hopkins	Shaw
Chrystal	Evans	Kirketeg	Smith
	Geske	Lundy	Zeigler

Nays, 10:

Billingsley	Guernsey	Parker	Stewart
Corwin	Hill	Pelzer	Whitehill
Goetsch	Husted		

Absent or not voting, 9:

Augustine	Irwin	Levis	Moore
Bell of Crawford	Kimberly	Millhone	Stevens
Ellis			

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

Senator Gillette moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table which motion prevailed.

On motion of Senator Mason, Senate File 442, a bill for an act to make an appropriation to W. L. Murphy, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Doran	Hill	Murray
Bell of	Edwards	Hoeven	Parker
Des Moines	Ellis	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Billingsley	Geske	Kirketeg	Shaw
Byers	Gillespie	Levis	Smith
Corwin	Goetsch	Mason	Stevens
Dean	Grunewald	Mighell	Stewart
Dewey	Guernsey	Miller	Zeigler
Donohue	Hart		

Nays, none.

Absent or not voting, 13:

Baldwin	Chrystal	Irwin	Millhone
Beardsley	Elthon	Kimberly	Moore
Bell of Crawford	Gillette	Lundy	Whitehill
Breen			

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

On motion of Senator Mason, Senate File 448, a bill for an act to amend Chapter ninety-one-C two (91-C2), Code of 1935, Section nineteen hundred five-c twenty-nine (1905-c29), by appropriating from the fees received the sum of two thousand five

hundred dollars (\$2,500.00), annually to be used for educational purposes under the direction of the real estate commissioner, a committee bill, was taken up and considered.

Senator Goetsch moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Edwards	Hart	Murray
Beardsley	Ellis	Hill	Parker
Berg	Elthon	Hoeven	Pelzer
Billingsley	Evans	Hopkins	Schadt
Byers	Geske	Husted	Shaw
Corwin	Gillespie	Irwin	Stevens
Dean	Goetsch	Kirketeg	Stewart
Dewey	Grunewald	Mason	Whitehill
Donohue	Guernsey	Miller	Zeigler
Doran			

Nays, none.

Absent or not voting, 13:

Baldwin	Breen	Levis	Millhone
Bell of Crawford	Chrystal	Lundy	Moore
Bell of	Gillette	Mighell	Smith
Des Moines	Kimberly		

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

Senator Goetsch moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table which motion prevailed.

On motion of Senator Mason, Senate File 467, a bill for an act to make an appropriation to R. A. Quinn, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Ellis	Hart	Murray
Berg	Elthon	Hill	Parker
Breen	Evans	Hopkins	Pelzer
Corwin	Geske	Husted	Schadt
Dean	Gillespie	Irwin	Stevens
Dewey	Gillette	Kirketeg	Stewart
Donohue	Goetsch	Mason	Whitehill
Doran	Grunewald	Mighell	Zeigler
Edwards	Guernsey	Miller	

Nays, none.

Absent or not voting, 15:

Baldwin	Billingsley	Kimberly	Moore
Beardsley	Byers	Levis	Shaw
Bell of Crawford	Chrystal	Lundy	Smith
Bell of Des Moines	Hoeven	Millhone	

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

On motion of Senator Mason, Senate File 468, a bill for an act to make appropriations to Anna Dirksen Eygabroad and A. J. Hobson, her attorney, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Edwards	Hoeven	Millhone
Beardsley	Ellis	Hopkins	Murray
Berg	Elthon	Husted	Parker
Breen	Evans	Irwin	Pelzer
Byers	Geske	Kirketeg	Schadt
Corwin	Gillespie	Levis	Shaw
Dean	Goetsch	Mason	Stewart
Dewey	Grunewald	Mighell	Whitehill
Donohue	Guernsey	Miller	Zeigler
Doran	Hart		

Nays, none.

Absent or not voting, 12:

Baldwin	Billingsley	Hill	Moore
Bell of Crawford	Chrystal	Kimberly	Smith
Bell of Des Moines	Gillette	Lundy	Stevens

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

On motion of Senator Mason, Senate File 469, a bill for an act to make an appropriation to Raymond L. Barr, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Edwards	Hart	Millhone
Beardsley	Ellis	Hill	Murray
Berg	Elthon	Hopkins	Parker
Breen	Evans	Husted	Pelzer
Byers	Geske	Kirketeg	Schadt
Corwin	Gillespie	Levis	Shaw
Dean	Goetsch	Mason	Stewart
Dewey	Grunewald	Mighell	Whitehill
Doran	Guernsey	Miller	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Billingsley	Hoeven	Moore
Bell of Crawford	Chrystal	Irwin	Smith
Bell of	Donohue	Kimberly	Stevens
Des Moines	Gillette	Lundy	

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

On motion of Senator Mason, Senate File 470, a bill for an act to make an appropriation to Emery Brownfield, a committee bill, was taken up and considered.

Senator Donohue moved to amend Senate File 470 as follows:

Strike from line 5 the words and figures "Five Hundred Dollars (\$500.00)" and insert in lieu thereof the words and figures "Two Hundred Fifty Dollars (\$250.00)".

The amendment was not adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Augustine	Elthon	Hart	Millhone
Corwin	Geske	Hopkins	Murray
Dean	Gillespie	Husted	Parker
Dewey	Gillette	Kirketeg	Pelzer
Doran	Goetsch	Levis	Schadt
Edwards	Grunewald	Mighell	Shaw
Ellis	Guernsey	Miller	Stewart

Nays, 6:

Beardsley	Donohue	Mason	Zeigler
Breen	Hill		

Absent or not voting, 16:

Baldwin	Billingsley	Hoeven	Moore
Bell of Crawford	Byers	Irwin	Smith
Bell of	Chrystal	Kimberly	Stevens
Des Moines	Evans	Lundy	Whitehill
Berg			

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 471, a bill for an act to make an appropriation to J. C. Hull and Son, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Edwards	Guernsey	Miller
Beardsley	Ellis	Hart	Murray
Berg	Elthon	Hill	Parker
Billingsley	Geske	Hoeven	Pelzer
Breen	Gillespie	Husted	Schadt
Corwin	Gillette	Kirketeg	Shaw
Dean	Goetsch	Levis	Stewart
Dewey	Grunewald	Mason	Whitehill
Donohue		Mighell	Zeigler
Doran			

Nays, 1:

Hopkins

Absent or not voting, 12:

Baldwin	Byers	Irwin	Moore
Bell of Crawford	Chrystal	Kimberly	Smith
Bell of Des Moines	Evans	Lundy	Stevens

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

On motion of Senator Mason, Senate File 472, a bill for an act to make appropriations to Leo Fazio and Broadlawns Hospital, was taken up and considered.

Senator Mason moved to amend Senate File 472 as follows:

By striking from lines 2 and 3 of Section 1 the following: "appropriated to the Iowa Liquor Control Commission" and inserting in lieu thereof the following: "in the Iowa liquor control fund".

The amendment was adopted.

Senator Beardsley moved the previous question, which motion prevailed.

Senator Donohue moved that Senate File 472 be tabled.

By unanimous consent, Senator Donohue withdrew his motion.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, none.

Nays, 31:

Augustine	Edwards	Hopkins	Parker
Beardsley	Ellis	Husted	Pelzer
Berg	Elthon	Kirketeg	Schadt
Breen	Gillespie	Levis	Shaw
Corwin	Grunewald	Lundy	Stewart
Dean	Guernsey	Mason	Whitehill
Dewey	Hill	Millhone	Zeigler
Donohue	Hoeven	Murray	

Absent or not voting, 19:

Baldwin	Byers	Gillette	Mighell
Bell of Crawford	Chrystal	Goetsch	Miller
Bell of Des Moines	Doran	Hart	Moore
Billingsley	Evans	Irwin	Smith
	Geske	Kimberly	Stevens

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

Senator Gillette asked and received unanimous consent to suspend the rules and consider Senate File 434 at this time.

On motion of Senator Gillette, Senate File 434, a bill for an act to amend Section forty-seven hundred forty-six (4746), Code, 1935, relating to financing primary and secondary roads, reported out by the sifting committee, was taken up and considered.

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Augustine	Dewey	Hill	Millhone
Baldwin	Donohue	Hoeven	Murray
Beardsley	Edwards	Hopkins	Pelzer
Berg	Ellis	Husted	Schadt
Billingsley	Elthon	Kirketeg	Shaw
Chrystal	Gillette	Levis	Stewart
Corwin	Goetsch	Mighell	Zeigler
Dean	Guernsey	Miller	

Nays, none.

Absent or not voting, 19:

Bell of Crawford	Breen	Evans	Grunewald
Bell of Des Moines	Byers	Geske	Hart
	Doran	Gillespie	Irwin

Kimberly
Lundy

Mason
Moore

Parker
Smith

Stevens
Whitehill

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 167 and 227.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 167 and 227.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 14th day of April, 1937, sent to the Governor for his approval, Senate Files 167 and 227.

FRANK PELZER, *Chairman.*

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 179, a bill for an act authorizing cities under commission form of government to lease city property.

Also: That the House has reconsidered the vote by which it passed Senate File 425, a bill for an act to legalize the proceedings of the board of supervisors of Palo Alto county, and returns the same herewith.

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

House File 352, a bill for an act providing for the proper identification of seed corn.

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

Substitute for House File 477, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1937, and ending June 30, 1939.

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

House File 523, a bill for an act to legalize the proceedings of the board of supervisors of Hancock county. A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 352, a bill for an act to amend Section three thousand one hundred thirty-seven-e one (3137-e1), Code, 1935, providing for the proper identification of seed corn, both in the advertising and on the sale tags used in marketing same.

Read first and second times and referred to sifting committee.

House File 523, a bill for an act to legalize and validate the proceedings of the board of supervisors of Hancock county, Iowa, with reference to the conveyance of real estate held for the benefit of the permanent school fund to Orick Rhodes and Viola Rhodes; and to authorize and direct the issuance of a patent to said real estate by the Governor and Secretary of State.

Read first and second times and referred to sifting committee.

Substitute for House File 477, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1937, and ending June 30, 1939, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium.

Read first and second times.

Senator Elthon moved that the rules be suspended and that the substitute for House File 477, the House appropriation bill, be placed immediately on the calendar and not referred to a committee, which motion prevailed and the substitute for House File 477 was placed on the calendar.

INTRODUCTION OF BILLS

Senate File 521, by committee on judiciary 2, a bill for an act to amend Section fifty-two hundred twenty-eight (5228), Code, 1935, relating to salaries, fees and commissions of county attorneys.

Read first and second times and referred to sifting committee.

Senate File 522, by committee on judiciary 2, a bill for an act relating to the presentation, investigation, allowance, and payment of claims against the State of Iowa, being amendatory of Chapter seven-E one (7-E1), Code, 1935, known as the Budget and Financial Control Act.

Read first and second times and referred to sifting committee.

Senate File 523, by committee on judiciary 2, a bill for an act to authorize and legalize issuance of warrants by the independent school district of Elkader, in Clayton county, Iowa, in excess of the anticipated income for the fiscal year ending June 30, 1937, made necessary by reason of the loss of equipment and facilities by fire.

Read first and second times and referred to sifting committee.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 204, Section 1, subsection b, by striking the period in line 12, and adding the following: "and theatres."
HOWARD C. BALDWIN.

MR. PRESIDENT: I move to amend Senate File 454 by inserting after the word "Section" in line fifteen (15) the following figures "8581".

E. P. DONOHUE.

MR. PRESIDENT: I move to amend Senate File 483, Section 11, as follows:

Strike in lines 4 and 5 the words and figures "fifty-four thousand dollars (\$54,000)" and insert in lieu thereof the words and figures "fifty-five thousand nine hundred thirty-two dollars (\$55,932.00)".

Strike in line 8 the figures "\$2900" and insert in lieu thereof the figures "\$3300".

Strike in line 9 the figures "\$2900" and insert in lieu thereof the figures "\$3300".

Strike in line 10 the figures "\$3000" and insert in lieu thereof the figures "\$3300".

Strike in line 12 the figures "\$45,200" and insert in lieu thereof the figures "\$46,032".

Strike in line 18 the figures "\$54,000" and insert in lieu thereof the figures "\$55,932".

H. L. IRWIN.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 470 failed to receive a two-thirds ($\frac{2}{3}$) majority.

E. I. MASON.

The Journal of April 13th was corrected and approved.

On motion of Senator Hoeven, the Senate adjourned until 10:00 a. m., Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 15, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. O. V. Rector, pastor of the Congregational Church of Truro.

PETITIONS AND MEMORIALS

The following petition was received and referred to the sifting committee:

By Senator Zeigler, from rural mail carriers of Jefferson county, favoring improvement of farm-to-market roads.

SENATE FILE 278 ORDERED ENGROSSED

By unanimous consent on request of Senator Gillette, Senate File 278, relating to an appropriation for sewage diversion, was ordered engrossed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in the Senate amendment to the House amendment to Senate Concurrent Resolution 15, providing for the adjournment sine die of the Forty-seventh General Assembly.

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

Senate File 237, a bill for an act to provide for an emergency appropriation to the printing board.

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

House File 124, a bill for an act relating to nonprofit hospitals.

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

House File 423, a bill for an act relative to attachment of wages.

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

House File 528, a bill for an act to make an appropriation for contest expense.

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

House File 540, a bill for an act authorizing the Governor to issue a patent to certain real estate. A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 124, a bill for an act to authorize the creation of non-profit corporations for the purpose of furnishing hospital service to people of limited means and at nonprofit rates; to fix and declare the rights, powers, duties; and to prescribe the powers and duties of the commissioner of insurance with reference thereto.

Read first and second times and referred to sifting committee.

House File 423, a bill for an act to amend Section eleven thousand seven hundred sixty-three (11763), Code, 1935, relative to the attachment of wages, salaries and/or commissions for the payment of judgments for groceries and food supplies.

Read first and second times and referred to sifting committee.

House File 528, a bill for an act to make an appropriation for the expenses incurred in the election contests of Peaco vs. Judd and Bulow; of Campbell vs. Woods; of McLean vs. Latchaw; of Hadley vs. Peisen; of Oehmke vs. Dykhouse; of Aldrich vs. Blue; of Peel vs. O'Neill; of Harnagel vs. Brown; of Peyton vs. Moore.

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

House File 540, a bill for an act to authorize and direct the Governor of the State of Iowa to execute and deliver to Carl A. Pickens and Linnie V. Pickens, husband and wife, a patent to the following described real estate, to wit: The East Sixty-two (62) feet of lots one (1) and two (2) and the east sixty-two (62) feet of the North One-half ($N\frac{1}{2}$) of Lot Three (3) in Block O, in the town of Sidney, situated in Fremont county, Iowa.

Read first and second times and referred to sifting committee.

Senator Stewart asked and received unanimous consent to suspend the rules and consider House File 457 at this time.

THIRD READING OF BILLS

On motion of Senator Stewart, House File 457, by Roe, a bill for an act to legalize a five hundred dollar (\$500.00) payment made by the city of Waukon to the Pioneer Fire Company of Waukon, Iowa, reported out by the sifting committee, was taken up and considered.

Senator Stewart moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Beardsley	Geske	Irwin	Parker
Berg	Gillette	Kirketeg	Pelzer
Billingsley	Goetsch	Levis	Schadt
Chrystal	Grunewald	Lundy	Shaw
Corwin	Guernsey	Mighell	Smith
Dean	Hart	Miller	Stewart
Dewey	Hoeven	Millhone	Whitehill
Ellis	Hopkins	Murray	Zeigler
Evans	Husted		

Nays, none.

Absent or not voting, 16: :

Augustine	Breen	Edwards	Kimberly
Baldwin	Byers	Elthon	Mason
Bell of Crawford	Donohue	Gillespie	Moore
Bell of	Doran	Hill	Stevens
Des Moines			

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

Senator Stewart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Gillette moved that the Senate reconsider the vote by which Senate File 425 passed the Senate.

On the question, "Shall the Senate reconsider the vote by which Senate File 425 passed the Senate?" the vote was:

Ayes, 35:

Beardsley	Corwin	Edwards	Evans
Berg	Dean	Ellis	Geske
Billingsley	Dewey	Elthon	Gillette

Goetsch	Hopkins	Mighell	Shaw
Grunewald	Husted	Miller	Smith
Guernsey	Irwin	Millhone	Stewart
Hart	Kirketeg	Murray	Whitehill
Hill	Levis	Pelzer	Zeigler
Hoeven	Lundy	Schadt	

Nays, none.

Absent or not voting, 15:

Augustine	Breen	Doran	Moore
Baldwin	Byers	Gillespie	Parker
Bell of Crawford	Chrystal	Kimberly	Stevens
Bell of Des Moines	Donohue	Mason	

The motion prevailed and the vote by which Senate File 425 passed the Senate was reconsidered.

Senator Gillette moved that the Senate reconsider the vote by which Senate File 425 went to its third reading, which motion prevailed.

On motion of Senator Gillette, Senate File 425, a bill for an act to legalize and validate proceedings of the board of supervisors of Palo Alto county, Iowa, and an election in said county, all relating to the issuance from time to time of primary road bonds of the county to the aggregate amount of not exceeding \$500,000, on which action was reconsidered, was taken up and considered.

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Baldwin	Ellis	Hopkins	Murray
Beardsley	Evans	Husted	Pelzer
Bell of Crawford	Geske	Irwin	Schadt
Berg	Gillette	Kirketeg	Shaw
Billingsley	Grunewald	Levis	Smith
Corwin	Guernsey	Mighell	Stewart
Dean	Hart	Miller	Whitehill
Dewey	Hill	Millhone	Zeigler
Edwards	Hoeven		

Nays, none.

Absent or not voting, 16:

Augustine	Chrystal	Gillespie	Mason
Bell of Des Moines	Donohue	Goetsch	Moore
Breen	Doran	Kimberly	Parker
Byers	Elthon	Lundy	Stevens

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

By unanimous consent on request of Senator Hoeven, the rules were suspended and House File 534 was taken up at this time.

On motion of Senator Hoeven, House File 534, a bill for an act to authorize counties to expend any balance remaining from the proceeds of the sale of primary road bonds for road purposes, reported out by the sifting committee, was taken up and considered.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Baldwin	Dean	Hart	Millhone
Beardsley	Dewey	Hill	Murray
Bell of Crawford	Donohue	Hoeven	Parker
Bell of	Edwards	Hopkins	Pelzer
Des Moines	Ellis	Husted	Schadt
Berg	Evans	Irwin	Shaw
Billingsley	Geske	Kirketeg	Stewart
Breen	Gillette	Levis	Whitehill
Chrystal	Grunewald	Mighell	Zeigler
Corwin	Guernsey	Miller	

Nays, none.

Absent or not voting, 12:

Augustine	Elthon	Kimberly	Moore
Byers	Gillespie	Lundy	Smith
Doran	Goetsch	Mason	Stevens

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

Senator Hoeven moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Shaw, the rules were suspended and House File 414 was taken up at this time.

On motion of Senator Shaw, House File 414, by Lovrien, a bill for an act to legalize the actions of the city council and the city clerk of the city of Humboldt, Iowa, in making expenditures and issuing warrants and/or certificates of indebtedness during the month of April, 1936, upon the general fund in the sum of eighteen hundred forty-two dollars and twenty-two cents (\$1842.22), upon

the water fund in the sum of fourteen hundred seventy dollars and eighteen cents (\$1470.18), upon the grading fund in the sum of one hundred sixty-eight dollars and seventy-nine cents (\$168.79), upon the fire fund in the sum of thirteen hundred sixty-one dollars and seventy-one cents (\$1361.71), upon the city hall fund in the sum of twenty-nine dollars and sixty-one cents (\$29.61), upon the sewer fund in the sum of twenty-four dollars and ten cents (\$24.10), upon the grading fund in the sum of twenty-seven dollars and eighty-three cents (\$27.83), upon the park fund in the sum of ten dollars and fifteen cents (\$10.15), upon the comfort station fund in the sum of twenty dollars (\$20.00), upon the construction fund in the sum of one dollar and eighty-six cents (\$1.86), making a total of forty-nine hundred thirty-six dollars and forty-five cents (\$4936.45), said warrants and/or certificates being drawn on the said particular funds of such city for indebtedness incurred during the fiscal year beginning on April 1, 1935, and ending on March 31, 1936, such funds and/or certificates of indebtedness, as thus drawn, creating an excess of the appropriations and anticipated revenues for such fiscal year in each fund, but such excess not being in the full amount of the total of said warrants and/or certificates of indebtedness as issued against each fund, and to make such warrants and/or certificates of indebtedness a legal, binding and valid obligation of the city of Humboldt, Iowa, reported out by the sifting committee, was taken up and considered.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Baldwin	Dewey	Hart	Miller
Beardsley	Doran	Hill	Millhone
Bell of Crawford	Edwards	Hoeven	Murray
Bell of	Ellis	Hopkins	Pelzer
Des Moines	Evans	Husted	Schadt
Berg	Geske	Irwin	Shaw
Billingsley	Gillespie	Kirketeg	Smith
Breen	Goetsch	Levis	Stewart
Corwin	Grunewald	Lundy	Whitehill
Dean	Guernsey	Mighell	Zeigler

Nays, none.

Absent or not voting, 11:

Augustine	Donohue	Kimberly	Parker
Byers	Elthon	Mason	Stevens
Chrystal	Gillette	Moore	

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

Senator Shaw moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The time having arrived for the consideration of Senate File 483, a special order at this time, on motion of Senator Elthon, Senate File 483, an act to establish the general fund for the next biennium, was taken up for consideration.

Senator Elthon moved that Substitute for House File 477 be substituted on the calendar for Senate File 483. The motion prevailed and the substitution was made.

On motion of Senator Elthon, Substitute for House File 477, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1937, and ending June 30, 1939, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium, substituted for Senate File 483, was taken up and considered.

Senator Elthon moved to amend Substitute for House File 477 by striking all after the enacting clause and inserting in lieu thereof all after the enacting clause of Senate File 483.

The amendment was adopted.

Senator Husted offered the following amendment, and moved its adoption:

Insert following line 7 in Section 2, the following: "Assistant Secretary of Agriculture.....\$3,000.00".

Strike from line 9, Section 2, "\$116,215.00" and insert in lieu thereof "\$113,215.00".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Beardsley
Billingsley
Corwin
Dewey
Edwards

Goetsch
Hart
Hill
Hoeven

Hopkins
Husted
Levis
Millhone

Parker
Pelzer
Shaw
Smith

Nays, 24:

Baldwin	Ellis	Guernsey	Murray
Bell of Crawford	Elthon	Irwin	Schadt
Breen	Geske	Kirketeg	Stevens
Chrystal	Gillespie	Mason	Stewart
Dean	Gillette	Mighell	Whitehill
Doran	Grunewald	Miller	Zeigler

Absent or not voting, 9:

Augustine	Berg	Evans	Lundy
Bell of	Byers	Kimberly	Moore
Des Moines	Donohue		

The amendment was not adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 2 by striking from line 12 the following: "There is hereby appropriated" and inserting in lieu thereof the following: "The above appropriation shall be paid".

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 2 by striking from line 32 the figures "\$5,300.00" and inserting in lieu thereof the figures "\$6,300.00".

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Section 2 by striking from line 39 the figures "4,250.00" and inserting in lieu thereof the figures "5,000.00".

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 2 by striking from line 40 the words "and Crops Bureau" and inserting in lieu thereof the following: "Bureau and Division of Agricultural Statistics".

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend Section 2 by striking from line 42 the figures "7,000.00" and inserting in lieu thereof the figures "7,634.00".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Baldwin	Dewey	Gillespie	Lundy
Bell of Crawford	Edwards	Husted	Miller
Breen	Geske	Irwin	Schadt

Nays, 29:

Beardsley	Evans	Hoeven	Pelzer
Billingsley	Gillette	Hopkins	Shaw
Chrystal	Goetsch	Kirketeg	Smith
Corwin	Grunewald	Levis	Stevens
Dean	Guernsey	Millhone	Stewart
Doran	Hart	Murray	Whitehill
Ellis	Hill	Parker	Zeigler
Elthon			

Absent or not voting, 9:

Augustine	Berg	Kimberly	Mighell
Bell of	Byers	Mason	Moore
Des Moines	Donohue		

The amendment was not adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 3 by striking from line 4 the words "sixty-seven thousand" and the figures "67,000.00" and inserting in lieu thereof the words "fifty-two thousand eight hundred eighty-one" and the figures "52,881.00".

Further amend Section 3 by striking from line 12 the figures "55,000.00" and inserting in lieu thereof the figures "40,881.00".

Further amend Section 3 by striking from line 16 the figures "67,000.00" and inserting in lieu thereof the figures "52,881.00".

Senator Breen offered as a substitute amendment the following, and moved its adoption:

Amend Section 3 by striking from line 4 the words "sixty-seven thousand" and the figures "67,000.00" and inserting in lieu thereof the words "sixty-three thousand five hundred" and the figures "63,500.00".

Further amend Section 3 by striking from each of lines 8, 9 and 10 the figures "4,000.00" and inserting in lieu thereof the figures "4,500.00".

Further amend Section 3 by striking from line 16 the words "sixty-seven thousand" and the figures "67,000.00" and inserting in lieu thereof the words "sixty-three thousand five hundred" and the figures "63,500.00".

Senator Breen asked and received unanimous consent to withdraw his substitute amendment. The substitute amendment was withdrawn.

Senator Breen offered as a substitute amendment the following, and moved its adoption:

Amend Section 3 by striking from line 4 the words "sixty-seven thousand" and the figures "67,000.00" and inserting in lieu thereof the words "sixty-one thousand" and the figures "61,000.00".

Further amend Section 3 by striking from line 12 the figures "55,000.00" and inserting in lieu thereof the figures "49,000.00".

Further amend Section 3 by striking from line 16 the figures "67,000.00" and inserting in lieu thereof the figures "61,000.00".

On motion of Senator Irwin, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CONSIDERATION OF SUBSTITUTE FOR HOUSE FILE 477 RESUMED

The amendment offered by Senator Breen was substituted.

The substitute amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Section 6 by striking lines 7, 8, 9, 10, 11, 12, and 13, and inserting in lieu thereof the following:

"For salary of State Comptroller	\$ 5,000.00
"For salaries and miscellaneous purposes.....	46,072.00

"Grand total of all appropriations for all purposes for each year of the biennium for the department of State Comptroller	\$51,072.00"
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Roll call was requested on that part of the pending amendment relating to the comptroller's salary.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Augustine	Byers	Geske	Murray
Baldwin	Chrystal	Gillespie	Schadt
Bell of	Donohue	Grunewald	Stevens
Des Moines	Doran	Lundy	Stewart
Breen	Ellis	Miller	

Nays, 24:

Beardsley	Elthon	Hoeven	Millhone
Berg	Evans	Hopkins	Parker
Billingsley	Goetsch	Husted	Pelzer
Corwin	Guernsey	Kirketeg	Smith
Dean	Hart	Levis	Whitehill
Edwards	Hill	Mighell	Zeigler

Absent or not voting, 8:

Bell of Crawford	Gillette	Kimberly	Moore
Dewey	Irwin	Mason	Shaw

The amendment was not adopted.

Senator Baldwin moved to change the figures in the last line of his amendment to read "\$50,572.00" in view of the first half of his amendment failing of adoption, which motion prevailed.

By unanimous consent, Senator Baldwin offered the following as a substitute for the last half of his original amendment.

Amend Section 6 by striking line 9 and inserting in lieu thereof the following: "Increase for additional help.....\$10,208.00".

The amendment as substituted was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Section 7 by striking from line 7 thereof the following: "purchase of land".

Senator Stevens offered the following amendment and moved its adoption:

Amend Section seven (7) by striking from lines three (3) and four (4) the words and figures "one hundred ten thousand dollars (\$110,000.00)" and inserting in lieu thereof the words and figures "one hundred seventy-five thousand dollars (\$175,000.00)".

Further amend Section seven (7) by striking from line seven (7) the words "purchase of land" and inserting in lieu thereof the following: "purchase of small tracts of land only as may be necessary for the development of existing parks, such as entrances and roadways".

Also strike the figures "\$110,000.00" in lines ten (10) and thirteen (13) of Section seven (7) and insert in lieu thereof the figures "\$175,000.00".

A division of the amendment was requested, and that part relating to purchase of land was adopted.

Roll call was requested.

On the question, "Shall that portion of the amendment increasing the appropriation be adopted?" the vote was:

Ayes, 35:

Augustine	Chrystal	Ellis	Guernsey
Baldwin	Dean	Elthon	Hart
Bell of	Dewey	Evans	Hoeven
Des Moines	Donohue	Geske	Hopkins
Berg	Doran	Gillespie	Kirketeg
Breen	Edwards	Grunewald	Levis

Lundy	Miller	Schadt	Stevens
Mason	Millhone	Shaw	Stewart
Mighell	Murray	Smith	Zeigler

Nays, 7:

Billingsley	Hill	Parker	Whitehill
Goetsch	Husted	Pelzer	

Absent or not voting, 8:

Beardsley	Byers	Gillette	Kimberly
Bell of Crawford	Corwin	Irwin	Moore

The amendment was adopted.

By unanimous consent, Senator Berg withdrew his amendment.

By unanimous consent, Senator Stevens withdrew the following amendment:

Amend Section seven (7) by striking from line three (3) and four (4) the words and figures "one hundred ten thousand dollars (\$110,000.00)" and insert in lieu thereof the words and figures "one hundred seventy-five thousand dollars (\$175,000.00)".

Further amend Section seven (7) by striking from line seven (7) the words "purchase of land". Amend further by striking the figures "\$110,000.00" and insert in lieu thereof the figures "\$175,000.00".

Senator Shaw offered the following amendment and moved its adoption:

Amend by adding, immediately following line 10 of Section 7, the following: "For the preservation and improvement of Storm Lake, Buena Vista County, Iowa, \$20,000.00."

The amendment was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend by striking from line 13 of Section 7 as amended the figures "175,000.00" and inserting in lieu thereof the figures "195,000.00".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 26:

Baldwin	Edwards	Guernsey	Miller
Beardsley	Ellis	Hart	Murray
Berg	Elthon	Kirketeg	Schadt
Chrystal	Evans	Lundy	Shaw
Corwin	Geske	Mason	Stevens
Dewey	Gillespie	Mighell	Zeigler
Doran	Grunewald		

Nays, 5:

Billingsley Hill	Hopkins	Husted	Stewart
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Absent or not voting, 19:

Augustine	Byers	Hoeven	Moore
Bell of Crawford	Dean	Irwin	Parker
Bell of Des Moines	Donohue	Kimberly	Pelzer
Breen	Gillette	Levis	Smith
	Goetsch	Millhone	Whitehill

The amendment was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend by striking from lines 3 and 4 of Section 7 as amended the words "one hundred seventy-five thousand" and the figures "175,000.00" and inserting in lieu thereof the words "one hundred ninety-five thousand" and the figures "195,000.00".

The amendment was adopted.

Senator Stevens offered the following amendment and moved its adoption:

Amend by striking the title of Section 7 and from lines 1 and 3 thereof the words "Board of Conservation" and inserting in lieu thereof, in each instance, the words "Conservation Commission".

The amendment was adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Section 12 by striking from lines 4 and 5 the following: "two hundred fifty thousand two hundred thirty-five dollars (\$250,235.00)" and inserting in lieu thereof the following: "two hundred sixty thousand two hundred thirty-five dollars (\$260,235.00)"; and by striking from line 9 the figures "\$250,235.00" and inserting in lieu thereof "\$260,235.00".

The amendment was adopted.

Senator Dean offered the following amendment and moved its adoption:

Amend by striking from Sec. 14, line four (4), the words and figures "one hundred twenty thousand dollars (\$120,000.00)" and inserting in lieu thereof the words and figures "one hundred twenty-six thousand dollars (\$126,000.00)"; and in line eight (8) by striking the figures "\$120,000.00" and inserting in lieu thereof the figures "\$126,000.00".

The amendment was adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Section 15 by striking from line 8 the figures "3,000.00" and inserting in lieu thereof "2,628.00".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 15:

Beardsley	Evans	Hill	Smith
Dewey	Geske	Hopkins	Stewart
Edwards	Goetsch	Irwin	Zeigler
Elthon	Grunewald	Pelzer	

Nays, 20:

Augustine	Corwin	Guernsey	Miller
Baldwin	Dean	Kirketeg	Murray
Berg	Donohue	Levis	Parker
Breen	Ellis	Lundy	Schadt
Byers	Gillespie	Mighell	Stevens

Absent or not voting, 15:

Bell of Crawford	Chrystal	Hoeven	Millhone
Bell of	Doran	Husted	Moore
Des Moines	Gillette	Kimberly	Shaw
Billingsley	Hart	Mason	Whitehill

The amendment was not adopted.

Senator Irwin offered the following amendment and moved its adoption:

Amend Section 11 as follows:

Strike in lines 4 and 5 the words and figures "fifty-four thousand dollars (\$54,000)" and insert in lieu thereof the words and figures "fifty-five thousand nine hundred thirty-two dollars (\$55,932.00)".

Strike in line 8 the figures "\$2900" and insert in lieu thereof the figures "\$3300".

Strike in line 9 the figures "\$2900" and insert in lieu thereof the figures "\$3300".

Strike in line 10 the figures "\$3000" and insert in lieu thereof the figures "\$3300".

Strike in line 12 the figures "\$45,200" and insert in lieu thereof the figures "\$46,032".

Strike in line 18 the figures "\$54,000" and insert in lieu thereof the figures "\$55,932".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Augustine	Byers	Gillespie	Miller
Baldwin	Chrystal	Hopkins	Murray
Breen	Geske	Irwin	Schadt

Nays, 24:

Beardsley	Ellis	Hoeven	Pelzer
Berg	Elthon	Husted	Shaw
Billingsley	Goetsch	Kirketeg	Smith
Corwin	Grunewald	Levis	Stewart
Dewey	Guernsey	Millhone	Whitehill
Edwards	Hill	Parker	Zeigler

Absent or not voting, 14:

Bell of Crawford	Donohue	Hart	Mighell
Bell of Des Moines	Doran	Kimberly	Moore
Dean	Evans	Lundy	Stevens
	Gillette	Mason	

The amendment was not adopted.

INTRODUCTION OF BILLS

Senate File 524, by committee on banks and banking, a bill for an act to repeal Sections 7420-d7, 7420-a6, 7420-a7, 7420-a10, 7420-a11, 7420-a12 and 7420-a15, and to amend Sections 7420-d6, 7420-a3, 7420-a8, 7420-a13, 7420-a14 and 7420-b1, Code, 1935, all relating to the interest paid on public deposits, to the diversion thereof to the state sinking fund, and enacting in lieu of such provisions an assessment system authorizing the state treasurer, with the approval of the executive council, to make certain assessments against depositories of public funds for the benefit of the state sinking fund, and to repeal all acts or parts of acts in conflict herewith.

Read first and second times and referred to sifting committee.

Senate File 525, by committee on banks and banking, a bill for an act to amend Section ninety-two hundred-seventeen-c one (9217-c1) of the 1935 Code of Iowa, relating to minimum capitalization of banks and trust companies.

Read first and second times and referred to sifting committee.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File 365 by inserting therein as Section two (2) the following:

"That the law as it appears in Section 5334-c1 of Code, 1935, be and it is hereby amended by inserting in line four (4) thereof after the word

"medicine" the following: "...osteopathy, chiropractic,"; also by inserting in line five (5) thereof, after the word "medical" the following: "...osteopathy, chiropractic,"; also by renumbering Section two (2) of said bill as Section three (3).

E. I. MASON.

MR. PRESIDENT: I move to amend Substitute for House File 477 by striking the period at the end of Section 58, and adding thereto the following: "subject to the provisions of Chapter 60 of the 1935 Code of Iowa."

G. R. HILL.

MR. PRESIDENT: I move to amend Substitute for House File 477 as follows:

Section 48, lines 10, 11 and 12. Strike out the words and figures "six million four hundred twenty-three thousand nine hundred sixty dollars (\$6,423,960.00)" and insert in lieu thereof the words and figures "six million four hundred ninety-four thousand nine hundred ninety-five dollars (\$6,494,995.00)".

Section 48, paragraph 6, lines 64 and 65. Strike out the words and figures "nine hundred forty thousand nine hundred ninety-four dollars (\$940,994.00)" and insert in lieu thereof the words and figures "nine hundred ninety thousand dollars (\$990,000.00)".

Section 48, paragraph 7, lines 70 and 71. Strike out the words and figures, "one hundred thousand dollars (\$100,000.00)" and insert in lieu thereof the words and figures "one hundred eight thousand dollars (\$108,000.00)".

Section 48, paragraph 8, lines 80 and 81. Strike out the words and figures "twelve thousand two hundred twenty-six dollars (\$12,226.00)", and insert in lieu thereof the words and figures "fourteen thousand five hundred fifty-five dollars (\$14,555.00)".

Section 48, paragraph 9, line 96. Strike out the words and figures "six million four hundred twenty-three thousand nine hundred sixty dollars (\$6,423,960.00)" and insert in lieu thereof the words and figures "six million four hundred ninety-three thousand nine hundred ninety-five dollars (\$6,493,995.00)".

I. G. CHRYSAL.

MR. PRESIDENT: I move to amend Substitute for House File 477, Section 16, by striking line 8, and inserting in lieu thereof the following:

"miscellaneous purposes\$12,330.00"

HOWARD C. BALDWIN.

MR. PRESIDENT: I move to amend Senate File 321 by striking the period at the end of Section three (3) thereof and adding the following: "except to meet existing competition."

E. P. DONOHUE.

MR. PRESIDENT: I move to amend House File 186 as follows:

1. Amend Section 1, line four (4), by striking therefrom the following words "continuation of a firm or corporation" and inserting in lieu thereof the words and punctuation " , a legally established funeral home other than Co-operative Burial Associations, except that each such legally established funeral home shall comply with the provisions of this chapter as to state control, licenses, and license fees,".

2. Further amend by adding the following as Section 2:

"Sec. 2. The following section is hereby enacted and the code editor is directed to insert the same in the Code immediately following Section twenty-five hundred thirty-four (2534), Chapter 115, Code, 1935, to-wit:

"The State Department of Health shall annually add four dollars (\$4.00) to the renewal fee provided for in subdivision seven (7) of Section twenty-five hundred sixteen (2516), Code, 1935, for one licensed to practice embalming, and such additional moneys shall be accepted as a part of the regular renewal fee. The payment of the same shall be prerequisite to the renewal of such licenses. The funds derived by the State Department of Health from the additional renewal fees collected under this section in behalf of the profession of embalming shall be paid to the Board of Embalming Examiners and such funds so collected by the State Department of Health shall be used for the advancement of the arts and sciences of the embalming profession."

HOWARD W. EDWARDS.

The Journal of April 14th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m., Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 16, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. A. Leonard Smith, pastor of the Mamrelund Lutheran Church of Stanton.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Dean, from citizens of Hancock county, favoring enactment of House File 238.

By Senator Ellis, from residents of Lamotte, opposing enactment of legislation to increase license fees and taxes on trucks and other commercial vehicles.

By Senator Gillette, from residents of Spencer, favoring enactment of the bill known as "Aid for the Blind".

By Senator Irwin, from citizens of Jackson county, opposing enactment of legislation to increase license fees and taxes on trucks and other commercial vehicles.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on April 14, 1937, he had approved the following:

Senate File 24, relating to medical aid and other relief for employees under Workmen's Compensation Act.

Senate File 167, relating to delinquent taxes.

Senate File 215, an act to legalize acts and renewal of the Greeley Mutual Fire Insurance Association.

Senate File 227, relating to inspection of state liquor stores, and appropriation for expense of reporting fires.

Senate File 234, an act to make appropriation to Muscatine and Louisa counties.

Senate File 243, an act granting to Davenport title to bed and banks of Mississippi river within stated boundaries.

Senate File 265, an act to legalize an act of supervisors of Muscatine county.

INTRODUCTION OF BILLS

Senate File 526, by committee on claims, a bill for an act to make an appropriation to C. O. Melvin.

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

Senate File 527, by committee on board of control, a bill for an act to amend Sections thirty-six hundred forty-eight (3648) and thirty-seven hundred ten (3710), Code, 1935, regarding the transfer of inmates of state institutions under the board of control.

Read first and second times and referred to sifting committee.

HOUSE CONCURRENT RESOLUTIONS ADOPTED

Senator Shaw called up House Concurrent Resolution 15, which appears on page 1032 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Berg called up House Concurrent Resolution 14, which appears on page 1012 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE CONCURRENT RESOLUTION 15

Senator Donohue called up the following resolution:

Be It Resolved by the Senate, the House Concurring: That the Forty-seventh General Assembly adjourn sine die, at 5:00 o'clock p. m., Tuesday, April 13, 1937.

Senator Donohue moved that the Senate recede from its amendment to the House amendment to Senate Concurrent Resolution

15, which motion prevailed, and the Senate receded from its amendment to the House amendment.

Senator Donohue moved that the Senate concur in the House amendment to Senate Concurrent Resolution 15.

The motion prevailed, thus fixing April 20th as the date of final adjournment.

CONSIDERATION OF SUBSTITUTE FOR HOUSE FILE 477
RESUMED

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 19 by striking from line 1 the following: "(A)".

The amendment was adopted.

EXECUTIVE SESSION

On motion of Senator Billingsley, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

CONSIDERATION OF SUBSTITUTE FOR HOUSE FILE 477
RESUMED

Senator Corwin offered the following amendment and moved its adoption:

Amend Section 19 by striking from lines 22 and 23 the following: "fifteen thousand five hundred twenty dollars (\$15,520.00)", and inserting in lieu thereof the following: "sixteen thousand five hundred twenty dollars (\$16,520.00)".

The amendment was adopted.

Senator Billingsley offered the following amendment and moved its adoption:

Amend Section forty-eight (48), paragraph eight (8), lines eighty (80) and eighty-one (81), by striking the words and figures "twelve thousand two hundred twenty-six dollars (\$12,226.00)" and inserting in lieu thereof the words and figures "forty thousand dollars (\$40,000.00)".

The amendment was adopted.

Senator Hopkins offered the following amendment and moved its adoption:

Amend Section 21 by striking from lines 3 and 4 the following: "thirty thousand dollars (\$30,000.00)", and inserting in lieu thereof the following: "thirty-three thousand dollars (\$33,000.00)"; and by striking from line 7 the figures "30,000.00" and inserting in lieu thereof the figures "33,000.00".

The amendment was adopted.

Senator Ellis offered the following amendment and moved its adoption:

Amend Section 20 by striking from lines 3 and 4 the following: "twenty-nine thousand three hundred dollars (\$29,300.00)", and inserting in lieu thereof the following. "thirty-one thousand dollars (\$31,000.00)"; and by striking from line 10 the figures "26,900.00", and inserting in lieu thereof "28,600.00"; and by striking from line 14 the figures "29,300.00" and inserting in lieu thereof the figures "31,000.00".

Senator Breen offered the following amendment and moved its adoption:

Amend Section 21 by adding thereto after the word "purposes" in line 7, the following: ", and for a loan of \$7,500.00 for the purpose of publishing the Iowa State Guide Book said sum to be loaned by the Historical Society to the WPA for the publication of said book, to be repaid to the Historical Society from the sale of said book."

On motion of Senator Elthon, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CALL OF THE SENATE

We, the undersigned, request a call of the Senate for Saturday, April 17, 1937, at 10:00 a. m., for consideration of Substitute for House File 477.

HUGH G. GUERNSEY.

E. I. MASON.

A. J. SHAW.

H. D. MILLER.

B. C. WHITEHILL.

K. A. EVANS.

GEO. L. PARKER.

H. W. EDWARDS.

J. BERG.

EARL DEAN.

SAM D. GOETSCH.

LEO ELTHON.

L. H. DORAN.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 133

MR. PRESIDENT AND MR. SPEAKER: Your conference committee appointed to consider the differences between the Senate and the House on

House File 133, begs leave to report that it has had the same under consideration and recommends that part one (1) of the Senate amendment as found on page 876 of the Senate Journal be amended as follows:

1. That the words "Iowa Public Service Commission" or "Iowa Public Service Commissioner" or "Iowa Public Service Commissioners" be stricken from the Senate amendment and the words "Iowa State Commerce Commission" or "Iowa State Commerce Commissioner" or "Iowa State Commerce Commissioners" be inserted in lieu thereof.

2. That the title as amended by the Senate be further amended by striking from line 2 the words "Iowa Public Service" and inserting in lieu thereof the words "Iowa State Commerce".

With the aforesaid changes in the amendments as found on page 876 of the Senate Journal, your committee recommends that the House concur in the Senate amendments.

DAVID A. DANCER.

ROBERT D. BLUE.

HENRY FOX.

C. M. MCFATRIDGE.

On the part of the House.

HOWARD W. EDWARDS.

A. E. AUGUSTINE.

FRANK E. ELLIS.

L. H. DORAN.

On the part of the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 17, memorializing his Excellency Franklin Delano Roosevelt to have placed upon the statute books of the United States workable and enforceable anti-lynching laws.

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

Senate File 463, a bill for an act to legalize proceedings taken by the city council of the city of Osceola, Iowa, for the issuance and sale of bonds to protect the water supply of said city.

Also: That the House has adopted the conference committee report and the amendments therein recommended and passed House File 133, a bill for an act to change the name of the Board of Railroad Commissioners to that of State Transportation Commission.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 17

Memorializing his Excellency, Franklin Delano Roosevelt, President of the United States, and the Congress of the United States, to have placed upon the statute books of the United States of America workable and enforceable anti-lynching laws.

Whereas, The American government is founded on the principle of equal justice under the law, and

Whereas, All religious doctrine taught and observed in the United States of America under the Constitutional guarantee of freedom of worship teaches that the salvation of every human soul depends upon the practice of charity, and

Whereas, It is generally recognized that anything causing human suffering is both un-American and irreligious, and

Whereas, In recognition of these basic principles, there has been considered in the Congress of the United States legislation known as the Mitchell bill, the purpose of which is to enact anti-lynching legislation of an effective nature, and

Whereas, Peter Russell, a highly respected colored employee of the Legislature of the State of Iowa, has called attention to the lynching by torturous and nearly-barbaric means of two colored men at Duck Hill, Mississippi, April 13, 1937, for the alleged murder of a white store keeper, and

Whereas, Members of the Iowa General Assembly respect Mr. Russell and other colored men of good character interested in obtaining equal justice under the law for those of their racial extraction, now, therefore,

Be It Resolved by the House, the Senate Concurring: That it is the sense of the Forty-seventh General Assembly of the State of Iowa that this body believes in the principle of equal justice under the law for all citizens of the United States of America regardless of race, color, or creed and

That His Excellency, Franklin Delano Roosevelt, President of the United States of America, and the Congress of the United States of America be memorialized to take immediate and effective action to enact into workable law some form of anti-lynching legislation, and

Be It Further Resolved: That a copy of this resolution, duly effected, be delivered to the President of the United States; to the United States Senate; to the House of Representatives of the United States; and,

Be It Further Resolved: That copies of this resolution be delivered to the press and to each Senator and Representative from Iowa in the Congress of the United States.

THOMAS STIMPSON.

ISABEL M. ELLIOTT.

H. E. MORROW.

C. E. LOOKINGBILL.

CONSIDERATION OF SUBSTITUTE FOR HOUSE FILE 477 RESUMED

By unanimous consent, Senator Breen withdrew the pending amendment.

Senator Breen offered the following amendment and moved its adoption:

Amend Section 21 by striking the word "and" in line 6 and inserting in lieu thereof a comma, and by adding, after the word "purposes" in line 7, the following: "and \$7,500.00 of said appropriation is to be used for the publication of the 'Guide to Iowa', said book to be published by the State Historical Society from material, maps and photographs fur-

nished by the Federal Writers' Project for Iowa, and the \$7,500.00 to be used for the underwriting of the first 10,000 copies; and any and all profits, plus the original investment, shall be paid over to the State Historical Society for the furtherance of its work."

The amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend by inserting in line 11, of Section 31, the following: "For salaries and traveling expenses of two additional agents.....\$8,240.00".

By unanimous consent Senator Baldwin corrected the amount of his amendment to read "8,270.00".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Augustine	Byers	Evans	Mighell
Baldwin	Chrystal	Gillespie	Miller
Beardsley	Corwin	Gillette	Murray
Bell of Crawford	Dean	Grunewald	Schadt
Bell of	Donohue	Guernsey	Stevens
Des Moines	Edwards	Mason	Stewart
Breen			

Nays, 9:

Dewey	Hopkins	Kirketeg	Pelzer
Elthon	Husted	Parker	Whitehill
Goetsch			

Absent or not voting, 17:

Berg	Hart	Kimberly	Moore
Billingsley	Hill	Levis	Shaw
Doran	Hoeven	Lundy	Smith
Ellis	Irwin	Millhone	Zeigler
Geske			

The amendment was adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend by striking from lines forty-six (46) and forty-seven (47) of Section 19 the words and figures "fourteen thousand three hundred and forty dollars (\$14,340)", and inserting in lieu thereof the words and figures, "fourteen thousand nine hundred forty dollars (\$14,940)".

Also:

Strike from line fifty (50) of said section the figures "\$14,340" and insert in lieu thereof the figures "\$14,940".

Also:

Strike from line fifty-two (52) of said section the figures "\$14,340" and insert in lieu thereof the figures "\$14,940".

By unanimous consent, Senator Doran withdrew his amendment.

Senator Husted offered the following amendment and moved its adoption:

Amend Section 17 by inserting between lines seven (7) and eight (8) the words and figures "7a. For salary of the secretary to the Governor, \$3,000.00".

Further amend Section 17 by striking from line eight (8) the figures "12,906.00" and inserting in lieu thereof the figures "9,906.00".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 28:

Beardsley	Edwards	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Byers	Evans	Kirketeg	Shaw
Corwin	Goetsch	Levis	Smith
Dewey	Hart	Lundy	Stewart
Donohue	Hill	Millhone	Whitehill
Doran	Hoeven	Parker	Zeigler

Nays, 15:

Augustine	Chrystal	Gillette	Miller
Baldwin	Dean	Grunewald	Murray
Bell of Crawford	Geske	Guernsey	Stevens
Bell of Des Moines	Gillespie	Mason	

Absent or not voting, 7:

Billingsley	Ellis	Kimberly	Moore
Breen	Irwin	Mighell	

The amendment was adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Section 35 by adding after the period in line 47 thereof the following:

"The following departments are hereby limited in their demands for printing during the biennial period, commencing July 1, 1937, and ending June 30, 1939, to an amount not to exceed the following:

Commerce counsel, \$1000.00; Auditor of State, \$10,000.00; Custodian, \$20.00; Board of Control, \$1000.00; Executive Council, \$4000.00; Board of Education, \$3000.00; Department of Agriculture, \$25,000.00; Depart-

ment of Public Instruction, \$12,000.00; Academy of Science, \$2,000.00; Pioneer Lawmakers, \$15.00; Entomologist, \$150.00; Banking Department, \$2400.00; Securities Department, \$1000.00; Supreme Court Reporters, \$25,000.00; Supreme Court, \$200.00; Board of Assessment and Review, \$8000.00; Comptroller, \$10,000.00; Bureau of Labor, \$1400.00; Fire Marshal, \$1000.00; Geological Survey, \$4000.00; Governor, \$2500.00; Horticulture, \$3000.00; Industrial Commission, \$1500.00; Insurance Department, \$10,000.00; Historical Department, \$4000.00; Mine Inspectors, \$500.00; Pharmacy Examiners, \$500.00; Printing Board, \$20,000.00; Railroad Commission, \$5000.00; Adjutant General, \$2000.00; Department of Health, \$10,000.00; Board of Parole, \$500.00; Secretary of State, \$5000.00; Treasurer of State, \$10,000.00; Attorney General, \$12,000.00; Clerk of Supreme Court, \$3000.00; it is, however, provided that in case of emergency, the executive council may authorize increased amounts where necessary.

The amendment was adopted.

Senator Corwin offered the following amendments and moved their adoption:

Amend Section 22 by striking from lines 3 and 4 the following: "twenty-five thousand nine hundred dollars (\$25,900.00)" and inserting in lieu thereof the following: "thirty thousand ninety dollars (\$30,090.00)".

Further amend by striking the figures "22,900.00" from line 9 and inserting in lieu thereof "27,090.00"; and by striking from line 13 the figures "25,900.00" and inserting in lieu thereof the figures "30,090.00".

The amendments were adopted.

Senator Baldwin called up the following amendment, filed by Senators Baldwin and Lundy, and moved its adoption:

Amend Section 16 by striking line 8 and inserting in lieu thereof the following:

"miscellaneous purposes\$12,330.00".

Senator Mason offered as a substitute for the amendment offered by Senators Baldwin and Lundy the following:

"Amend the Substitute for House File 477 by striking all of Section 16 therefrom."

Roll call was requested.

On the question, "Shall the amendment be substituted?" the vote was:

Ayes, 12:

Beardsley
Byers
Corwin

Evans
Gillette
Hart

Hill
Mason
Parker

Pelzer
Stevens
Whitehill

Nays, 26:

Augustine	Donohue	Kirketeg	Murray
Baldwin	Doran	Levis	Schadt
Berg	Edwards	Lundy	Shaw
Breen	Geske	Mighell	Smith
Chrystal	Grunewald	Miller	Stewart
Dean	Hoeven	Millhone	Zeigler
Dewey	Hopkins		

Absent or not voting, 12:

Bell of Crawford	Ellis	Goetsch	Irwin
Bell of	Elthon	Guernsey	Kimberly
Des Moines	Gillespie	Husted	Moore
Billingsley			

The substitution failed.

Senator Beardsley moved the previous question on the amendment, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 9:

Augustine	Geske	Lundy	Murray
Baldwin	Hopkins	Miller	Schadt
Breen			

Nays, 31:

Beardsley	Doran	Hill	Parker
Berg	Edwards	Hoeven	Shaw
Byers	Evans	Husted	Smith
Chrystal	Gillette	Kirketeg	Stevens
Corwin	Goetsch	Levis	Stewart
Dean	Grunewald	Mason	Whitehill
Dewey	Guernsey	Mighell	Zeigler
Donohue	Hart	Millhone	

Absent or not voting, 10:

Bell of Crawford	Billingsley	Gillespie	Moore
Bell of	Ellis	Irwin	Pelzer
Des Moines	Elthon	Kimberly	

The amendment was not adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Section forty-one (41), line nine (9), by striking the words and figures "five thousand five hundred (5,500)" and inserting in lieu thereof "six thousand ninety-two (6,092)".

The amendment was not adopted.

Senator Baldwin offered the following amendment and moved its adoption:

Amend Section 31 by striking from line 4 the following: "twenty-seven thousand two hundred ten dollars (\$27,210.00)", and inserting in lieu thereof the following: "thirty-five thousand four hundred eighty dollars (\$35,480.00)"; and by striking from line 14 the figures "27,210.00" and inserting in lieu thereof "35,480.00".

The amendment was adopted.

Senator Shaw offered the following amendment and moved its adoption:

Amend by striking the words and figures "fifteen thousand dollars (\$15,000.00)" in line eight (8) of Section 42, and inserting in lieu thereof the words and figures "sixteen thousand three hundred dollars (\$16,300.00)".

Further amend by striking the words and figures "eighty-two thousand five hundred dollars (\$82,500.00)" in line twelve (12) of said Section 42 and inserting in lieu thereof the words and figures "eighty-three thousand eight hundred dollars (\$83,800.00)".

Also amend Section 42 by striking from lines 3 and 4 the words and figures "eighty-three thousand nine hundred fifty dollars (\$83,950.00)" and inserting in lieu thereof the words and figures "eighty-three thousand eight hundred dollars (\$83,800.00)".

The amendment was adopted.

Senator Dean offered the following amendment and moved its adoption:

Amend Section 43 by striking from line 10 the following: "7,150.00" and inserting in lieu thereof the following: "7,650.00".

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 47 by inserting a comma in line five between the words "Woodward" and "Institution".

The amendment was adopted.

Senator Hill offered the following amendments and moved their adoption:

Amend Section 47 by striking from line 85 the figures "\$400,000.00", and substituting in lieu thereof the figures "\$412,500.00". Strike from line 86 the figures "\$25,000.00" and substitute in lieu thereof the figures "\$12,500.00".

Amend Section 47 by striking from line 101 the figures "\$85,000.00" and substituting in lieu thereof the figures "\$210,000.00". Strike from

line 102 the figures "\$250,000.00" and substitute in lieu thereof the figures "\$125,000.00".

Amend Section 47 by striking from line 117 the figures "\$38,000.00" and substituting in lieu thereof the figures "\$43,000.00". Strike from line 118 the figures "\$15,000.00" and substitute in lieu thereof the figures "\$10,000.00".

The amendments were adopted.

Senator Guernsey offered the following amendment and moved its adoption:

Amend Section 2 by striking from line 35 of said section the figures "\$17,500.00" and inserting in lieu thereof the figures "\$19,500.00".

The amendment was adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend Section 47 by striking from line 30 the words and figures "two hundred fifty thousand dollars (\$250,000.00)" and inserting in lieu thereof the words and figures "three hundred five thousand seven hundred ninety-three dollars (\$305,793.00)"; and by striking from line 34 the figures "\$250,000.00" and inserting in lieu thereof the figures "\$305,793.00".

Amend Section 47 by striking from lines 38 and 39 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred fifty-four thousand five hundred fifty-nine dollars (\$354,559.00)"; and by striking from line 42 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$354,559.00".

Senator Breen asked and received unanimous consent to withdraw his amendment.

SENATE CONCURRENT RESOLUTION 17

Whereas, July third, nineteen hundred thirty-eight, is the one hundredth anniversary of the day the area, of which Iowa is now a part, gained its territorial status; and

Whereas, it is the desire of the Senate of the State of Iowa, the House concurring, to commemorate this one hundredth anniversary by the issuance by the postal department of a stamp with appropriate insignia thereon commemorating this event; now therefore,

Be It Resolved by the Senate, the House Concurring:

Section 1. That the postal department of the United States government be requested to issue such a stamp for the period beginning July third, nineteen hundred and thirty-eight, and ending July third, nineteen hundred and thirty-nine, and that a copy of this resolution be sent to the postal department of the United States government.

HOWARD C. BALDWIN.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 160, 179 and 237, and House Files 56, 414, 457 and 534.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 160, 179 and 237, and House Files 56, 414, 457 and 534.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 16th day of April, 1937, sent to the Governor for his approval, Senate Files 160, 179 and 237. FRANK PELZER, *Chairman.*

Passed on file.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: Senate Files 123, 527, 231, 344, 346, 348, 464, 46, 230, 332, 281, 457, 286, 524, 503, 221, 382, and 294 and House Files 540, 523, 531, 398, 433, 454, 302, 538, 365, 319, 258, 352, 165, 79, 533, 114 and 423, and Senate Joint Resolution 5. FRANK C. BYERS, *Chairman.*

MOTION TO RECONSIDER

MR. PRESIDENT: I move that the vote by which the amendment to Section 2 line 7, of Substitute for House File 477, by Senator Husted, failed to be adopted, be reconsidered. SANFORD ZEIGLER, JR.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Substitute for House File 477 as follows:

Amend Section 47 by striking from lines 46 and 47 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred sixty-eight thousand

two hundred thirty dollars (\$368,230.00)"; and by striking from line 50 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$368,230.00".

Amend Section 47 by striking from line 55 the words and figures "two hundred seventy-five thousand dollars (\$275,000.00)" and inserting in lieu thereof the words and figures "three hundred twenty-nine thousand one hundred six dollars (\$329,106.00)"; and by striking from line 58 the figures "\$275,000.00" and inserting in lieu thereof the figures "\$329,106.00".

Amend Section 47 by striking from line 63 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred sixty-two thousand six hundred eight dollars (\$362,608.00)"; and by striking from line 65 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$362,608.00".

Amend Section 47 by striking from line 70 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred fifty-four thousand five hundred seven dollars (\$354,507.00)"; and by striking from line 72 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$354,507.00".

Amend Section 47 by striking from lines 76 and 77 the words and figures "one hundred seventeen thousand dollars (\$117,000.00)" and inserting in lieu thereof the words and figures "one hundred twenty-two thousand one hundred thirty-six dollars (\$122,136.00)"; and by striking from line 79 the figures "\$117,000.00" and inserting in lieu thereof the figures "\$122,136.00".

Amend Section 47 by striking from lines 135 and 136 the words and figures "one hundred ninety thousand dollars (\$190,000.00)" and inserting in lieu thereof the words and figures "one hundred ninety-four thousand seven hundred forty-two dollars (\$194,742.00)"; and by striking from line 138 the figures "\$190,000.00" and inserting in lieu thereof the figures "\$194,742.00".

Amend Section 47 by striking from line 143 the words and figures "one hundred ninety thousand dollars (\$190,000.00)" and inserting in lieu thereof the words and figures "one hundred ninety-six thousand two hundred sixty-one dollars (\$196,261.00)"; and by striking from line 145 the figures "\$190,000.00" and inserting in lieu thereof the figures "\$196,261.00".

Amend Section 47 by striking from lines 149 and 150 the words and figures "one hundred eighty thousand dollars (\$180,000.00)" and inserting in lieu thereof the words and figures "one hundred eighty-three thousand five hundred ninety-four dollars (\$183,594.00)"; and by striking from line 153 the figures "\$180,000.00" and inserting in lieu thereof the figures "\$183,594.00".

Amend Section 47 by striking from line 158 the words and figures "seventy-six thousand nine hundred sixty dollars (\$76,960.00)" and inserting in lieu thereof the words and figures "seventy-eight thousand fifty-one dollars (\$78,051.00)"; and by striking from line 161 the figures "\$76,960.00" and inserting in lieu thereof the figures "\$78,051.00".

EDWARD BREEN.

MR. PRESIDENT: I move to amend Senate File 101 as follows:

1. Strike the title and insert in lieu thereof the following:

"An Act to provide for the distribution, to the several public school corporations of the state on a teacher unit basis, of certain federal funds now or hereafter made available by act of Congress to assist the states and territories in providing more effective programs of public education; to prescribe the powers and duties of the superintendent of public instruction, the treasurer of state, the state comptroller, and other officials with reference thereto; to require certain refunds to be made by school corporations receiving tuition; and to provide for the administration of this act."

2. Strike all after the enacting clause and insert in lieu thereof the following:

"Section 1. The following terms shall, for the purpose of this act, have the following meanings:

1. "Aggregate attendance" means the sum determined by adding together the total number of school days during which each pupil in the grades in question attended a regular day school conducted by the particular public school corporation during the regular school year, excluding summer school.

2. "Average daily attendance" means the quotient arising from dividing aggregate attendance by the total number of days school was in session during the regular school year, excluding summer school. Said quotient shall be carried to such number of decimal places, fixed by the superintendent, as is reasonably necessary to secure equitable distribution.

3. "Superintendent" means the superintendent of public instruction of the state of Iowa.

Sec. 2. It shall be the duty of the superintendent to keep such records and accounts, to cause such audits to be made, and to make such applications and reports to the United States Commissioner of Education, or other authorized federal officer, as shall be necessary to qualify this state to receive, and to continue to receive, such federal funds as may be allotted to this state under and by virtue of an act of the Seventy-fifth Congress of the United States, first session, now or hereafter enacted, entitled "A bill to promote the general welfare through the appropriation of funds to assist the states and territories in providing more effective programs of public education", and such other acts of Congress, now or hereafter enacted, as may make federal funds available to this state for the purpose of providing more effective programs of general public education. For such purposes, the superintendent is hereby designated as the "chief educational authority" to represent this state.

Sec. 3. There is hereby created in the treasury of the state of Iowa a special fund, to which shall be credited such federal funds as are received pursuant to the acts of Congress designated in Section two hereof. The treasurer of state shall keep such accounts and records of the expenditure of such funds as may be prescribed by the United States Commissioner of Education, or other federal officer, pursuant to the law authorizing such distribution of federal funds.

Sec. 4. The funds credited to such special fund shall be distributed each school year, in October and April, to the several public school corporations of the state in the proportion which the total number of teacher units for each such school corporation for the preceding school year bears to the total number of teacher units for the state for such school year. Such teacher units shall be determined for each public school corporation in the following manner:

1. Teacher units in grades one to eight inclusive, and kindergarten, shall be fixed as follows: (a) For each school in which only one teacher is employed, one teacher unit: and (b) if the total average daily attendance does not exceed forty in all schools in which more than one teacher is employed, two additional teacher units; or (c) if the total average daily attendance exceeds forty in all such schools, one additional teacher unit for the first fifteen and one additional teacher unit for each additional twenty-seven, or major fraction thereof, in average daily attendance; provided that the teacher units so determined for each school corporation shall not exceed the actual number of teachers employed in grades of one to eight inclusive, and kindergarten.

2. Teacher units in grades nine to twelve inclusive shall be determined by allowing one and one-half teacher units for each high school unit, determined as follows: (a) If the total average daily attendance in grades nine to twelve in all schools is less than sixteen, one high school unit; or (b) if such total average daily attendance is more than fifteen and less than twenty-six, two high school units; or (c) if such total average daily attendance is more than twenty-five and less than forty-one, three high school units; or (d) if such total average daily attendance is more than forty, three high school units for the first forty and one additional high school unit for each additional twenty-two, or major fraction thereof, in average daily attendance; provided that the high school units so determined for each school corporation shall not exceed the actual number of teachers employed in teaching grades nine to twelve inclusive.

3. Both resident and nonresident pupils shall be included in determining the number of teacher units allowed to each school corporation.

Sec. 5. The treasurer shall, upon request, certify to the superintendent at any time the amount in the special fund created in Section three hereof. On the first day of October and the first day of April of each year, or as soon thereafter as possible, the superintendent shall determine the amount due each of the several school corporations in the state under the provisions of this act, and shall file with the state comptroller a requisition on which shall appear the amounts due each of such school corporations.

Sec. 6. Warrants Drawn. The state comptroller, upon receipt of such requisition from the superintendent of public instruction, shall draw a warrant or warrants on the treasurer of state, payable to the school corporations entitled thereto in accordance with said requisition, and shall deliver said warrant or warrants to the superintendent of public instruction, who shall make a record thereof and transmit the same to the secretary of each of said school corporations.

Sec. 7. Deposit of Funds. Upon receipt of any such warrant, the secretary of the school corporation shall cause it to be deposited to the credit of the general fund of the said school corporation.

Sec. 8. Each public school corporation in the state which, pursuant to statutory requirements, receives tuition from another public school corporation for nonresident pupils shall, within thirty days after receiving such warrant on the treasurer of state, refund to the public school corporation paying such tuition an amount for each such nonresident pupil determined as follows:

a. The amount so received from the treasurer of state for teacher units in grades one to eight inclusive, and kindergarten, shall be divided by the total average daily attendance in such grades for the school year for which such teacher units were fixed. The result so obtained shall constitute the amount of refund for each pupil in such grades for whom tuition was received for such school year.

b. The amount so received from the treasurer of state for teacher units in grades nine to twelve inclusive shall be divided by the total average daily attendance in such grades for the school year for which such teacher units were fixed. The result so obtained shall constitute the amount of refund for each pupil in such grades for whom tuition was received for such school year.

c. Provided that if tuition was paid for any such pupil for less than the full school year the amount of refund shall bear the same proportion to the amount so determined as the period for which tuition was paid bears to the full school year.

Sec. 9. The superintendent of public instruction is hereby authorized to adopt such rules and regulations, consistent with the provisions of this act, as are necessary and proper for the administration thereof.

Sec. 10. Constitutionality. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional or 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 or invalid.

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 Herald-Patriot, a newspaper published at Chariton, Iowa, and in the Humeston New Era, a newspaper published at Humeston, Iowa.

H. V. LEVIS.

The Journal of April 15th was corrected and approved.

On motion of Senator Mighell, the Senate adjourned until 10:00 a. m., Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 17, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Mott R. Sawyers, pastor of the Presbyterian Church of Centerville.

PETITIONS AND MEMORIALS

The following petition was received and referred to the sifting committee:

By Senator Gillette, from merchants of Buffalo Center, favoring enactment of Senate File 204.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on April 15, 1937, he had approved the following:

Senate Joint Resolution 4, relating to the Greater Iowa Commission.

Senate File 144, relating to appeals from assessment of damages made by condemnation commissioners.

Senate File 164, relating to the sale and distribution of poisons.

Senate File 212, creating a state planning board, and prescribing the powers and duties thereof.

Senate File 355, legalizing the corporate acts and the renewal of the Farmers' Mutual Fire and Lightning Insurance Association of Winneshiek county.

PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received proof of publication of Senate File 523, a proposed bill to legalize issuance of warrants by the independent school district of Elkader.

WALTER H. BEAM, *Secretary.*

CONFERENCE REPORT CONSIDERED

Senator Edwards called up the conference committee report on House File 133, which appears on page 1123 of the Senate Journal, and moved that the Senate adopt the report and concur in the amendments proposed therein.

On the question, "Shall the Senate adopt the conference committee report and concur in the amendments proposed therein?" the vote was:

Ayes, 29:

Beardsley	Elthon	Hopkins	Murray
Berg	Evans	Irwin	Parker
Breen	Geske	Kirketeg	Pelzer
Chrystal	Goetsch	Mason	Schadt
Dean	Grunewald	Mighell	Smith
Dewey	Guernsey	Miller	Stewart
Donohue	Hill	Millhone	Whitehill
Edwards			

Nays, none.

Absent or not voting, 21:

Augustine	Byers	Hart	Lundy
Baldwin	Corwin	Hoeven	Moore
Bell of Crawford	Doran	Husted	Shaw
Bell of	Ellis	Kimberly	Stevens
Des Moines	Gillespie	Levis	Zeigler
Billingsley	Gillette		

The report was adopted and the Senate concurred in the amendment.

THIRD READING OF BILLS

On motion of Senator Edwards, House File 133, a bill for an act to change the name of the board of railroad commissioners to that of state transportation commission, as amended, was taken up and considered.

Senator Edwards moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Beardsley	Geske	Lundy	Pelzer
Dean	Goetsch	Mason	Schadt
Dewey	Grunewald	Mighell	Shaw
Donohue	Guernsey	Miller	Smith
Edwards	Hill	Millhone	Stewart
Elthon	Hopkins	Murray	Whitehill
Evans	Kirketeg	Parker	

Nays, none.

Absent or not voting, 23:

Augustine	Billingsley	Ellis	Irwin
Baldwin	Breen	Gillespie	Kimberly
Bell of Crawford	Byers	Gillette	Levis
Bell of	Chrystal	Hart	Moore
Des Moines	Corwin	Hoeven	Stevens
Berg	Doran	Husted	Zeigler

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

There being a call of the Senate for the consideration of Substitute for House File 477, the roll was called and disclosed the absence of Senators Bell of Crawford, Ellis, Gillespie, Hart, Kimberly, Levis, Irwin and Moore.

Senator Elthon moved that the rules be suspended and that the absent Senators be temporarily excused.

By unanimous consent Senator Elthon withdrew his motion.

Senator Elthon moved that the rules be suspended and that the absent Senators be excused from the call on Substitute for House File 477.

Roll call was requested.

On the question, "Shall the rules be suspended and the absent Senators excused?" the vote was:

Ayes, 24:

Augustine	Dewey	Grunewald	Parker
Beardsley	Edwards	Guernsey	Pelzer
Bell of	Elthon	Husted	Shaw
Des Moines	Evans	Kirketeg	Smith
Billingsley	Gillette	Mason	Stewart
Corwin	Goetsch	Millhone	Whitehill
Dean			

Nays, 18:

Baldwin	Donohue	Hopkins	Murray
Berg	Doran	Lundy	Schadt
Breen	Geske	Mighell	Stevens
Byers	Hill	Miller	Zeigler
Chrystal	Hoeven		

Absent or not voting, 8:

Bell of Crawford	Gillespie	Irwin	Levis
Ellis	Hart	Kimberly	Moore

The resolution did not prevail, a suspension of the rules requiring a two-thirds vote.

Senator Elthon asked that the Sergeant-at-Arms be instructed to secure the presence of the absent Senators in the Senate.

Senator Gillespie appeared in the Senate chamber.

Senator Kirketeg asked and received unanimous consent to suspend the rules and excuse Senator Moore from the call on account of illness.

Senator Beardsley moved that the rules be suspended and that Senators Ellis, Hart, Kimberly, and Irwin be excused from the call.

On the question, "Shall the rules be suspended and Senators Ellis, Hart, Kimberly and Irwin be excused from the call?" the vote was:

Ayes, 24:

Augustine	Edwards	Hopkins	Parker
Beardsley	Elthon	Husted	Pelzer
Billingsley	Evans	Kirketeg	Shaw
Corwin	Goetsch	Mason	Smith
Dean	Grunewald	Mighell	Stewart
Dewey	Guernsey	Millhone	Whitehill

Nays, 19:

Baldwin	Byers	Gillespie	Miller
Bell of	Chrystal	Gillette	Murray
Des Moines	Donohue	Hill	Schadt
Berg	Doran	Hoeven	Stevens
Breen	Geske	Lundy	Zeigler

Absent or not voting 7:

Bell of Crawford	Hart	Kimberly	Moore
Ellis	Irwin	Levis	

The motion did not prevail, having failed to receive a two-thirds vote.

Senator Beardsley moved that the rules be suspended and that the Senate proceed to consider appropriations, claims, legalizing acts and other non-controversial measures in their order on the calendar.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Donohue, House File 171, by Sours, a bill for an act to amend Section two hundred eighty-four (284),

Code, 1935, in regard to reports for Official Register, reported out by the sifting committee, was taken up and considered.

By unanimous consent, Senator Baldwin withdrew the following amendment:

Amend House File 171, Section 1, by striking the period in line seven and adding the following: "and the cost thereof shall be paid out of the general fund of the state of Iowa."

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Donohue	Hill	Pelzer
Baldwin	Doran	Hoeven	Schadt
Berg	Edwards	Hopkins	Shaw
Breen	Evans	Husted	Smith
Byers	Geske	Kirketeg	Stevens
Chrystal	Gillespie	Mighell	Stewart
Corwin	Goetsch	Millhone	Whitehill
Dean	Grunewald	Murray	Zeigler
Dewey	Guernsey	Parker	

Nays, none.

Absent or not voting, 15:

Beardsley	Billingsley	Hart	Lundy
Bell of Crawford	Ellis	Irwin	Mason
Bell of	Elthon	Kimberly	Miller
Des Moines	Gillette	Levis	Moore

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

On motion of Senator Berg, Senate File 161, relating to powers of cities and towns, was taken up and considered.

Senator Berg asked and received unanimous consent to suspend the rules and substitute House File 184 for Senate File 161.

On motion of Senator Berg, House File 184, by Fuelling and Bulow, a bill for an act to amend Section five thousand six hundred eighty-three (5683) of the Code, relating to powers of cities and towns, substituted for Senate File 161, was taken up and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Dean	Guernsey	Murray
Baldwin	Dewey	Hill	Parker
Beardsley	Donohue	Hoeven	Pelzer
Bell of	Edwards	Hopkins	Schadt
Des Moines	Elthon	Husted	Shaw
Berg	Evans	Lundy	Smith
Breen	Geske	Mighell	Stewart
Byers	Gillespie	Miller	Whitehill
Chrystal	Goetsch	Millhone	Zeigler
Corwin	Grunewald		

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Gillette	Kimberly	Mason
Billingsley	Hart	Kirketeg	Moore
Doran	Irwin	Levis	Stevens
Ellis			

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

Senator Berg moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Berg asked and received unanimous consent to withdraw Senate File 161 from the further consideration of the Senate.

On motion of Senator Gillespie, House File 182, by Brown, a bill for an act amending Section three hundred seventy (370), and fifty-six hundred sixty-three (5663), relating to the making of estimates for the local tax budget and annual appropriations, in cities over 100,000 population and providing a penalty for violation thereof, reported out by the sifting committee, was taken up and considered.

Senator Gillespie offered the following amendment and moved its adoption:

Amend Section 1 by striking from line 10 the following: "31st" and inserting in lieu thereof the following: "30th".

The amendment was adopted.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Baldwin	Donohue	Hill	Pelzer
Beardsley	Doran	Hoeven	Schadt
Berg	Edwards	Husted	Shaw
Breen	Geske	Kirketeg	Smith
Byers	Gillespie	Mighell	Stevens
Chrystal	Gillette	Miller	Stewart
Corwin	Goetsch	Murray	Whitehill
Dean	Grunewald	Parker	Zeigler
Dewey			

Nays, none.

Absent or not voting, 17:

Augustine	Ellis	Hopkins	Lundy
Bell of Crawford	Elthon	Irwin	Mason
Bell of	Evans	Kimberly	Millhone
Des Moines	Guernsey	Levis	Moore
Billingsley	Hart		

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

Senator Gillespie moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Donohue, Senate File 426, a bill for an act to amend Sections thirteen thousand six hundred nineteen (13619) and thirteen thousand six hundred twenty (13620) of the Code of Iowa, relating to qualifications of sureties on bail bonds; and to amend Section eighty-nine hundred forty (8940) of the Code of Iowa, 1935, relating to business that may be transacted by insurance companies other than life and to permit insurance companies other than life, qualified to do business in this state, to act as surety for bail in criminal cases, reported out by the sifting committee, was taken up and considered.

Senator Donohue offered the following amendments and moved their adoption:

Amend Senate File 426 by striking from Section three (3) thereof immediately following the word "required" the period (.), and substituting in lieu thereof the following: "where the same appears the second time in said paragraph of said Section 8940."

Amend Section 4 by inserting in line 3 "Manson Journal"; in line 4 "Manson" and "Nashua Reporter"; and in line 5 "Nashua".

The amendments were adopted.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Dean	Guernsey	Murray
Baldwin	Dewey	Hill	Parker
Beardsley	Donohue	Hoeven	Pelzer
Bell of	Doran	Hopkins	Schadt
Des Moines	Edwards	Husted	Shaw
Berg	Evans	Kirketeg	Smith
Breen	Geske	Lundy	Stevens
Byers	Gillette	Mighell	Stewart
Chrystal	Goetsch	Miller	Whitehill
Corwin	Grunewald	Millhone	Zeigler

Nays, none.

Absent or not voting, 11:

Bell of Crawford	Elthon	Irwin	Mason
Billingsley	Gillespie	Kimberly	Moore
Ellis	Hart	Levis	

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 92, a bill for an act making an appropriation for the control of insect pests.

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

Senate File 425, a bill for an act to legalize the proceedings of the Board of Supervisors of Palo Alto County.

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

House File 524, a bill for an act relating to sale of securities.

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

House File 543, a bill for an act legalizing ordinance 33 of the town council of Albert City, Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 450, a bill for an act relating to powers, duties and jurisdiction of the state conservation commission.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 92

Amend Section 1 by striking from lines 1 and 2 the following: "There is hereby appropriated for the biennium commencing July 1, 1937, and", and substituting the following: "There is hereby appropriated for the period".

Further amend Section 1, line 4, by striking the words and figures "thirty-five thousand dollars (\$35000.00)" and substituting the following: "twenty-five thousand dollars (\$25000.00)".

Further amend Section 1 by striking from lines 8, 9, 10 and 11 the following: "and for preventing the introduction and effecting the eradication of new or reintroduced insects which may become serious pests if once established in the state".

Further amend Section 1 by striking from lines 12 and 13 the following: "administration costs, salaries and".

Further amend Section 1 by striking all of said section following the period (.) in line 14 and substituting the following: "Said appropriation shall be wholly available immediately upon the taking effect of this act and may be expended, if necessary, by and under the direction of the Secretary of Agriculture of this state with the approval of the Executive Council and the State Comptroller."

Amend by adding as a new section:

"Sec. 2. All monies appropriated by this act, remaining unexpended or unobligated, at the close of business on June 30, 1939, shall revert to and become part of the general fund in the state treasury."

Amend by striking the title and inserting in lieu thereof the following:

"An Act to make an appropriation available for the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs and other similar crop pests, and for the purchase, distribution and application of materials and for incidental and other miscellaneous expenses connected therewith."

HOUSE AMENDMENTS TO SENATE FILE 450

Amend Section 6, line 1, by inserting after the word "boat" the words "as hereinafter designated".

Amend Section 29 by changing the period at the end thereof to a comma and adding the following: "or as provided by the Code of Iowa, 1935."

Amend Section 31, line 3, by striking the word "striped".

Amend Section 38, line 6, by adding after the word "animal" the words "that are not native to Iowa".

Amend Section 39, line 13, by striking the words and figures "September 15-January 15" and inserting in lieu thereof the following: "August 1-March 1".

Further amend Section 39, line 15, by striking the words and figures "November 15-December 15" and inserting in lieu thereof the following: "November 1-December 1, except Lee County, November 15-December 15".

Further amend Section 39, lines 17 and 18, by striking the words "Union, Ringgold, Decatur, Wayne, Clarke".

Further amend Section 39, line 24, by inserting the following:

"Doves—Lee, Clay and Dickinson counties only: September 1-November 1—10 male birds—10 male birds".

Further amend Section 39, line 45, by changing the date "October 1" to "September 15".

Further amend Section 39, line 46, by changing the date "October 1" to "September 15".

Further amend Section 39, line 55, by changing the date November 18" to "November 14".

Further amend Section 39, line 54, by changing the date "October 1" to "September 15".

Further amend Section 39, line 56, by changing the date "October 1" to "September 15".

Amend Section 42 by striking from line 2 the words "entrap or ensnare" and substitute the word "trap".

Amend Section 46 by striking the period in line 4 and substituting the following: "or rabbits."

Amend by striking Section 48.

Amend Section 56, lines 65, 66, 67 and 68, by striking the words "to May 30 in inland streams only and July 1".

Amend Section 65, line 9, by changing the period to a comma and adding the following: "and in Cedar River, Muscatine county, Iowa."

Amend Section 66 by adding after the word "propelled" in line 2 the words "or sail".

Amend Section 69 by striking the period at the end of line 6 and substituting the following: "and on issuance of permit by the commission, boat liveryes may use minnow seines not exceeding fifty (50) feet in length."

Amend Section 76 by striking the period in line 5 and inserting in lieu thereof the following: ", except where such killing, trapping, or ensnaring may be for the protection of public or private property." Further amend Section 76 by striking from line 13 the word "Warren,".

Amend Section 83 by striking from line 1 the words "such fur dealers" and substituting the words "established place of business".

Amend Section 86 by striking all of said section after the period in line 4 and substituting the following: "Such inventory shall show the number and kind of hides and skins which have been purchased."

Amend Section 96, paragraph "C" by striking all of said paragraph and substituting the following:

"(c) The following waters are closed to the use of all fishing tackle except that pole, line and hook may be used for the purpose of taking fish:

That part of the Mississippi River in Lee County, Iowa, between the Mississippi River Power Company dam and the Toledo, Peoria and

Western railway and vehicle bridge at Keokuk, Iowa; and also an area in Dubuque County described as follows: beginning at a point on the west bank of the Mississippi River at the north and south center line of Section Twenty-four (24) Township Eighty-eight (88) north, Range Four (4) east of the 5th P. M., Dubuque County, Iowa, thence northwesterly along the west bank of the Mississippi River to the north line of the southwest one quarter ($\frac{1}{4}$) of the Southeast one quarter ($\frac{1}{4}$) of Section ten (10), Township Eighty-eight (88) north, Range Four (4) east of the 5th P. M., thence easterly to the head of Green's Island otherwise charted as "Nine Mile Island", thence southeasterly along the east bank of Green's Island to the downstream end thereof, thence to the point of beginning."

Amend Section 101 by striking line 1 and all of line 2 preceding the word "carp" and substituting the following:

"It shall be lawful to take from the waters of the Mississippi River and the Missouri River with licensed and tagged nets or seines, and have in possession the following list of fish taken from said waters:."

Amend by adding the following as Section 135a:

"Sec. 135a. Section seventeen hundred three-g fifteen (1703-g15) is amended by adding to the said section the following:

"That the conservation officers are likewise given the power of peace officers with respect to all violations of the motor vehicle laws and all public offenses committed in their presence."

Amend the title by striking the period at the end thereof and substituting the following:

" , and to amend Section seventeen hundred three-g fifteen (1703-g15), Code, 1935, relating to powers of conservation officers."

By unanimous consent on request of Senator Dewey, the rules were suspended and the House amendments to Senate File 450 were taken up at this time.

HOUSE AMENDMENTS CONSIDERED

Senator Dewey called up for consideration Senate File 450, amended by the House, and the foregoing amendments were considered.

Senator Baldwin moved to amend the House amendments to Senate File 450 as follows:

Strike lines 18, 19, 20 and 21 thereof, being the amendment to Section 39, line 24.

The amendment was adopted.

Senator Baldwin moved to amend the House amendments as follows:

Strike lines 37 and 38, being the amendment to Section 56, lines 65, 66, 67 and 68.

The amendment was adopted.

Senator Baldwin moved to amend the House amendments as follows:

Strike lines 51 and 52 thereof, being the amendment to Section 83, line 1.

The amendment was adopted.

Senator Dewey moved that the Senate concur in the House amendments, as amended.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 41:

Augustine	Dean	Gunewald	Miller
Baldwin	Dewey	Guernsey	Millhone
Beardsley	Donohue	Hill	Murray
Bell of	Doran	Hoeven	Parker
Des Moines	Edwards	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Billingsley	Evans	Kirketeg	Stevens
Breen	Geske	Lundy	Stewart
Byers	Gillespie	Mason	Whitehill
Chrystal	Gillette	Mighell	Zeigler
Corwin	Goetsch		

Nays, none.

Absent or not voting, 9:

Bell of Crawford	Irwin	Levis	Shaw
Ellis	Kimberly	Moore	Smith
Hart			

The House amendments, as amended, having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On motion of Senator Dewey, Senate File 450, by committee on conservation, a bill for an act relating to the powers, duties and jurisdiction of the state conservation commission, to amend Chapter eighty-five (85), Code, 1935, relating to licensing of boats and pilots and inspection, by repealing Section seventeen hundred three-e eight (1703-e8) thereof, relating to rules and regulations of the state conservation commission, to amend Section seventeen hundred three-e ten (1703-e10) thereof, relating to penalties, to further amend said chapter by enacting laws to be included in said chapter pertaining to the operation and equipment of boats used for hire and other boats used upon state-owned waters, and to provide a penalty for the violation of such laws; to amend Chapter eighty-five-D one (85-D1), Code, 1935, relating to the state conservation commission, by repealing Section

seventeen hundred three-g twenty-one (1703-g21) thereof and by repealing paragraphs five (5) and six (6) of Section seventeen hundred three-d twelve (1703-d12) thereof, relating to the specific powers of the state conservation commission, and to enact a substitute therefor, to repeal Section seventeen hundred three-e twelve (1703-e12) thereof, relating to publication and to enact a substitute therefor, to amend Section seventeen hundred three-d fifteen (1703-d15) thereof, relating to interpretation and limitations; to amend Chapter eighty-six-E one (86-E1), Code, 1935, relating to fish and game licenses, by amending Section seventeen hundred ninety-four-e ten (1794-e10) thereof, relating to form of license, and to amend Section seventeen hundred ninety-four-e twelve (1794-e12) thereof, relating to revocation or suspension of license; to amend Chapter eighty-six (86), Code, 1935, relating to propagation and protection of fish, game, wild birds and animals, by amending Section seventeen hundred eighty-nine (1789) thereof, relating to violations, and to enact laws to be added to said chapter pertaining to the protection of fish, game, wild birds and animals, and to the commercial taking or disposition thereof, and to provide a penalty for the violation of such laws; to amend Chapter eighty-seven (87), Code, 1935, relating to conservation and public parks, by repealing Section seventeen hundred ninety-nine-b one (1799-b1) thereof, pertaining to rules and regulations, and to enact laws to be added to said chapter prohibiting, restricting, or controlling the use by the public of state parks, preserves, or state-owned property of waters under the jurisdiction of the state conservation commission, as amended, was taken up and considered.

Senator Dewey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dean	Grunewald	Miller
Baldwin	Dewey	Guernsey	Millhone
Beardsley	Donohue	Hill	Murray
Bell of	Doran	Hoeven	Parker
Des Moines	Edwards	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Billingsley	Geske	Kirketeg	Stevens
Breen	Gillespie	Lundy	Stewart
Byers	Gillette	Mason	Whitehill
Chrystal	Goetsch	Mighell	Zeigler
Corwin			

Nays, none.

Absent or not voting, 10:

Bell of Crawford	Hart	Levis	Shaw
Ellis	Irwin	Moore	Smith
Elthon	Kimberly		

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

HOUSE MESSAGES CONSIDERED

House File 524, a bill for an act to amend Sections eighty-five hundred eighty-one-e five (8581-c5) and eighty-five hundred eighty-one-f one (8581-f1), Chapter three hundred ninety-three-C one (393-C1) of the Code of Iowa, 1935, to provide that sale by a registered dealer of any security which is a part of an issue which has theretofore been sold and distributed to the public under certain circumstances, or a security exchanged therefor in a voluntary or court reorganization shall, under certain conditions, constitute an exempt transaction and to further define the power of the Secretary of State to prescribe a limitation on commissions to be paid by or on behalf of an issuer of securities.

Read first and second times and passed on file.

House File 543, a bill for an act legalizing ordinance number thirty-three (33) of the town council of Albert City, Iowa, passed and adopted, April 10, 1937, and published April 15, 1937, which ordinance empowers the town council of Albert City to borrow funds not to exceed ten thousand dollars (\$10,000.00).

Read first and second times and referred to sifting committee.

On motion of Senator Whitehill, the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate met in regular session, President Valentine presiding.

INTRODUCTION OF BILLS

Senate File 528, by special committee on tax revision, a bill for an act to amend Section two of Senate File 316, Acts of the Forty-seventh General Assembly, to strike that portion of said section relating to payment of the sales tax on motor vehicles.

Read first and second times and referred to sifting committee.

Senate File 529, by special committee on tax revision, a bill for an act to repeal Section six thousand nine hundred forty-three-f two (6943-f2), Code, 1935, relating to the purpose of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935, and to enact a substitute therefor.

Read first and second times and referred to sifting committee.

Senate File 530, by committee on appropriations, a bill for an act to make an appropriation to enable the State of Iowa to participate in the program of the Civilian Conservation Corps, the Works Progress Administration and with Federal and other agencies within the State of Iowa.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Donohue, House File 52, a bill for an act to amend Section sixty-two hundred eleven (6211), Code, 1935, relating to the power of cities and towns to levy annually special taxes, reported out by the sifting committee, was taken up and considered.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Dean	Grunewald	Murray
Bell of	Dewey	Guernsey	Parker
Des Moines	Donohue	Hill	Pelzer
Berg	Doran	Hoeven	Schadt
Billingsley	Edwards	Hopkins	Shaw
Breen	Elthon	Husted	Stevens
Byers	Geske	Kirketeg	Stewart
Chrystal	Gillespie	Mighell	Whitehill
Corwin	Goetsch	Millhone	Zeigler

Nays, none.

Absent or not voting, 15:

Baldwin	Evans	Kimberly	Miller
Beardsley	Gillette	Levis	Moore
Bell of Crawford	Hart	Lundy	Smith
Ellis	Irwin	Mason	

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

On motion of Senator Hoeven, House File 262, by Treimer, a bill for an act to legalize bonds issued by the independent school district of Hartley, in O'Brien county, Iowa, for the construction of a school building, and to legalize the expenditure of certain funds for the payment of the school building in excess of the amount stated in the ballot used at the election, and the transfer of certain funds from the general fund to the school fund for the purpose of making such expenditure, and to authorize and legalize the issuance of warrants for current expenses in excess of the anticipated income for the fiscal year ending June 30, 1937, reported out by the sifting committee, was taken up and considered.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Dean	Grunewald	Murray
Beardsley	Dewey	Guernsey	Parker
Bell of	Donohue	Hill	Pelzer
Des Moines	Edwards	Hoeven	Schadt
Berg	Elthon	Hopkins	Shaw
Billingsley	Evans	Husted	Stevens
Breen	Geske	Kirketeg	Stewart
Byers	Gillespie	Mighell	Whitehill
Chrystal	Gillette	Millhone	Zeigler
Corwin	Goetsch		

Nays, none.

Absent or not voting, 13:

Baldwin	Hart	Levis	Miller
Bell of Crawford	Irwin	Lundy	Moore
Doran	Kimberly	Mason	Smith
Ellis			

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

On motion of Senator Stewart, Senate File 381, a bill for an act to amend Sections two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749), and two thousand seven hundred fifty-three (2753), Code, 1935, relating to the use and disposal of dead animals, reported out by the sifting committee, was taken up and considered.

Senator Stewart moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Dean	Grunewald	Millhone
Beardsley	Dewey	Guernsey	Parker
Bell of	Donohue	Hill	Pelzer
Des Moines	Doran	Hoeven	Schadt
Berg	Edwards	Hopkins	Shaw
Billingsley	Elthon	Husted	Stevens
Breen	Evans	Kirketeg	Stewart
Byers	Geske	Mason	Whitehill
Chrystal	Gillette	Mighell	Zeigler
Corwin	Goetsch	Miller	

Nays, none.

Absent or not voting, 12:

Baldwin	Gillespie	Kimberly	Moore
Bell of Crawford	Hart	Levis	Murray
Ellis	Irwin	Lundy	Smith

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

Senator Stewart moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Byers, House File 107, by Hickenlooper, Yager, Burma, Ross, Morrow, Wehling, Hultman, O'Neill, a bill for an act to authorize cities and towns, including those acting under special charter, to pay the expenses of firemen attending the Iowa Fire School and Regional Fire Schools conducted or sponsored by the Iowa State College and certain other gatherings of firemen, reported out by the sifting committee, was taken up and considered.

Senator Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Breen	Donohue	Goetsch
Beardsley	Byers	Doran	Grunewald
Bell of	Chrystal	Edwards	Guernsey
Des Moines	Corwin	Elthon	Hill
Berg	Dean	Evans	Hoeven
Billingsley	Dewey	Gillespie	Hopkins

Husted	Miller	Pelzer	Stewart
Kirketeg	Millhone	Schadt	Whitehill
Mason	Murray	Shaw	Zeigler
Mighell	Parker	Stevens	

Nays, none.

Absent or not voting, 12:

Baldwin	Geske	Irwin	Lundy
Bell of Crawford	Gillette	Kimberly	Moore
Ellis	Hart	Levis	Smith

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Donohue moved that the rules be suspended and that House File 524, companion bill to Senate File 454, be not referred to the sifting committee, but be placed on the calendar, which motion prevailed.

By unanimous consent on request of Senator Donohue, House File 524 was substituted for Senate File 454.

On motion of Senator Donohue, House File 524, a bill for an act to amend Sections eighty-five hundred eighty-one-e five (8581-c5) and eighty-five hundred eighty-one-f one (8581-f1), Chapter three hundred ninety-three-C one (393-C1) of the Code of Iowa, 1935, to provide that sale by a registered dealer of any security which is a part of an issue which has theretofore been sold and distributed to the public under certain circumstances, or a security exchange therefor in a voluntary or court reorganization shall, under certain conditions, constitute an exempt transaction and to further define the power of the Secretary of State to prescribe a limitation on commissions to be paid by or on behalf of an issuer of securities, substituted for Senate File 454, was taken up and considered.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Bell of	Berg	Breen
Beardsley	Des Moines	Billingsley	Byers

Corwin	Goetsch	Kirketeg	Pelzer
Dean	Grunewald	Lundy	Schadt
Dewey	Guernsey	Mason	Shaw
Donohue	Hill	Miller	Stevens
Edwards	Hoeven	Millhone	Stewart
Elthon	Hopkins	Murray	Whitehill
Geske	Husted	Parker	Zeigler
Gillespie			

Nays, none.

Absent or not voting, 14:

Baldwin	Ellis	Irwin	Mighell
Bell of Crawford	Evans	Kimberly	Moore
Chrystal	Gillette	Levis	Smith
Doran	Hart		

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

By unanimous consent on request of Senator Donohue, Senate File 454, companion bill to House File 524, was withdrawn from the further consideration of the Senate.

On motion of Senator Dean, House File 143, by Johnson, a bill for an act to amend Section twenty-eight hundred twelve (2812) of the Code, 1935, relating to license fees for hotels and restaurants, providing for a license fee for movable lunch stands, reported out by the sifting committee, was taken up and considered.

Senator Dean moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Dean	Goetsch	Miller
Beardsley	Dewey	Grunewald	Millhone
Bell of	Donohue	Guernsey	Murray
Des Moines	Doran	Hoeven	Parker
Berg	Edwards	Hopkins	Schadt
Billingsley	Elthon	Husted	Stevens
Breen	Evans	Kirketeg	Stewart
Byers	Geske	Lundy	Whitehill
Chrystal	Gillespie	Mason	Zeigler
Corwin	Gillette	Mighell	

Nays, 1:

Pelzer

Absent or not voting, 11:

Baldwin	Hart	Kimberly	Shaw
Bell of Crawford	Hill	Levis	Smith
Ellis	Irwin	Moore	

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

On motion of Senator Dean, House File 172, by Knudson, a bill for an act to repeal Section seventy-one hundred seventy-nine (7179), Code, 1935, relative to licensing public shows, and enacting a substitute therefor giving boards of supervisors power to regulate or prohibit shows, rodeos, and circuses, and prohibiting exhibitions without a license and fixing the maximum fee therefor, reported out by the sifting committee, was taken up and considered.

Senator Dean moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Donohue	Hill	Millhone
Beardsley	Doran	Hoeven	Murray
Berg	Edwards	Hopkins	Pelzer
Billingsley	Elthon	Husted	Schadt
Breen	Geske	Kirketeg	Stevens
Byers	Gillespie	Mason	Stewart
Corwin	Goetsch	Mighell	Whitehill
Dean	Grunewald	Miller	Zeigler
Dewey	Guernsey		

Nays, none.

Absent or not voting, 16:

Baldwin	Ellis	Irwin	Moore
Bell of Crawford	Evans	Kimberly	Parker
Bell of	Gillette	Levis	Shaw
Des Moines	Hart	Lundy	Smith
Chrystal			

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

Senator Dean moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Donohue, Senate File 311, a bill for an act to amend Chapter five hundred nine (509) of the Code of 1935, by adding thereto Sections twelve thousand seventy-seven-a-one (12,077-a1), authorizing executors, administrators and trustees, under order of Court, to pay legacies, bequests, distributive shares or interests in trust funds belonging to minors, where the

value of such legacy, bequest, share or interest does not exceed two hundred dollars, to the parents or natural guardian of such minor or to the person with whom such minor resides, and to accept the receipt of such person therefor, where no legal guardian has been appointed for such minor, reported out by the sifting committee, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking from the last line the words "ad litem" and inserting in lieu thereof the words "ad litem".

The amendment was adopted.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dewey	Guernsey	Millhone
Beardsley	Donohue	Hill	Murray
Bell of	Doran	Hoeven	Parker
Des Moines	Edwards	Hopkins	Pelzer
Berg	Elthon	Husted	Schadt
Billingsley	Geske	Kirketeg	Shaw
Breen	Gillespie	Lundy	Stevens
Byers	Gillette	Mason	Stewart
Chrystal	Goetsch	Mighell	Whitehill
Corwin	Grunewald	Miller	Zeigler
Dean			

Nays, none.

Absent or not voting, 10:

Baldwin	Evans	Kimberly	Moore
Bell of Crawford	Hart	Levis	Smith
Ellis	Irwin		

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

On motion of Senator Berg, Senate File 241, a bill for an act to amend Section five thousand eight hundred thirty-five (5835), Code, 1935, to authorize the levy of an additional tax not to exceed one-half mill by certain cities for the purpose of maintaining an incorporated band for educational purposes, reported out by the sifting committee, was taken up and considered.

Senator Berg offered the following amendment and moved its adoption:

Amend Section 1 by inserting after the word "incorporated" in line six the words "not for profit".

The amendment was adopted.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Beardsley	Donohue	Hill	Murray
Berg	Doran	Hoeven	Parker
Billingsley	Edwards	Hopkins	Pelzer
Breen	Elthon	Husted	Schadt
Byers	Geske	Kirketeg	Shaw
Chrystal	Gillespie	Lundy	Stevens
Corwin	Goetsch	Mason	Stewart
Dean	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler

Nays, none.

Absent or not voting, 14:

Augustine	Bell of	Gillette	Levis
Baldwin	Des Moines	Hart	Millhone
Bell of Crawford	Ellis	Irwin	Moore
	Evans	Kimberly	Smith

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

Senator Berg moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILES WITHDRAWN

By unanimous consent on request of Senator Beardsley, Senate File 113 was withdrawn from the further consideration of the Senate.

By unanimous consent on request of Senator Hill, Senate Files 29, 31, 32 and 115 were withdrawn from the further consideration of the Senate.

On motion of Senator Augustine, Senate File 321, a bill for an act to amend Chapter two hundred fifty-one-F one (251-F1), Code of Iowa, 1935, by amending Section five thousand ninety-three-four (5093-f4) and Section five thousand ninety-three-f thirty-one (5093-f31) of such chapter; to provide for the posting of prices

of motor vehicle fuel and fuel oil by every distributor and person selling motor vehicle fuel or fuel oil; making it unlawful for any distributor or person selling motor vehicle fuel or fuel oil to deviate from such posted prices by means of rebates, discounts, premiums or otherwise; to provide that price placards may not be changed for a period of twenty-four hours after posting thereof; and to provide that the deviation from the posted price shall constitute a misdemeanor; and to provide a penalty therefor, reported out by the sifting committee, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend by striking the period at the end of Section three (3) thereof and adding the following: "except to meet existing competition."

Senator Millhone moved the previous question on the amendment and the main bill, which motion prevailed.

Roll call was requested.

Further action was deferred.

REPORT OF COMMITTEE

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 379, a bill for an act to make appropriation for State Department of Social Welfare, Aid to the Needy Blind, Aid to Dependent Children and Division of Child Welfare, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting 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. 319, S. F. 523, H. F. 484.

FRANK C. BYERS, *Chairman*.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 482 by adding another section as follows:

"Sec. 12. The State Board of Control shall employ a 'farm manager' whose duties shall be to suggest and advise concerning all agricultural activities under the Board's jurisdiction."

PAUL P. STEWART.

MR. PRESIDENT: I move to amend Senate File 123 as follows:

1. Amend Section one by striking the word "where" from line four thereof and inserting in lieu thereof the following: "in which the net adjusted actual value of all realty for the year 1933, as determined by the State Board of Assessment and Review, did not exceed \$26,000,000, and in which".

2. Further amend Section one by striking the period at the end thereof and inserting in lieu thereof a comma, and by adding after said comma the following: "and unless the total tax levy for all county purposes will not exceed the average tax levy for all county purposes for the preceding two years."

HUGH W. LUNDY.

MR. PRESIDENT: I move to amend Substitute to House File 477 as follows:

Section 48, paragraph 4, lines 50, 51, 53. Strike out the words and figures, "two hundred seventeen thousand dollars (\$217,000.00)" and insert in lieu thereof the words and figures "two hundred twenty-seven thousand seven hundred dollars (\$227,700.00)".

MORRIS MOORE.

The Journal of April 16th was corrected and approved.

On motion of Senator Beardsley, the Senate adjourned until 10:00 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 19, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. A. H. Grossheim, pastor of the Presbyterian Church of Williamsburg.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee:

By Senator Stevens, from citizens of Eldon, opposing enactment of House File 345.

By Senator Grunewald, from members of the Order of Railroad Telegraphers of Belle Plaine, opposing enactment of House File 345.

PROOF OF PUBLICATION

I hereby certify, as Secretary of the Senate, that I have received proof of publication of Ordinance 33 of the town council of Albert City, Iowa, passed and adopted April 10, 1937. WALTER H. BEAM, *Secretary*.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File 181.

FRANK PELZER, *Chairman Senate Committee*.

JOHN R. IRWIN, *Chairman House Committee*.

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 181.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of April, 1937, sent to the Governor for his approval, Senate File 181.

FRANK PELZER, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Augustine, Senate File 321, a bill for an act to amend Chapter two hundred fifty-one-F one (251-F1), Code of Iowa, 1935, by amending Section five thousand ninety-three-f four (5093-f4) and Section five thousand ninety-three-f thirty-one (5093-f31) of such chapter; to provide for the posting of prices of motor vehicle fuel and fuel oil by every distributor and person selling motor vehicle fuel or fuel oil; making it unlawful for any distributor or person selling motor vehicle fuel or fuel oil to deviate from such posted prices by means of rebates, discounts, premiums or otherwise; to provide that price placards may not be changed for a period of twenty-four hours after posting thereof; and to provide that the deviation from the posted price shall constitute a misdemeanor; and to provide a penalty therefor, which was being considered when the Senate adjourned Saturday, was taken up and considered.

Senator Donohue moved that the Senate reconsider the vote by which the previous question was ordered on the amendment and the main bill. The motion prevailed.

By unanimous consent, Senator Donohue withdrew the following amendment:

Amend by striking the period at the end of Section three (3) thereof and adding the following: "except to meet existing competition."

Senator Donohue moved the adoption of the following amendment offered by Senators Gillette, Augustine and Donohue:

Amend Senate File 321 by striking the period at the end of Section three (3) thereof and adding the following: "except to meet a posted competitive price in that community."

The amendment was adopted.

Senator Augustine moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Donohue	Hill	Miller
Beardsley	Edwards	Hoeven	Parker
Berg	Ellis	Hopkins	Pelzer
Billingsley	Elthon	Husted	Schadt
Breen	Evans	Irwin	Shaw
Byers	Geske	Kimberly	Smith
Chrystal	Gillette	Kirketeg	Stewart
Dean	Goetsch	Levis	Zeigler
Dewey	Guernsey	Mighell	

Nays, none.

Absent or not voting, 15:

Baldwin	Corwin	Hart	Moore
Bell of Crawford	Doran	Lundy	Murray
Bell of	Gillespie	Mason	Stevens
Des Moines	Grunewald	Millhone	Whitehill

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

Senator Augustine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 15, relating to changing the design of the Iowa auto license plate.

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

House Concurrent Resolution 19, relating to the Delaware Swedish Tercentenary celebration.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 16, relative to the World's Fair at New York.

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

Senate File 51, a bill for an act relating to municipal court judiciary ballot.

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

Senate File 129, a bill for an act making Chapters 308-A1 and 308-D1 applicable to certain special charter cities.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 137, a bill for an act to prohibit certain insurance companies or associations from doing business in Iowa.

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

Senate File 166, a bill for an act relating to levee and/or drainage districts.

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

Senate File 172, a bill for an act relating to applicability of civil service to certain officials in cities acting under special charter with population of over 50,000.

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

Senate File 228, a bill for an act providing that a widow, heir or legal representative of a deceased embalmer may operate a funeral home for a stipulated period of time for the purpose of disposing of same.

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

House File 118, a bill for an act relating to justice of the peace courts.

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

House File 181, a bill for an act relating to the vote required to carry special elections for establishment of county public hospitals.

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

House File 388, a bill for an act relating to the practice of podiatry.

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

House File 450, a bill for an act giving certain employees of Board of Assessment and Review power to administer oaths.

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

House File 480, a bill for an act relating to definition and sale of imitation ice cream, fruit ice and milk sherbet.

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

House File 501, a bill for an act relating to additional financial requirements to be complied with by mutual insurance companies.

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

House File 510, a bill for an act requiring certain insurance associations to maintain a reserve for unearned premiums.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 19

Authorizing the Governor to appoint a commission for participation in the celebration of the Delaware Swedish Tercentenary in 1938.

Whereas, the year 1938 will mark the three hundredth anniversary of the first permanent settlement upon Delaware soil, a settlement which was made by the Swedes on the banks of the Christiana river on the site of the present city of Wilmington at a place called "The Rocks" and which was the first settlement of the colony of New Sweden; and,

Whereas, this settlement was the beginning of a permanent government for the earliest permanent inhabitants of the present State of Delaware as well as of the present State of Pennsylvania and western New Jersey; and,

Whereas, the people of Delaware have always taken great pride in their history and traditions and have piously preserved for posterity their ancient landmarks; and,

Whereas, it is proposed that a state, interstate, national and international celebration be held in 1938, commemorating the first permanent establishment of European civilization in the Delaware river valley at "The Rocks" on the Christiana river. Now, therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring:

Section 1. That the Governor be and is hereby authorized and requested to appoint eleven (11) residents of this state, whom he has reason to believe are deeply interested in the history of Delaware, to form a commission to be known as the Delaware Swedish Tercentenary Commission of Iowa.

Sec. 2. That the duties of said commission shall be to prepare plans for participating in the celebration by the State of Delaware on the occasion of the three hundredth anniversary in 1938 of the founding of the first permanent settlement and the establishment of the first permanent government upon the soil of Delaware at Fort Christiana near "The Rocks" on the Christiana river; and to cooperate with other commissions or committees representing the city of Wilmington; historical, patriotic, and other societies of the State of Delaware and other states; the governments of other states; and the national governments of the United States and Sweden.

Sec. 3. That the said commission be and it is hereby authorized to request and direct the Senators and Representatives of the State of

Iowa in the United States Congress to urge and prepare proper legislation in order to enable the director of the United States mint to prepare and have minted United States half dollars suitably commemorating the anniversary; the number of such commemorative half dollars to be limited to twenty thousand in number, and the sale price to be set at \$1.50 each. The profit from such sale shall be used at the discretion of the commission in defraying the expenses incidental to the celebration, and the remainder, if any, shall be paid into the general fund of the Historical Society of Delaware.

Sec. 4. That the said commission shall submit a report to the Governor of all of its acts in connection herewith.

HOUSE AMENDMENT TO SENATE FILE 137

Amend Senate File 137 by striking Section 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 publication in the Altoona Herald, a newspaper published at Altoona, Iowa, and the O'Brien County Bell, a newspaper published at Primghar, Iowa."

HOUSE MESSAGES CONSIDERED

House File 118, a bill for an act to amend Section ten thousand five hundred four (10504), Code, 1935, and Section ten thousand five hundred fifteen (10515), Code, 1935, relating to Justice of the Peace Courts.

Read first and second times and referred to sifting committee.

House File 181, a bill for an act to repeal Section fifty-three hundred fifty-two (5352), Code of Iowa, 1935, and to enact a substitute therefor relating to the vote required to carry special elections for the establishment of county public hospitals.

Read first and second times and referred to sifting committee.

House File 388, a bill for an act to repeal Chapter one hundred seventeen (117), Code, 1935, relating to the practice of podiatry and to enact a substitute therefor.

Read first and second times and referred to sifting committee.

House File 450, a bill for an act to amend Section twelve hundred sixteen (1216), Code, 1935, giving certain employees of the board of assessment and review power to administer oaths.

Read first and second times and referred to sifting committee.

House File 480, a bill for an act to amend Chapter one hundred forty-eight (148), Code of 1935, relating to the definition of ice milk, imitation ice cream, fruit ice and milk sherbet and providing certain regulations as to the sale thereof.

Read first and second times and referred to sifting committee.

House File 501, a bill for an act to amend Section eight thousand nine hundred six (8906) of the Code, 1935, to provide additional financial requirements to be complied with by mutual insurance companies prior to the issuance of a certificate of authority.

Read first and second times and referred to sifting committee.

House File 510, a bill for an act to require insurance associations organized and operating under Chapter four hundred six (406) of the Code of Iowa, 1935, to maintain a reserve for unearned premiums, but excepting county mutuals and associations operating on a post loss basis and not charging advance assessments.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Elthon, consideration of Substitute for House File 477, relating to the appropriation for the biennium beginning July 1, 1937, and ending June 30, 1939, was resumed.

Senator Breen called up the following amendments:

Amend Substitute for House File 477 as follows:

Amend Section 47 by striking from lines 46 and 47 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred sixty-eight thousand two hundred thirty dollars (\$368,230.00)"; and by striking from line 50 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$368,230.00".

Amend Section 47 by striking from line 55 the words and figures "two hundred seventy-five thousand dollars (\$275,000.00)" and inserting in lieu thereof the words and figures "three hundred twenty-nine thousand one hundred six dollars (\$329,106.00)"; and by striking from line 58 the figures "\$275,000.00" and inserting in lieu thereof the figures "\$329,106.00".

Amend Section 47 by striking from line 63 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred sixty-two thousand six hundred

eight dollars (\$362,608.00)"; and by striking from line 65 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$362,608.00".

Amend Section 47 by striking from line 70 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred fifty-four thousand five hundred seven dollars (\$354,507.00)"; and by striking from line 72 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$354,507.00".

Amend Section 47 by striking from lines 76 and 77 the words and figures "one hundred seventeen thousand dollars (\$117,000.00)" and inserting in lieu thereof the words and figures "one hundred twenty-two thousand one hundred thirty-six dollars (\$122,136.00)"; and by striking from line 79 the figures "\$117,000.00" and inserting in lieu thereof the figures "\$122,136.00".

Amend Section 47 by striking from lines 135 and 136 the words and figures "one hundred ninety thousand dollars (\$190,000.00)" and inserting in lieu thereof the words and figures "one hundred ninety-four thousand seven hundred forty-two dollars (\$194,742.00)"; and by striking from line 138 the figures "\$190,000.00" and inserting in lieu thereof the figures "\$194,742.00".

Amend Section 47 by striking from line 143 the words and figures "one hundred ninety thousand dollars (\$190,000.00)" and inserting in lieu thereof the words and figures "one hundred ninety-six thousand two hundred sixty-one dollars (\$196,261.00)"; and by striking from line 145 the figures "\$190,000.00" and inserting in lieu thereof the figures "\$196,261.00".

Amend Section 47 by striking from lines 149 and 150 the words and figures "one hundred eighty thousand dollars (\$180,000.00)" and inserting in lieu thereof the words and figures "one hundred eighty-three thousand five hundred ninety-four dollars (\$183,594.00)"; and by striking from line 153 the figures "\$180,000.00" and inserting in lieu thereof the figures "\$183,594.00".

Amend Section 47 by striking from line 158 the words and figures "seventy-six thousand nine hundred sixty dollars (\$76,960.00)" and inserting in lieu thereof the words and figures "seventy-eight thousand fifty-one dollars (\$78,051.00)"; and by striking from line 161 the figures "\$76,960.00" and inserting in lieu thereof the figures "\$78,051.00".

Senator Breen also offered the following amendments:

Amend Section 47 by striking the figures "\$250,000.00" in line 34 and inserting in lieu thereof the figures "\$305,793.00".

Amend Section 47 by striking the figures "\$300,000.00" in line 42 and inserting in lieu thereof the figures "\$354,559.00".

Senator Breen moved the adoption of his amendment to lines 46 and 47 of Section 47.

Senator Byers moved the previous question on the pending amendment, which motion prevailed.

Senator Donohue moved to reconsider the vote by which the previous question was ordered on the pending amendment.

Roll call was requested.

On the question, "Shall the Senate reconsider?" the vote was:

Ayes, 24:

Beardsley	Donohue	Hopkins	Pelzer
Billingsley	Ellis	Husted	Shaw
Chrystal	Evans	Levis	Smith
Corwin	Goetsch	Lundy	Stevens
Dean	Hill	Millhone	Whitehill
Dewey	Hoeven	Parker	Zeigler

Nays, 10:

Bell of Crawford	Gillette	Kimberly	Miller
Breen	Guernsey	Mighell	Schadt
Gillespie	Irwin		

Absent or not voting, 16:

Augustine	Byers	Geske	Mason
Baldwin	Doran	Grunewald	Moore
Bell of	Edwards	Hart	Murray
Des Moines	Eithon	Kirketeg	Stewart
Berg			

The motion to reconsider prevailed.

Senator Beardsley moved to postpone further consideration of the pending and other amendments to Section 47 until 2:00 p. m.

The motion prevailed.

Senator Gillespie moved that the Senate go into executive session.

Roll call was requested.

On the question, "Shall the Senate go into executive session?" the vote was:

Ayes, 31:

Augustine	Dean	Gillespie	Lundy
Baldwin	Dewey	Gillette	Mason
Bell of Crawford	Donohue	Hart	Mighell
Bell of	Doran	Hill	Miller
Des Moines	Edwards	Hoeven	Parker
Berg	Ellis	Hopkins	Schadt
Billingsley	Evans	Kimberly	Stevens
Breen	Geske	Kirketeg	Whitehill

Nays, 13:

Beardsley	Husted	Millhone	Smith
Byers	Irwin	Pelzer	Stewart
Corwin	Levis	Shaw	Zeigler
Guernsey			

Absent or not voting, 6:

Chrystal	Goetsch	Moore	Murray
Elthon	Grunewald		

The motion prevailed and the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

MAJORITY REPORT OF INVESTIGATING COMMITTEE

The undersigned, being members of the investigating committee appointed pursuant to Senate Resolution 7 to investigate acts and conduct of H. C. White in connection with his administration as a member of the board of control, beg leave to make the following report.

The investigating committee consisted of the following senators: J. J. Gillespie, chairman, E. I. Mason, Stanley Hart, H. J. Grunewald, B. C. Whitehill, and H. W. Lundy, and your committee started taking testimony on the 31st day of March, 1937, and concluded on the 15th day of April, 1937. H. C. White was represented by Attorney C. E. Walters, who was present at all times testimony was taken, and who cross-examined witnesses produced by the committee and at the conclusion of testimony of witnesses called by the committee. The witnesses for H. C. White were called by C. E. Walters and their testimony was taken.

The undersigned make the following findings: That H. C. White is incapable and unfit to discharge the duties of his office and that it is for the best interests of the people of the State of Iowa that he be removed and that a new appointment for that position be made.

It is, therefore, our recommendation that our report be adopted by the Senate and that the Senate recommend to the Honorable N. G. Kraschel, Governor of the State of Iowa, that he remove, subject to the approval of the Senate, H. C. White from the board of control, as provided in Section 3278 of the Code of Iowa, 1935, and that a copy of this report be immediately messaged to the Governor of the State of Iowa.

Signed April 19, 1937.

J. J. GILLESPIE.

B. C. WHITEHILL.

E. I. MASON.

H. W. LUNDY.

STANLEY L. HART.

By unanimous consent on request of Senator Donohue, action on the report of the investigating committee was deferred until after the transcript of testimony had been filed with the Secretary of the Senate, and until the Senate had disposed of Substitute for House File 477.

On motion of Senator Baldwin, the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 384, a bill for an act to make appropriations to D. I. Goehring, Mrs. Kendall Burch, Willard Poland and Wallace A. Carr.

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

House File 146, a bill for an act relating to retirement systems for policemen and firemen.

Also: That the House has concurred in Senate amendment to and passed House File 182, a bill for an act to estimate local tax budgets in cities over 75,000 population.

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

House File 218, a bill for an act relating to licensing and regulation of motor vehicle dealers.

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

House File 307, a bill for an act providing public school facilities for children who are public charges.

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

House File 389, a bill for an act relating to taxation of income.

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

House File 487, a bill for an act relating to assessment liabilities of stockholders in banks.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 384

Amend Section 4, line three (3), by striking the word and figures "fifteen (15)" and inserting in lieu thereof the word and figures "eighty (80)".

HOUSE MESSAGES CONSIDERED

House Joint Resolution 15, a joint resolution creating a committee to serve without expense to the state; to cooperate with

the motor vehicle department and the board of control for the purpose of considering changing the design of the Iowa auto license plate and to report their findings to the next regular session of the Iowa Legislature.

Read first and second times and referred to sifting committee.

House File 146, a bill for an act to amend subdivision eight (8) of Section sixty-three hundred twenty-six-f six (6326-f6) and subdivision one (1) of Section sixty-three hundred twenty-six-f nine (6326-f9), Code, 1935, relating to retirement systems for policemen and firemen, and providing a tax therefor.

Read first and second times and referred to sifting committee.

House File 218, a bill for an act to license and regulate persons engaged in the business of, at retail, selling, bartering or otherwise dealing in new and used motor vehicles within the state of Iowa; to fix the scope of the regulation in this act provided and prescribe the terms and conditions under which the license provided for in this act may be granted, revoked and denied; to prohibit and declare void as against public policy certain contracts, agreements or understandings between motor vehicle dealers and motor vehicle manufacturers or distributors or the agents of either of the same in connection with the sale and transfer of retail installment contracts arising from the retail installment sale of motor vehicles; to prohibit coercion of motor vehicle dealers by manufacturers, distributors, or the agents of either of the same; to provide for the creation of a motor vehicle dealer license fee fund; to provide for the enforcement of this act by injunction and by prescribing penalties for the violation of or non-compliance with this act.

Read first and second times and referred to sifting committee.

House File 307, a bill for an act to amend Chapter two hundred fifteen (215), Code, 1935, so as to provide public school facilities for children who have become a public charge and are being cared for in a licensed children's boarding home, as defined in Chapter one hundred eighty-one-A three (181-A3), Code, 1935, and to provide that the tuition of such children shall be paid by the state.

Read first and second times and referred to sifting committee.

House File 389, a bill for an act to amend Chapter three hun-

dred twenty-nine-F one (329-F1), Code, 1935, and Sections sixty-nine hundred forty-three-f four (6943-f4), sixty-nine hundred forty-three-f five (6943-f5), sixty-nine hundred forty-three-f eight (6943-f8), sixty-nine hundred forty-three-f nine (6943-f9), sixty-nine hundred forty-three-f fifteen (6943-f15) and sixty-nine hundred forty-three-f twenty-five (6943-f25), Code, 1935, all relating to the taxation of the income of individuals, fiduciaries, trusts and estates, and to the administration and collection of such tax; and to impose a tax upon certain income of any non-resident derived from sources within this state, and providing for the collection and administration of such tax, and for withholding agents, as defined herein, to withhold and pay to the board certain amounts due by them to certain non-residents as an aid to the collection of said tax, and to appropriate certain funds.

Read first and second times and referred to sifting committee.

House File 487, a bill for an act to repeal Sections ninety-two hundred forty-six (9246) to ninety-two hundred fifty-four (9254), inclusive, of the Code, 1935, relating to assessment liabilities of stockholders in banks and specifying when such repeal shall become effective.

Read first and second times and referred to sifting committee.

CONSIDERATION OF SUBSTITUTE TO HOUSE FILE 477 RESUMED

By unanimous consent Senator Breen withdrew all the amendments to Section 47, which he had previously filed.

Senators Breen and Beardsley offered the following amendments:

Amend Substitute for House File 477 as follows:

Amend Section 47 by striking from lines 46 and 47 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred thirty-four thousand one hundred fifteen dollars (\$334,115.00)"; and by striking from line 50 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$334,115.00".

Amend Section 47 by striking from line 55 the words and figures "two hundred seventy-five thousand dollars (\$275,000.00)" and inserting in lieu thereof the words and figures "three hundred two thousand fifty-three dollars (\$302,053.00)"; and by striking from line 58 the figures "\$275,000.00" and inserting in lieu thereof the figures "\$302,053.00".

Amend Section 47 by striking from line 63 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred thirty-one thousand three hundred four dollars (\$331,304.00)"; and by striking from line 65 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$331,304.00".

Amend Section 47 by striking from line 70 the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred twenty-seven thousand two hundred fifty-three dollars (\$327,253.00)"; and by striking from line 72 the figures "\$300,000.00" and inserting in lieu thereof the figures "\$327,253.00".

Amend Section 47 by striking from lines 76 and 77 the words and figures "one hundred seventeen thousand dollars (\$117,000.00)" and inserting in lieu thereof the words and figures "one hundred nineteen thousand five hundred sixty-eight dollars (\$119,568.00)"; and by striking from line 79 the figures "\$117,000.00" and inserting in lieu thereof the figures "\$119,568.00".

Amend Section 47 by striking from lines 135 and 136 the words and figures "one hundred ninety thousand dollars (\$190,000.00)" and inserting in lieu thereof the words and figures "one hundred ninety-two thousand three hundred seventy-one (\$192,371.00)"; and by striking from line 138 the figures "\$190,000.00" and inserting in lieu thereof the figures "\$192,371.00".

Amend Section 47 by striking from line 143 the words and figures "one hundred ninety thousand dollars (\$190,000.00)" and inserting in lieu thereof the words and figures "one hundred ninety-three thousand one hundred thirty dollars (\$193,130.00)"; and by striking from line 145 the figures "\$190,000.00" and inserting in lieu thereof the figures "\$193,130.00".

Amend Section 47 by striking from lines 149 and 150 the words and figures "one hundred eighty thousand dollars (\$180,000.00)" and inserting in lieu thereof the words and figures "one hundred eighty-one thousand seven hundred ninety-seven dollars (\$181,797.00)"; and by striking from line 153 the figures "\$180,000.00" and inserting in lieu thereof the figures "\$181,797.00".

Amend Section 47 by striking from line 158 the words and figures "seventy-six thousand nine hundred sixty dollars (\$76,960.00)" and inserting in lieu thereof the words and figures "seventy-seven thousand five hundred five dollars (\$77,505.00)"; and by striking from line 161 the figures "\$76,960.00" and inserting in lieu thereof the figures "\$77,505.00".

Amend House File 477, Section forty-seven (47), by striking from line thirty (30) the words and figures "two hundred fifty thousand dollars (\$250,000.00)" and inserting in lieu thereof the words and figures "two hundred seventy-seven thousand eight hundred ninety-six dollars (\$277,896.00)"; and by striking from line thirty-four (34) the figures "\$250,000.00" and inserting in lieu thereof the figures, "\$277,896.00".

Amend House File 477, Section forty-seven (47), by striking from lines thirty-eight (38) and thirty-nine (39) the words and figures "three

hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "three hundred twenty-seven thousand two hundred seventy-nine dollars (\$327,279.00)"; and by striking from line forty-two (42) the figures "\$300,000.00" and inserting in lieu thereof the figures "\$327,279.00".

Senator Beardsley moved the adoption of the amendments.

The amendments were adopted.

Senator Goetsch offered the following amendment and moved its adoption:

Amend by adding thereto the following new section immediately following Section 47:

"Section 48. To the Greater Iowa Commission there is appropriated ten thousand dollars (\$10,000) for each year of the biennium beginning July 1, 1937, and ending June 30, 1939."

Further amend by renumbering the remaining sections.

Roll call was requested:

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 16:

Augustine	Doran	Grunewald	Lundy
Baldwin	Evans	Hopkins	Mason
Bell of Crawford	Geske	Kimberly	Schadt
Billingsley	Goetsch	Kirketeg	Shaw

Nays, 28:

Berg	Edwards	Husted	Parker
Breen	Ellis	Levis	Pelzer
Byers	Elthon	Mighell	Smith
Corwin	Guernsey	Miller	Stevens
Dean	Hart	Millhone	Stewart
Dewey	Hill	Moore	Whitehill
Donohue	Hoeven	Murray	Zeigler

Present, 1:

Bell of
Des Moines

Absent or not voting, 5:

Beardsley	Gillespie	Gillette	Irwin
Chrystal			

The amendment was not adopted.

Senator Moore offered the following amendment and moved its adoption:

Amend Substitute to House File 477 as follows:

Section 48, paragraph 4, lines 50, 51, 53. Strike out the words and

figures, "two hundred seventeen thousand dollars (\$217,000.00)" and insert in lieu thereof the words and figures "two hundred twenty-seven thousand seven hundred dollars (\$227,700.00)".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 19:

Augustine	Corwin	Gillespie	Miller
Baldwin	Doran	Hopkins	Moore
Bell of Crawford	Edwards	Kimberly	Murray
Breen	Ellis	Kirketeg	Schadt
Chrystal	Geske	Mighell	

Nays, 24:

Beardsley	Elthon	Hill	Shaw
Bell of Des Moines	Gillette	Hoeven	Smith
Berg	Goetsch	Levis	Stevens
Billingsley	Grunewald	Lundy	Stewart
Dean	Guernsey	Parker	Whitehill
Dewey	Hart	Pelzer	Zeigler

Absent or not voting, 7:

Byers	Evans	Irwin	Millhone
Donohue	Husted	Mason	

The amendment was not adopted.

Senator Hopkins offered the following amendment and moved its adoption:

Amend Substitute for House File 477 as follows:

By inserting in Sec. 48, paragraph (3), between lines 43 and 44 thereof, the following:

"After the calendar year 1937, none of said \$620,000.00 is to be used by the state board of education for the establishment of extension summer schools."

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 47 by adding, after the word "salaries," in line 153, the following words: "including increasing the salaries of non-maintained night watchmen to \$75.00 per month, \$720.00;" and by adding after the word "improvements" in line 153, the following: "including the purchase of lockers for inmates, \$1,800.00".

The amendment was adopted.

Senator Chrystal called up the following amendments:

Amend Substitute for House File 477 as follows:

Section 48, lines 10, 11 and 12. Strike out the words and figures "six million four hundred twenty-three thousand nine hundred sixty dollars (\$6,423,960.00)" and insert in lieu thereof the words and figures "six million four hundred ninety-four thousand nine hundred ninety-five dollars (\$6,494,995.00)".

Section 48, paragraph 6, lines 64 and 65. Strike out the words and figures "nine hundred forty thousand nine hundred ninety-four dollars (\$940,994.00)" and insert in lieu thereof the words and figures "nine hundred ninety thousand dollars (\$990,000.00)".

Section 48, paragraph 7, lines 70 and 71. Strike out the words and figures, "one hundred thousand dollars (\$100,000.00)" and insert in lieu thereof the words and figures "one hundred eight thousand dollars (\$108,000.00)".

Section 48, paragraph 8, lines 80 and 81. Strike out the words and figures "twelve thousand two hundred twenty-six dollars (\$12,226.00)", and insert in lieu thereof the words and figures "fourteen thousand five hundred fifty-five dollars (\$14,555.00)".

Section 48, paragraph 9, line 96. Strike out the words and figures "six million four hundred twenty-three thousand nine hundred sixty dollars (\$6,423,960.00)" and insert in lieu thereof the words and figures "six million four hundred ninety-three thousand nine hundred ninety-five dollars (\$6,493,995.00)".

By unanimous consent, Senator Chrystal withdrew those parts of his amendments applying to lines 10, 11 and 12; to lines 80 and 81; also to line 96.

By unanimous consent on request of Senator Billingsley, further consideration of the pending amendments was temporarily deferred.

Senator Mason offered the following amendment and moved its adoption:

Amend Section 48 by striking from lines 40 and 41 the following: "six hundred twenty thousand dollars (\$620,000.00)" and inserting in lieu thereof the following: "five hundred sixty thousand dollars (\$560,000.00)".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 1:

Mason

Nays, 36:

Augustine
Baldwin
Beardsley

Bell of Crawford
Berg
Breen

Byers
Chrystal
Corwin

Dean
Donohue
Doran

Edwards	Guernsey	Kirketeg	Parker
Ellis	Hart	Levis	Schadt
Geske	Hill	Lundy	Stevens
Gillespie	Hoeven	Mighell	Stewart
Gillette	Hopkins	Miller	Whitehill
Grunewald	Husted	Murray	Zeigler

Absent or not voting, 13:

Bell of	Elthon	Kimberly	Pelzer
Des Moines	Evans	Millhone	Shaw
Billingsley	Goetsch	Moore	Smith
Dewey	Irwin		

The amendment was not adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 48 by striking from lines 40 and 41 the following: "six hundred twenty thousand dollars (\$620,000.00)" and inserting in lieu thereof the following: "six hundred fourteen thousand dollars (\$614,000.00)".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Corwin	Goetsch	Mason	Smith
Dewey	Hill	Parker	Stevens
Ellis	Husted	Pelzer	Stewart
Elthon	Kimberly	Shaw	Whitehill
Gillette			

Nays, 29:

Baldwin	Chrystal	Grunewald	Lundy
Bell of Crawford	Dean	Guernsey	Mighell
Bell of	Donohue	Hart	Miller
Des Moines	Doran	Hoeven	Moore
Berg	Edwards	Hopkins	Murray
Billingsley	Evans	Kirketeg	Schadt
Breen	Geske	Levis	Zeigler
Byers	Gillespie		

Absent or not voting, 4:

Augustine	Beardsley	Irwin	Millhone
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The amendment was not adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 48 by striking from lines 18 and 19 the following: "two million two hundred forty thousand dollars (\$2,240,000.00)" and inserting in lieu thereof the following: "one million nine hundred fifty thousand dollars (\$1,950,000.00)".

Senator Corwin offered the following amendment to the amendment:

Strike the words and figures "one million nine hundred fifty thousand dollars (\$1,950,000.00)" and insert in lieu thereof the words and figures: "two million sixty thousand dollars (\$2,060,000.00)".

Senator Billingsley moved that the Senate adjourn until 10:00 a. m., Tuesday.

Senator Mighell moved as a substitute that the Senate adjourn until 9:00 a. m., Tuesday.

By unanimous consent, Senator Mighell withdrew his motion to substitute.

Senator Husted moved to amend the motion offered by Senator Billingsley to read 9:00 a. m.

Senator Irwin moved as a substitute for the motion and amendment that the Senate adjourn until 9:30 a. m.

Roll call was requested.

On the question, "Shall the motion by Senator Irwin be substituted?" the vote was:

Ayes, 11:

Bell of Des Moines	Elthon Gillette	Hopkins Husted	Mighell Miller
Dean	Guernsey	Irwin	Smith

Nays, 37:

Augustine	Dewey	Hart	Moore
Baldwin	Donohue	Hill	Murray
Beardsley	Doran	Hoeven	Parker
Bell of Crawford	Edwards	Kimberly	Pelzer
Berg	Ellis	Kirketeg	Schadt
Billingsley	Evans	Levis	Shaw
Breen	Geske	Lundy	Stevens
Byers	Goetsch	Mason	Stewart
Chrystal	Grunewald	Millhone	Zeigler
Corwin			

Absent or not voting, 2:

Gillespie	Whitehill
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The motion to substitute did not prevail.

The amendment by Senator Husted was not adopted.

Roll call was requested.

On the question, "Shall the motion by Senator Billingsley prevail?" the vote was:

Ayes, 16:

Baldwin	Chrystal	Gillespie	Miller
Bell of Crawford	Elthon	Hart	Moore
Billingsley	Evans	Kimberly	Murray
Byers	Geske	Lundy	Parker

Nays, 33:

Augustine	Donohue	Hoeven	Pelzer
Beardsley	Doran	Hopkins	Schadt
Bell of Des Moines	Edwards	Husted	Shaw
Berg	Ellis	Kirketeg	Smith
Breen	Gillette	Levis	Stevens
Corwin	Goetsch	Mason	Stewart
Dean	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Millhone	Zeigler
	Hill		

Absent or not voting, 1:

Irwin

The motion did not prevail.

Senator Millhone moved the previous question on the amendment to the amendment and the amendment.

Roll call was requested.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 18:

Augustine	Dewey	Mason	Shaw
Beardsley	Elthon	Millhone	Smith
Bell of Des Moines	Hill	Moore	Stewart
Corwin	Husted	Parker	Whitehill
	Kimberly	Pelzer	

Nays, 31:

Baldwin	Donohue	Goetsch	Lundy
Bell of Crawford	Doran	Grunewald	Mighell
Berg	Edwards	Guernsey	Miller
Billingsley	Ellis	Hart	Murray
Breen	Evans	Hoeven	Schadt
Byers	Geske	Hopkins	Stevens
Chrystal	Gillespie	Kirketeg	Zeigler
Dean	Gillette	Levis	

Absent or not voting, 1:

Irwin

The amendment to the amendment was not adopted.

By unanimous consent on request of Senator Mason, the rules were suspended and Senate File 481 was taken up at this time.

THIRD READING OF BILLS

On motion of Senator Mason, Senate File 481, a bill for an act to make an appropriation to John W. Abel, a committee bill, was taken up and considered.

Senator Doran moved that further consideration of Senate File 481 be postponed until 1:30 p. m., Tuesday.

The motion did not prevail.

Senator Beardsley moved the previous question, which motion prevailed.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Augustine	Elthon	Hopkins	Pelzer
Baldwin	Evans	Kimberly	Schadt
Bell of Crawford	Geske	Kirketeg	Shaw
Billingsley	Gillespie	Mason	Smith
Dewey	Gillette	Mighell	Stevens
Edwards	Goetsch	Murray	Stewart
Ellis	Hart	Parker	Whitehill

Nays, 20:

Beardsley	Corwin	Guernsey	Lundy
Berg	Dean	Hill	Miller
Breen	Donohue	Hoeven	Millhone
Byers	Doran	Husted	Moore
Chrystal	Grunewald	Levis	Zeigler

Absent or not voting, 2:

Bell of Des Moines	Irwin
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The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 51, 129, 166, 172, 228, 425 and 463.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 51, 129, 166, 172, 228, 425 and 463.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 385, a bill for an act to make appropriations to John Marth, George W. Smith, Mrs. S. L. Lieby, W. A. Gay, C. H. Otte, Mrs. Tillie Deater, H. R. Staats and Henry E. Meis.

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

Senate File 386, a bill for an act to make appropriations to W. B. Lewis, M. D., Ben G. Budge, M. D. and E. F. Rambo, M. D.

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

Senate File 387, a bill for an act to make appropriations to Pointer Brewing Company, A. F. Hamilton, H. F. Voights, A. A. Thompson, Paul Delaplane, E. C. Sodergren, H. R. Pratt, Russell Jensen, Wayne Fisher, Steven Saxby, F. I. Easton and Continental Baking Company.

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

Senate File 388, a bill for an act to make appropriations to George W. Cox and Max E. King.

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

Senate File 389, a bill for an act to make appropriations to Elizabeth Maasdam, Younkin Automotive Service, Otis Rector, Joe Menges, Rev. F. W. McKinley, P. E. Graham, Ronald O. Cole, H. E. Pilon and Emmet L. Morris.

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

Senate File 390, a bill for an act to make appropriations to Ivan T. Schultz, M. D. and Nelle T. Schultz, M. D.

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

Senate File 391, a bill for an act to make appropriations to Harry R. Denton, Vince Tellin, O. L. Smith, M. R. Terhune, and W. W. Stranahan.

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

Senate File 406, a bill for an act to make an appropriation to Howell-Schrader Drug Company.

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

Senate File 408, a bill for an act to make an appropriation to Ed Beeman.

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

Senate File 409, a bill for an act to make an appropriation to Richard Nelson.

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

Senate File 410, a bill for an act to make an appropriation to the Midwest Finance Corporation.

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

Senate File 411, a bill for an act to make appropriations to C. H. White, George O. Van Allen, F. S. Finley, Middle States Utilities Company, Callender Telephone Company, Gretus Asmus, Geraldine Satre, Palmer Plumbing Company, John F. Shea, Bituminous Paving Mat. Corporation, D. M. Vandelinde and Mathieson Insurance Agency.

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

Senate File 412, a bill for an act to make an appropriation to the City of Iowa City, Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 414, a bill for an act to make an appropriation to J. W. Houchin.

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

Senate File 416, a bill for an act to make an appropriation to the Tama Independent School District.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 417, a bill for an act to make an appropriation to A. H. Bolton.

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

Senate File 418, a bill for an act to make an appropriation to Mat Gallagher.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 419, a bill for an act to make an appropriation to H. W. Haskell.

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

Senate File 420, a bill for an act to make appropriations to Fred Skilling, William Durant, Mrs. William Meyers, John Kirsch, H. M. Colwell, William C. Hawley, Joe Yetmar, Chris Olsen and C. E. Baxter.

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

Senate File 421, a bill for an act to make an appropriation to the city of Ames, Iowa.

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

Senate File 422, a bill for an act to make an appropriation to Iver Hopperstad.

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

Senate File 423, a bill for an act to make an appropriation to Maurice Flanagan.

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

Senate File 430, a bill for an act to make an appropriation to Jones county, Iowa.

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

Senate File 431, a bill for an act to make an appropriation to Vera D. Tripp and Will Wicket.

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

Senate File 442, a bill for an act to make an appropriation to W. L. Murphy.

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

Senate File 443, a bill for an act to make an appropriation to Harry R. Frankle.

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

Senate File 449, a bill for an act to make appropriations to John Terpstra, Walter L. Wickett and Lyle E. Davis.

Also: That the House has concurred in the Senate amendments to the

House amendments to and passed the following bill in which the concurrence of the House was asked:

Senate File 450, a bill for an act relating to the powers, duties and jurisdiction of the Conservation Commission.

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

Senate File 467, a bill for an act to make an appropriation to R. A. Quinn.

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

Senate File 468, a bill for an act to make an appropriation to Anna Dirksen Eygabroad.

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

Senate File 469, a bill for an act to make an appropriation to Raymond L. Barr.

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

Senate File 471, a bill for an act to make an appropriation to J. C. Hull and Son.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 414

Amend Section 1, lines 2 and 3, by striking the words and figures "sixty dollars (\$60.00)" and substituting therefor the words and figures "thirty dollars (\$30.00)".

HOUSE AMENDMENTS TO SENATE FILE 419

Amend by striking the words and figures "one hundred and thirty-nine dollars (\$139.00)" in lines 2 and 3 of Section 1, and substituting therefor the words and figures "one hundred and thirty-one dollars (\$131.00)".

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File 528 by adding at the end of Section 1 the following: "L. P. Maloy, Attorney at Law, \$95.00?" and by changing the numbers and total to correspond therewith.

H. L. IRWIN.

MR. PRESIDENT: I move to amend Senate File 294 as follows:

By adding after the word "school" in line 6 of Section 2 the following: "Said commission shall be under the supervision and direction of the Department of Public Health."

By striking the words "five" and "three" in line 3 of Section 2 and substituting therefor the words "three" and "two" respectively.

By striking the words "two members" in line 3 of Section 3 and substituting therefor the words "one member". Also by striking the word

"three" in line 4 of Section 3 and substituting therefor the word "two".

By striking the period after the word "furniture" at the end of line 3 of Section 7 and adding the words "and supplies."

By striking from lines 14 and 15 of Section 10 the words ", and shall purchase such supplies as may be necessary".

By striking in lines 7 and 8 of Section 22, the words "to be a graduate of a high school" and substituting in lieu thereof "to have received a tenth (10th) grade education".

By striking the words "Auditor of State" at the end of line 22 of Section 10 and substituting therefor the words "State Comptroller".

By striking all of Section 26 after the second word "the" in line 3 of said Section and substituting therefor the following: "State Comptroller, who shall place all such sums of money in the State Treasury to the credit of the general state fund."

By striking all of Section 27 after the word "employees" in line 8 of said section, and inserting in lieu thereof a period.

By striking all of Section 28 and substituting therefor the following: "All fees received by the commission and paid to the comptroller shall belong to the State of Iowa for the use and benefit of the general state fund."

By striking the words "Auditor of State" at the end of line 7 of Section 29 and substituting the words "State Comptroller".

By striking the word "person" in line 8 of subparagraph 1 of Section 36 and substituting therefor the words "woman or child".

By striking the word "human" in line 17 of subparagraph 2 of Section 36 and substituting therefor the words "woman or child".

By striking all of Sections 5, 33, 34, 35 and renumbering the sections.

ORA E. HUSTED.

MR. PRESIDENT: I move to amend Senate File 91 by striking the period (.) at the end of line two (2) of Section one (1) thereof and further amend by striking lines three (3), four (4), five (5) and six (6) of Section one (1) and inserting in lieu thereof the following: "and no bank shall make any charge for drafts or for cashiers' checks or for clerking sales or for making out legal papers or for any other kind of service it may render for its customers including a so-called service charge on checking accounts. Any violation of this act shall be deemed a misdemeanor, and any bank as well as any officer, director or employee thereof shall each be punishable upon conviction by a fine of not less than ten (\$10.00) dollars and not more than one hundred (\$100.00) dollars for each such offense."

GEO. M. HOPKINS.

MR. PRESIDENT: I move to amend House File 423, Section 1, line 5, by adding at the end of said line after the word "for" the following: "fuel".

I further move to amend the title to House File 423 by inserting in line 4 after the word "for" the following: "fuel".

G. R. HILL.

MR. PRESIDENT: I move to amend House File 484, Section 1, line 13, by striking the words "or where the superintendent of banking" and inserting in lieu thereof the words "and they".

Further amend said section by striking the word "he" in line 16 and inserting in lieu thereof the words "the superintendent of banking".

H. L. IRWIN.

MR. PRESIDENT: I move to amend the Edwards amendment to House File 186 as found on page 1118 of the Senate Journal in line 12 of Section two (2) thereof as follows:

Insert after the word "Examiners" the words "at such time as said Board of Embalming Examiners or the Iowa Funeral Directors Association conducts a state-wide educational meeting for its members, in such amounts as are necessary for such said meeting only".

E. I. MASON.

MR. PRESIDENT: I move that Senate File 524 by committee on banks and banking and relating to the payment of interest on public funds be amended by striking the period (.) at the end of Section 14 thereof and inserting in lieu thereof the following:

“, provided that if prior to the taking effect of this Act Congress shall have enacted any measure to either repeal or to extend the effective date of those parts of the Federal 'Banking Act of 1935' that prohibit on and after August 23, 1937, the payment of interest on demand public funds, then this Act thereupon and forthwith shall become null and void and inoperative.”

H. L. IRWIN.

The Journal of April 17th was corrected and approved.

Senator Parker moved that the Senate adjourn until 10:00 a. m., Tuesday.

Roll call was requested.

On the question, "Shall the Senate adjourn?" the vote was:

Ayes, 29:

Augustine	Ellis	Hopkins	Murray
Baldwin	Elthon	Kimberly	Parker
Beardsley	Evans	Kirketeg	Pelzer
Bell of Crawford	Geske	Mason	Shaw
Billingsley	Gillespie	Miller	Smith
Chrystal	Goetsch	Millhone	Stevens
Dewey	Hart	Moore	Whitehill
Edwards			

Nays, 17:

Berg	Doran	Hill	Mighell
Breen	Gillette	Hoeven	Schadt
Byers	Grunewald	Levis	Stewart
Corwin	Guernsey	Lundy	Zeigler
Donohue			

Absent or not voting, 4:

Bell of Des Moines	Dean	Husted	Irwin
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The motion prevailed and the Senate adjourned until 10:00 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 20, 1937.

The Senate met in regular session, President John K. Valentine presiding.

Prayer was offered by Rev. Harry Secor, pastor of the Baptist Church at Chariton.

REPORT OF THE SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar: House Files 461, 518, 543, 480, 388, 218, 487, 131, 253, 496, 146, 307, 450, 510, 501, and 181, and Senate Files 305 and 522.

FRANK C. BYERS, *Chairman.*

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

By Senator Berg, from citizens of Cedar Falls, opposing enactment of legislation providing for a gross chain store tax, or any other tax which would increase the costs of living.

By Senator Hart, from Townsend Club Number 2 of Keokuk, asking that a memorial resolution favoring the General Welfare Act of 1937 be passed by the Iowa Legislature.

By Senator Hart, from citizens of Keokuk, favoring enactment of Senate File 321 and House File 399.

By Senator Hopkins, from citizens of Stuart, opposing House File 345.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled, House Files 133, 184, 262, 524, 52, 107, 143, 171, 172 and 182.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 133, 184, 262, 524, 52, 107, 143, 171, 172 and 182.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of April, 1937, sent to the Governor for his approval, Senate Files 51, 129, 166, 172, 228, 425 and 463.

FRANK PELZER, *Chairman.*

Passed on file.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on April 17, 1937, he had approved the following:

Senate File 160, relating to powers of state board of assessment and review.

Senate File 179, authorizing cities to lease city property.

Senate File 237, an act to provide for an emergency appropriation to the State Printing Board.

A communication was received from the Governor, announcing that, on April 19, 1937, he had approved the following:

Senate File 181, relating to vehicles and traffic; to provide for the administration and enforcement of laws relating thereto.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 8, a bill for an act relating to contributions for political purposes.

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

Senate File 77, a bill for an act relating to the practice of professional engineering and land surveying.

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

Senate File 136, a bill for an act to make an appropriation to reimburse the National Guard of Iowa.

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

Senate File 154, a bill for an act relating to narcotic drugs.

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

Senate File 158, a bill for an act relating to corporations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 174, a bill for an act relating to the construction or reconstruction, improvement and maintenance of primary roads.

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

Senate File 381, a bill for an act relating to the use and disposal of dead animals.

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

House File 267, a bill for an act relating to park commissioners.

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

House File 303, a bill for an act relating to beer and malt liquors.

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

House File 456, a bill for an act to authorize Iowa State Board of Education to purchase an experimental farm.

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

House File 544, a bill for an act relating to the interest paid on public deposits.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 174

Amend Section I by striking the period (.) in line eight (8) and inserting a comma (,) and adding the following: "provided that such improve-

ment shall not exceed in width that of the primary road system and the amount of funds expended in any one year shall not exceed twenty-five per cent of the primary road construction fund."

HOUSE CONCURRENT RESOLUTION 19 ADOPTED

Senator Evans called up House Concurrent Resolution 19, which appears on page 1165 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Elthon, consideration of Substitute for House File 477, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1937, and ending June 30, 1939, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium, was resumed.

Senator Millhone asked unanimous consent to reconsider the vote by which the previous question was ordered on the amendment by Senator Elthon.

There were objections.

Senator Millhone moved that the Senate reconsider the vote by which the previous question was moved and carried on the amendment offered by Senator Elthon.

The motion did not prevail.

Senator Elthon asked unanimous consent to withdraw his amendment. There were objections.

Senator Elthon moved that his amendment be withdrawn.

Roll call was requested.

On the question, "Shall the amendment be withdrawn?" the vote was:

Ayes, 20:

Beardsley
Chrystal
Dean
Dewey
Ellis

Elthon
Hill
Goetsch
Guernsey
Hopkins

Husted
Levis
Millhouse
Parker
Pelzer

Shaw
Smith
Stevens
Stewart

Nays, 21:

Baldwin	Donohue	Gillette	Mighell
Berg	Doran	Grunewald	Miller
Billingsley	Edwards	Hart	Murray
Breen	Evans	Hoeven	Schadt
Byers	Geske	Kimberly	Zeigler
Corwin			

Absent or not voting, 9:

Augustine	Gillespie	Kirketeg	Mason
Bell of Crawford	Irwin	Lundy	Moore
Bell of Des Moines			

The motion did not prevail.

Senator Elthon moved the adoption of the following amendment:

Amend Section 48 by striking from lines 18 and 19 the following: "two million two hundred forty thousand dollars (\$2,240,000.00)" and inserting in lieu thereof the following: "one million nine hundred fifty thousand dollars (\$1,950,000.00)".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 9:

Billingsley	Husted	Pelzer	Stewart
Elthon	Mason	Smith	Whitehill
Goetsch			

Nays, 32:

Augustine	Dean	Gillespie	Levis
Baldwin	Dewey	Gillette	Lundy
Beardsley	Donohue	Grunewald	Mighell
Bell of	Doran	Guernsey	Miller
Des Moines	Edwards	Hart	Murray
Berg	Ellis	Hoeven	Schadt
Breen	Evans	Hopkins	Stevens
Byers	Geske	Kimberly	Zeigler
Chrystal			

Absent or not voting, 9:

Bell of Crawford	Irwin	Millhone	Parker
Corwin	Kirketeg	Moore	Shaw
Hill			

The amendment was not adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Section 48 as follows:

1. Amend by striking from lines 18 and 19 of Section 48 the following:

"two million two hundred forty thousand dollars (\$2,240,000.00)" and substituting in lieu thereof the following: "two million one hundred thousand dollars (\$2,100,000.00)".

2. Further amend sub-section 1 of Section 48 by striking the period from line 21, and substituting in lieu thereof a comma, and adding thereto the following: "provided, however, that no part or portion of the sum appropriated by this sub-section shall be used for the purpose of increasing, directly or indirectly, the salary of any employee of the State University of Iowa where the present existing salary of any such employee, or the existing established schedule of salary for like employment or service of any employee, exceeds the sum of \$3000.00 per annum."

Senator Donohue raised the point of order that the amendment was out of order as it applied to the same subject matter as that already voted upon.

The point of order was not sustained.

Senator Millhone moved that the rules be suspended and that all speeches on the amendments and on the main bill be limited to three minutes, which motion prevailed.

Senator Mighell asked for a division of the pending amendment.

Roll call was requested.

On the question, "Shall the first division of the amendment be adopted?" the vote was:

Ayes, 18:

Beardsley	Hill	Millhone	Smith
Billingsley	Husted	Parker	Stevens
Dewey	Levis	Pelzer	Stewart
Elthon	Mason	Shaw	Whitehill
Goetsch	Mighell		

Nays, 28:

Augustine	Corwin	Geske	Irwin
Baldwin	Dean	Gillette	Kimberly
Bell of	Donohue	Grunewald	Lundy
Des Moines	Doran	Guernsey	Miller
Berg	Edwards	Hart	Murray
Breen	Ellis	Hoeven	Schadt
Byers	Evans	Hopkins	Zeigler
Chrystal			

Absent or not voting, 4:

Bell of Crawford	Gillespie	Kirketeg	Moore
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The first division of the amendment was not adopted.

Roll call was requested.

On the question, "Shall the second division of the amendment be adopted?" the vote was:

Ayes, 15:

Corwin	Hill	Millhone	Smith
Dewey	Husted	Parker	Stevens
Elthon	Levis	Pelzer	Whitehill
Goetsch	Mason	Shaw	

Nays, 29:

Augustine	Dean	Grunewald	Lundy
Baldwin	Donohue	Guernsey	Mighell
Bell of	Doran	Hart	Miller
Des Moines	Edwards	Hoeven	Murray
Berg	Ellis	Hopkins	Schadt
Breen	Evans	Irwin	Stewart
Byers	Geske	Kimberly	Zeigler
Chrystal	Gillette		

Absent or not voting, 6:

Beardsley	Billingsley	Kirketeg	Moore
Bell of Crawford	Gillespie		

The second division of the amendment was not adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend by striking from lines 29 and 30 of Section 48, the following: "two million one hundred fifty-one thousand dollars" (\$2,151,000.00)", and substituting in lieu thereof the following: "two million eighty-one thousand dollars (\$2,081,000.00)".

2. Further amend sub-section 2 of Section 48 by striking the period at the end of line 32, and substituting in lieu thereof a comma, and adding thereto the following: "provided, however, that no part or portion of the sum appropriated by this sub-section shall be used for the purpose of increasing, directly or indirectly, the salary of any employee of the Iowa State College of Agriculture and Mechanic Arts where the present existing salary of any such employee, or the existing established schedule of salary for like employment or service of any employee, exceeds the sum of \$3000.00 per annum."

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 14:

Billingsley	Husted	Parker	Stevens
Elthon	Levis	Pelzer	Stewart
Goetsch	Mason	Smith	Whitehill
Hill	Millhone		

Nays, 31:

Augustine	Chrystal	Geske	Kimberly
Baldwin	Corwin	Gillette	Lundy
Beardsley	Dean	Grunewald	Mighell
Bell of	Dewey	Guernsey	Miller
Des Moines	Donohue	Hart	Murray
Berg	Doran	Hoeven	Schadt
Breen	Edwards	Hopkins	Shaw
Byers	Ellis	Irwin	Zeigler

Absent or not voting, 5:

Bell of Crawford	Gillespie	Kirketeg	Moore
Evans			

The amendment was not adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend subsection 3 of Section 48 by striking the period from line 43, and substituting in lieu thereof a comma, and adding thereto the following: "provided, however, that no part or portion of the sum appropriated by this subsection shall be used for the purpose of increasing directly or indirectly, the salary of any employee of Iowa State Teachers' College where the present existing salary of any such employee, or the existing salary for like employment or service of any employee, exceeds the sum of \$3000.00 per annum."

The amendment was not adopted.

Senator Chrystal called up the following amendment:

Section 48, paragraph 6, lines 64 and 65. Strike out the words and figures "nine hundred forty thousand nine hundred ninety-four dollars, (\$940,994.00)" and insert in lieu thereof the words and figures "nine hundred ninety thousand dollars (\$990,000.00)".

HOUSE MESSAGES CONSIDERED

House File 267, a bill for an act to amend Chapter two hundred ninety-three (293) of the Code of Iowa, 1935, relating to park commissioners and the levying of a tax for park purposes.

Read first and second times and referred to sifting committee.

House File 303, a bill for an act to amend Chapter ninety-three-F two (93-F2) of the 1935 Code of Iowa, relating to beer and malt liquors, and to provide for inspection of beer and malt liquors, inspection fee stamps, and allocating the proceeds therefrom.

Read first and second times and referred to sifting committee.

House File 456, a bill for an act to authorize the Iowa State Board of Education to purchase certain real estate for an ex-

perimental farm in accordance with the provisions of the Act of Congress approved July 2, 1862 (12 Stat. L 503).

Read first and second times.

SUBSTITUTION OF HOUSE FILE 456

Senator Gillette asked and received unanimous consent that the rules be suspended and that House File 456, companion bill to Senate File 276, be not referred to the sifting committee, but be placed on the calendar.

By unanimous consent, House File 456 was substituted on the calendar for Senate File 276.

By unanimous consent on request of Senator Gillette, Senate File 276, relating to the purchase of real estate for experimental farm purposes, was withdrawn from the further consideration of the Senate.

MINORITY REPORT OF INVESTIGATING COMMITTEE

The undersigned, being a member of the investigating committee appointed pursuant to Senate Resolution 7 to investigate acts and conduct of H. C. White in connection with his administration as a member of the board of control, begs leave to make the following report.

The investigating committee consisted of the following Senators: J. J. Gillespie, chairman, E. I. Mason, Stanley Hart, H. J. Grunewald, B. C. Whitehill, and H. W. Lundy, and your committee started taking testimony on the 31st day of March, 1937, and concluded on the 15th day of April, 1937. H. C. White was represented by Attorney C. E. Walters, who was present at all times testimony was taken, and who cross-examined witnesses produced by the committee and at the conclusion of testimony of witnesses called by the committee. The witnesses for H. C. White were called by C. E. Walters and their testimony was taken.

The undersigned makes the following findings: That the testimony produced before this investigating committee was not sufficient to authorize a removal for the causes stated in Section 3278 of the Code of Iowa, 1935.

It is, therefore, my recommendation that no action be taken for the removal of H. C. White from the board of control. H. J. GRUNEWALD.

On motion of Senator Parker the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Valentine presiding.

CONSIDERATION OF SUBSTITUTE FOR HOUSE FILE 477
RESUMED

Senator Chrystal called up his amendment, on which consideration was interrupted by the noon recess, and moved its adoption.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 27:

Augustine	Breen	Ellis	Kimberly
Baldwin	Byers	Evans	Levis
Beardsley	Chrystal	Geske	Mighell
Bell of Crawford	Dewey	Gillespie	Miller
Bell of Des Moines	Donohue	Grunewald	Murray
Berg	Doran	Hopkins	Schadt
	Edwards	Irwin	Stewart

Nays, 8:

Billingsley	Gillette	Mason	Whitehill
Elthon	Goetsch	Smith	Zeigler

Absent or not voting, 15:

Corwin	Hill	Lundy	Pelzer
Dean	Hoeven	Millhone	Shaw
Guernsey	Husted	Moore	Stevens
Hart	Kirketeg	Parker	

The amendment was adopted.

Senator Chrystal called up the following amendment and moved its adoption:

Section 48, paragraph 7, lines 70 and 71. Strike out the words and figures, "one hundred thousand dollars (\$100,000.00)" and insert in lieu thereof the words and figures "one hundred eight thousand dollars (\$108,000.00)".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 23:

Augustine	Chrystal	Gillespie	Levis
Baldwin	Donohue	Grunewald	Mighell
Bell of Des Moines	Doran	Hart	Miller
Breen	Edwards	Hopkins	Murray
Byers	Evans	Irwin	Schadt
	Geske	Kimberly	Zeigler

Nays, 17:

Corwin	Ellis	Gillette	Guernsey
Dewey	Elthon	Goetsch	Hill

Husted
Mason
Millhone

Pelzer
Shaw

Smith
Stevens

Stewart
Whitehill

Absent or not voting, 10:

Beardsley
Bell of Crawford
Berg

Billingsley
Dean
Hoeven

Kirketeg
Lundy

Moore
Parker

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 57 as follows: Strike everything after the word "services" in line four (4) and insert in lieu thereof the following: "during the biennium ending June 30, 1939."

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend by striking the period at the end of Section 58, and adding thereto the following: "subject to the provisions of Chapter 60 of the 1935 Code of Iowa."

The amendment was adopted.

Senator Parker offered the following amendment and moved its adoption:

Amend Section 6 by striking the words and figures "Fifty thousand five hundred seventy-two dollars and eighty cents (\$50,572.80)" from lines 3 and 4 and inserting in lieu thereof the words and figures "Fifty-one thousand seventy-two dollars and eighty cents (\$51,072.80)". Also by striking the figures in line 7 and inserting in lieu thereof the figures "\$5,000.00" and also by striking the figures in line 13 and inserting in lieu thereof the figures "\$51,072.80".

The amendment was adopted.

Senator Zeigler called up his motion to reconsider the vote by which the amendment to Section 2, offered by Senator Husted, was defeated.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 30:

Beardsley
Bell of
Des Moines
Berg
Billingsley

Byers
Corwin
Dewey
Donohue
Doran

Edwards
Evans
Geske
Goetsch
Hart

Hill
Hoeven
Hopkins
Husted
Kimberly

Levis	Parker	Shaw	Whitehill
Lundy	Pelzer	Smith	Zeigler
Millhone	Schadt	Stewart	

Nays, 14:

Augustine	Dean	Guernsey	Miller
Baldwin	Ellis	Mason	Murray
Bell of Crawford	Gillette	Mighell	Stevens
Chrystal	Grunewald		

Absent or not voting, 6:

Breen	Gillespie	Kirketeg	Moore
Elthon	Irwin		

The motion prevailed and the vote was reconsidered.

Senator Husted called up the following amendment, on which the vote had been reconsidered, and moved its adoption:

Insert following line 7 in Section 2, the following: "Assistant Secretary of Agriculture.....\$3,000.00".

Strike from line 9, Section 2, "\$116,215.00" and insert in lieu thereof "\$113,215.00".

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 28:

Beardsley	Doran	Hopkins	Pelzer
Berg	Edwards	Husted	Schadt
Billingsley	Evans	Kimberly	Shaw
Byers	Goetsch	Levis	Smith
Corwin	Hart	Lundy	Stewart
Dewey	Hill	Millhone	Whitehill
Donohue	Hoeven	Parker	Zeigler

Nays, 21:

Augustine	Breen	Gillespie	Mighell
Baldwin	Chrystal	Gillette	Miller
Bell of Crawford	Dean	Grunewald	Moore
Bell of	Ellis	Guernsey	Murray
Des Moines	Elthon	Irwin	Stevens
	Geske	Mason	

Absent or not voting, 1:

Kirketeg

The amendment was adopted.

Senator Elthon moved that Substitute for House File 477 be amended so that the totals in each instance would correspond with the amendments offered, which motion prevailed.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Dewey	Hart	Millhone
Baldwin	Donohue	Hill	Murray
Beardsley	Doran	Hoeven	Parker
Bell of Crawford	Edwards	Hopkins	Pelzer
Bell of	Ellis	Husted	Schadt
Des Moines	Elthon	Irwin	Shaw
Berg	Evans	Kimberly	Smith
Breen	Geske	Levis	Stevens
Byers	Gillespie	Lundy	Stewart
Chrystal	Grunewald	Mighell	Whitehill
Corwin	Guernsey	Miller	Zeigler
Dean			

Nays, 2:

Billingsley Goetsch

Absent or not voting, 4:

Gillette Kirketeg Mason Moore

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

Senator Elthon moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Elthon, the action of the Senate on Substitute for House File 477 was messaged to the House immediately.

Senator Elthon moved that the rules be suspended and that the Senate proceed to give preference to and consider claims and appropriation bills.

The motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Husted called up for consideration Senate File 92, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 1 by striking from lines 1 and 2 the following: "There is hereby appropriated for the biennium commencing July 1, 1937, and", and substituting the following: "There is hereby appropriated for the period".

Further amend Section 1, line 4, by striking the words and figures "thirty-five thousand dollars (\$35,000.00)" and substituting the following: "twenty-five thousand dollars (\$25,000.00)".

Further amend Section 1 by striking from lines 8, 9, 10 and 11 the following: "and for preventing the introduction and effecting the eradication of new or reintroduced insects which may become serious pests if once established in the state".

Further amend Section 1 by striking from lines 12 and 13 the following: "administration costs, salaries and".

Further amend Section 1 by striking all of said section following the period (.) in line 14 and substituting the following: "Said appropriation shall be wholly available immediately upon the taking effect of this act and may be expended, if necessary, by and under the direction of the Secretary of Agriculture of this state with the approval of the Executive Council and the State Comptroller."

Amend by adding as a new section:

"Sec. 2. All monies appropriated by this act, remaining unexpended or unobligated, at the close of business on June 30, 1939, shall revert to and become part of the general fund in the state treasury."

Amend by striking the title and inserting in lieu thereof the following:

"An Act to make an appropriation available for the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs and other similar crop pests, and for the purchase, distribution and application of materials and for incidental and other miscellaneous expenses connected therewith."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 43:

Augustine	Dewey	Guernsey	Millhone
Baldwin	Donohue	Hart	Moore
Beardsley	Doran	Hill	Murray
Bell of Crawford	Edwards	Hoeven	Parker
Bell of	Ellis	Hopkins	Schadt
Des Moines	Evans	Husted	Shaw
Berg	Geske	Irwin	Smith
Breen	Gillespie	Kimberly	Stevens
Byers	Gillette	Levis	Stewart
Corwin	Goetsch	Lundy	Whitehill
Dean	Grunewald	Miller	Zeigler

Nays, 1:

Billingsley

Absent or not voting, 6:

Chrystal	Kirketeg	Mighell	Pelzer
Elthon	Mason		

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On motion of Senator Husted, Senate File 92, a bill for an act

to make an appropriation available for the prevention and control of major epidemic outbreaks of grasshoppers, chinch bugs and other similar crop pests and for the eradication of new or reintroduced insects not now known to occur in the state and which may become serious pests, and for the purchase, distribution and application of materials and for incidental and other miscellaneous expenses connected therewith, as amended, was taken up and considered.

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Donohue	Hill	Millhone
Baldwin	Doran	Hoeven	Moore
Beardsley	Edwards	Hopkins	Murray
Bell of Crawford	Ellis	Husted	Parker
Bell of	Elthon	Irwin	Pelzer
Des Moines	Gillespie	Kimberly	Schadt
Breen	Gillette	Levis	Shaw
Byers	Goetsch	Lundy	Smith
Corwin	Grunewald	Mason	Stevens
Dean	Guernsey	Mighell	Stewart
Dewey	Hart	Miller	Zeigler

Nays, none.

Absent or not voting, 7:

Berg	Chrystal	Geske	Whitehill
Billingsley	Evans	Kirketeg	

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

Senator Donohue called up for consideration Senate File 137, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 137 by striking Section 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 publication in the Altoona Herald, a newspaper published at Altoona, Iowa, and the O'Brien County Bell, a newspaper published at Primghar, Iowa.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 41:

Augustine	Bell of Crawford	Berg	Corwin
Baldwin	Bell of	Breen	Dewey
Beardsley	Des Moines	Chrystal	Donohue

Doran	Hill	Mason	Schadt
Edwards	Hoeven	Miller	Shaw
Ellis	Hopkins	Millhone	Smith
Elthon	Husted	Moore	Stevens
Gillespie	Irwin	Murray	Stewart
Grunewald	Kimberly	Parker	Whitehill
Guernsey	Levis	Pelzer	Zeigler
Hart	Lundy		

Nays, none.

Absent or not voting, 9:

Billingsley	Evans	Gillette	Kirketeg
Byers	Geske	Goetsch	Mighell
Dean			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

On motion of Senator Donohue, Senate File 137, a bill for an act to prohibit certain life, health, and accident insurance companies or associations which issue contracts, the performance of which is contingent upon the payment of assessments of calls made upon their members, from doing business within this state, as amended, was taken up and considered.

Senator Donohue moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41:

Augustine	Dean	Hill	Moore
Baldwin	Dewey	Hoeven	Murray
Beardsley	Donohue	Hopkins	Parker
Bell of Crawford	Doran	Husted	Pelzer
Bell of Des Moines	Edwards	Kimberly	Schadt
Berg	Elthon	Levis	Shaw
Breen	Evans	Lundy	Stevens
Byers	Gillespie	Mason	Stewart
Chrystal	Grunewald	Miller	Whitehill
Corwin	Guernsey	Millhone	Zeigler
	Hart		

Nays, none.

Absent or not voting, 9:

Billingsley	Gillette	Irwin	Mighell
Ellis	Goetsch	Kirketeg	Smith
Geske			

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

Senator Mason called up for consideration Senate File 384, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 4, line three (3), by striking the word and figures "fifteen (15)" and inserting in lieu thereof the word and figures "eighty (80)".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 27:

Augustine	Edwards	Irwin	Parker
Bell of Crawford	Ellis	Kimberly	Schadt
Bell of	Gillespie	Levis	Shaw
Des Moines	Gillette	Mason	Smith
Berg	Grunewald	Mighell	Stewart
Chrystal	Guernsey	Miller	Whitehill
Dean	Husted	Murray	Zeigler

Nays, 20:

Baldwin	Corwin	Evans	Hopkins
Beardsley	Dewey	Goetsch	Lundy
Billingsley	Donohue	Hart	Millhone
Breen	Doran	Hill	Moore
Byers	Elthon	Hoeven	Pelzer

Absent or not voting, 3:

Geske	Kirketeg	Stevens
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The House amendment having failed to receive a constitutional two-thirds majority was declared not to have been adopted and concurred in by the Senate.

Senator Mason called up for consideration Senate File 414, amended by the House, and moved that the Senate concur in the following amendment:

Amend Section 1, lines 2 and 3, by striking the words and figures "sixty dollars (\$60.00)" and substituting therefor the words and figures "thirty dollars (\$30.00)".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 42:

Augustine	Doran	Hill	Moore
Baldwin	Edwards	Hoeven	Murray
Beardsley	Ellis	Hopkins	Parker
Bell of	Elthon	Husted	Pelzer
Des Moines	Evans	Irwin	Schadt
Berg	Gillespie	Kimberly	Shaw
Byers	Gillette	Levis	Stevens
Chrystal	Goetsch	Mason	Stewart
Corwin	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Donohue	Hart	Millhone	

Nays, none.

Absent or not voting, 8:

Bell of Crawford	Breen	Geske	Lundy
Billingsley	Dean	Kirketeg	Smith

The House amendment having received a constitutional two-thirds majority was declared to have been adopted and concurred in by the Senate.

On motion of Senator Mason, Senate File 414, a bill for an act to make an appropriation to J. W. Houchin, as amended, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Doran	Hart	Millhone
Baldwin	Edwards	Hill	Moore
Beardsley	Ellis	Hoeven	Murray
Berg	Elthon	Hopkins	Parker
Breen	Evans	Husted	Pelzer
Byers	Geske	Kimberly	Schadt
Chrystal	Gillespie	Levis	Shaw
Corwin	Gillette	Mason	Stevens
Dean	Goetsch	Mighell	Whitehill
Dewey	Grunewald	Miller	Zeigler
Donohue	Guernsey		

Nays, none.

Absent or not voting, 8:

Bell of Crawford	Billingsley	Kirketeg	Smith
Bell of Des Moines	Irwin	Lundy	Stewart

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

Senator Mason called up for consideration Senate File 419, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking the words and figures "one hundred and thirty-nine dollars (\$139.00)" in lines 2 and 3 of Section 1, and substituting therefor the words and figures "one hundred and thirty-one dollars (\$131.00)".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 43:

Augustine	Berg	Chrystal	Dewey
Baldwin	Breen	Corwin	Donohue
Beardsley	Byers	Dean	Doran

Edwards	Guernsey	Levis	Pelzer
Ellis	Hart	Lundy	Schadt
Elthon	Hill	Mason	Shaw
Evans	Hoeven	Mighell	Stevens
Geske	Hopkins	Miller	Stewart
Gillette	Husted	Millhone	Whitehill
Goetsch	Irwin	Moore	Zeigler
Grunewald	Kimberly	Murray	

Nays, none.

Absent or not voting, 7:

Bell of Crawford	Billingsley	Kirketeg	Smith
Bell of	Gillespie	Parker	
Des Moines			

The House amendment having received a constitutional two-thirds majority was declared to have been adopted and concurred in by the Senate.

On motion of Senator Mason, Senate File 419, a bill for an act to make an appropriation to H. W. Haskell, as amended, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Ellis	Hoeven	Moore
Baldwin	Elthon	Hopkins	Murray
Beardsley	Evans	Husted	Parker
Bell of	Geske	Irwin	Pelzer
Des Moines	Gillespie	Kimberly	Schadt
Berg	Gillette	Levis	Shaw
Byers	Goetsch	Lundy	Smith
Corwin	Grunewald	Mason	Stevens
Dean	Guernsey	Mighell	Stewart
Dewey	Hart	Miller	Whitehill
Doran	Hill	Millhone	Zeigler
Edwards			

Nays, none.

Absent or not voting, 6:

Bell of Crawford	Breen	Donohue	Kirketeg
Billingsley	Chrystal		

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

Senator Millhone called up for consideration Senate File 174, amended by the House, and moved that the Senate concur in the following amendment:

Amend Section 1 by striking the period (.) in line eight (8) and inserting a comma (,) and adding the following: "provided that such improvement shall not exceed in width that of the primary road system and the amount of funds expended in any one year shall not exceed twenty-five per cent of the primary road construction fund."

Senators Gillette, Stewart, Dean, Levis, Shaw, and Miller offered the following amendment:

Amend the House amendment to Senate File 174 by striking from line 3 the words "twenty-five per cent" and inserting in lieu thereof, the words "five per cent".

Senator Gillette moved the adoption of the amendment to the amendment.

The amendment to the House amendment was not adopted.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 44:

Augustine	Doran	Hart	Millhone
Baldwin	Edwards	Hill	Moore
Beardsley	Ellis	Hoeven	Murray
Bell of	Elthon	Hopkins	Parker
Des Moines	Evans	Husted	Pelzer
Berg	Geske	Irwin	Schadt
Billingsley	Gillespie	Kimberly	Shaw
Breen	Gillette	Levis	Stevens
Byers	Goetsch	Mason	Stewart
Corwin	Grunewald	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey			

Nays, none.

Absent or not voting, 6:

Bell of Crawford	Donohue	Lundy	Smith
Chrystal	Kirketeg		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

On motion of Senator Millhone, Senate File 174, a bill for an act to amend Section forty-seven hundred fifty-five-b twenty-six (4755-b26), Code of Iowa, 1935, relating to the construction or reconstruction of primary roads, as amended, was taken up and considered.

Senator Millhone moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Dewey	Hill	Moore
Baldwin	Doran	Hoeven	Murray
Beardsley	Edwards	Hopkins	Parker
Bell of	Ellis	Irwin	Schadt
Des Moines	Elthon	Kimberly	Shaw
Berg	Geske	Mason	Smith
Billingsley	Goetsch	Mighell	Stewart
Breen	Grunewald	Miller	Whitehill
Corwin	Guernsey	Millhone	Zeigler
Dean	Hart		

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Evans	Husted	Lundy
Byers	Gillespie	Kirketeg	Pelzer
Chrystal	Gillette	Levis	Stevens
Donohue			

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

Senator Millhone moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Baldwin called up his motion to reconsider the vote by which Senate File 90 failed to pass the Senate.

On the question, "Shall the Senate reconsider the vote by which Senate File 90 failed to pass the Senate?" the vote was:

Ayes, 20:

Augustine	Dean	Hart	Moore
Baldwin	Donohue	Hopkins	Parker
Bell of	Geske	Irwin	Schadt
Des Moines	Gillespie	Lundy	Stevens
Byers	Goetsch	Mason	Stewart
Corwin			

Nays, 26:

Beardsley	Elthon	Husted	Murray
Berg	Evans	Kimberly	Pelzer
Billingsley	Gillette	Levis	Shaw
Dewey	Grunewald	Mighell	Smith
Doran	Guernsey	Miller	Whitehill
Edwards	Hill	Millhone	Zeigler
Ellis	Hoeven		

Absent or not voting, 4:

Bell of Crawford	Breen	Chrystal	Kirketeg
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The motion did not prevail.

On motion of Senator Mason, Senate File 473, a bill for an act to make an appropriation to Emmet F. Ivory, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Donohue	Guernsey	Miller
Baldwin	Doran	Hart	Millhone
Beardsley	Edwards	Hill	Moore
Bell of	Ellis	Hoeven	Parker
Des Moines	Elthon	Hopkins	Pelzer
Berg	Evans	Husted	Schadt
Billingsley	Geske	Kimberly	Shaw
Byers	Gillespie	Levis	Stevens
Corwin	Gillette	Lundy	Stewart
Dean	Goetsch	Mason	Whitehill
Dewey	Grunewald	Mighell	Zeigler

Nays, none.

Absent or not voting, 7:

Bell of Crawford	Chrystal	Kirketeg	Smith
Breen	Irwin	Murray	

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

On motion of Senator Mason, Senate File 474, a bill for an act to make an appropriation to Luella Sherling, a committee bill, was taken up and considered.

Senator Donohue moved that Senate File 474 be laid on the table.

The motion did not prevail.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 474 as follows:

Add, following the period in line 6 of Section 1, the words, "Said sum shall be payable at the rate of \$60.00 per month. If the claimant should die before the full amount appropriated is paid, the balance unpaid shall revert to the general fund of the state."

Further amend by striking from Section 2, line 2, the word "warrant" and inserting in lieu thereof the word "warrants".

Further amend by striking from Section 2, lines 2 and 3, the words "in the amount stated" and inserting in lieu thereof the following: "as above provided".

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 25:

Augustine	Elthon	Hopkins	Parker
Bell of	Evans	Mason	Pelzer
Des Moines	Geske	Mighell	Schadt
Chrystal	Gillespie	Miller	Shaw
Doran	Goetsch	Moore	Stevens
Edwards	Hart	Murray	Whitehill
Ellis	Hill		

Nays, 17:

Beardsley	Dean	Grunewald	Levis
Berg	Dewey	Hoeven	Lundy
Breen	Donohue	Husted	Stewart
Byers	Gillette	Kimberly	Zeigler
Corwin			

Present, 1:

Billingsley

Absent or not voting, 7:

Baldwin	Guernsey	Kirketeg	Smith
Bell of Crawford	Irwin	Millhone	

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 407, a bill for an act to make an appropriation to Sarah J. Conlin, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 441, a bill for an act to make appropriations to Joe H. Smith; Earl, Leonard and Mrs. Bonnie Frisk; and Patrick Lynch, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 444, 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, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 484, a bill for an act to make an appropriation to the estate of George Mogridge, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 485, a bill for an act to make an appropriation to C. W. Storms, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 486, a bill for an act to make an appropriation to Leo J. Wegman, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 487, a bill for an act to make an appropriation to the estate of Mrs. Alex Miller, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 488, a bill for an act to make an appropriation to Ray Murray, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 489, a bill for an act to make an appropriation to Edward L. O'Connor, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 490, a bill for an act to make an appropriation to Louis H. Cook, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 491, a bill for an act to make an appropriation to Louis Roddewig, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 492, a bill for an act to make an appropriation to C. F. Green, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 493, a bill for an act to make an appropriation to the estate of John W. Foster, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 494, a bill for an act to make an appropriation to the estate of J. W. Reynolds, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 495, a bill for an act to make an appropriation to B. C. Whitehill, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 496, a bill for an act to make an appropriation to O. S. Von Krog, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 497, a bill for an act to make an appropriation to Ray M. Hanchett, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 498, a bill for an act to make an appropriation to R. E. Zerwick, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 499, a bill for an act to make an appropriation to H. A. Mitchell, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 500, a bill for an act to make an appropriation to Ray Murphy, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was re-

ferred Senate File 501, a bill for an act to make an appropriation to Hazel A. Todd, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 502, a bill for an act to make an appropriation to Mr. and Mrs. Frank M. Burnell, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 506, a bill for an act to make appropriations to Willis & Moore, G. A. Holland and others, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 507, a bill for an act to make appropriations to the guards and turnkeys at the State Penitentiary at Fort Madison, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 508, a bill for an act to make appropriations to the guards and turnkeys at the men's reformatory at Anamosa, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 509, a bill for an act to make an appropriation to Lydia Pearl Riesland, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was re-

ferred Senate File 510, a bill for an act to make an appropriation to Mills county, Iowa, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 511, a bill for an act to make an appropriation to Cleon A. Ferger, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 512, a bill for an act to make an appropriation to Key City Refrigerator Line, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 513, a bill for an act to make an appropriation to Grace Kountz, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 514, a bill for an act to make an appropriation to Mrs. Estella Abernathy, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 515, a bill for an act to make an appropriation to the Citizens Savings Bank, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 516, a bill for an act to make an appropriation to James

E. Ridsen, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 517, a bill for an act to make an appropriation to Vergil E. Kepford, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 518, a bill for an act to make an appropriation to the Avoca State Bank, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 519, a bill for an act to make an appropriation to Bezer Lodge No. 135, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 526, a bill for an act to make an appropriation to C. O. Melvin, begs leave to report it has had the same under consideration and returns the bill without recommendation. LEO ELTHON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred House File 528, a bill for an act to make an appropriation for the expenses incurred in the election contests of Peaco vs. Judd and Bulow; of Campbell vs. Woods; of McLean vs. Latchaw; of Hadley vs. Peisen; of Oehmke vs. Dykhous; of Aldrich vs. Blue; of Pell vs. O'Neill; of Harnagel vs. Brown; of Peyton vs. Moore, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS

Senate File 531, by committee on claims, a bill for an act to make an appropriation to O. F. Shadle.

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

Senate File 532, by committee on appropriations, a bill for an act to make an appropriation to the Judges of the District Court of the State of Iowa.

Read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 544, a bill for an act to repeal Sections seven thousand four hundred twenty-d seven (7420-d7), seven thousand four hundred twenty-a ten (7420-a10), seven thousand four hundred twenty-a eleven (7420-a11), and seven thousand four hundred twenty-a twelve (7420-a12), Code, 1935, and enact substitutes therefor; to repeal Sections seven thousand four hundred twenty-a six (7420-a6), seven thousand four hundred twenty-a seven (7420-a7) and seven thousand four hundred twenty-a fifteen (7420-a15), Code, 1935; and to amend Sections seven thousand four hundred twenty-d six (7420-d6), seven thousand four hundred twenty-a three (7420-a3), seven thousand four hundred twenty-a eight (7420-a8), seven thousand four hundred twenty-a thirteen (7420-a13), seven thousand four hundred twenty-a fourteen (7420-a14) and seven thousand four hundred twenty-b one (7420-b1), Code, 1935, all relating to the interest paid on public deposits, and the diversion thereof to the state sinking fund, and to provide an assessment system authorizing the state treasurer, with the approval of the executive council, to make certain assessments against depositories of public funds for the benefit of the state sinking fund, and to repeal all acts or parts of acts in conflict herewith.

Read first and second times.

Senator Byers moved that the rules be suspended and that House File 544 be not referred to the sifting committee but be placed on the calendar immediately, which motion prevailed.

By unanimous consent on request of Senator Byers, House File

544 was substituted on the calendar for Senate File 524, a companion bill.

SENATE FILE 101 REREFERRED

Senator Byers asked and received unanimous consent to have Senate File 101 withdrawn from the sifting committee and referred to the committee on appropriations.

Senator Byers moved that House File 389, a companion bill for Senate File 462, be withdrawn from the sifting committee and placed on the calendar, which motion prevailed.

By unanimous consent on request of Senator Byers, House File 389 was substituted on the calendar for Senate File 462, a companion bill.

On motion of Senator Hopkins the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

The Journal of April 19th was corrected and approved.

On motion of Senator Baldwin, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President Valentine presiding.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 17

By unanimous consent on request of Senator Breen, House Concurrent Resolution 17 was taken up at this time.

Senator Breen moved the adoption of House Concurrent Resolution 17, which motion prevailed and the resolution was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in the Senate amendments to the following bill in which the concurrence of the House was asked:

Substitute for House File 477, a bill for an act to establish the general fund for the state of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Millhone asked and received unanimous consent to suspend the rules and consider House File 540 at this time.

THIRD READING OF BILLS

On motion of Senator Millhone, House File 540, a bill for an act to authorize and direct the Governor of the State of Iowa to execute and deliver to Carl A. Pickens and Linnie V. Pickens, husband and wife, a patent to the following described real estate, to-wit: The East sixty-two (62) feet of lots one (1) and two (2), and the East sixty-two (62) feet of the North one-half (N $\frac{1}{2}$) of lot three (3) in Block O, in the town of Sidney, situated in Fremont county, Iowa, reported out by the sifting committee, was taken up and considered.

Senator Millhone moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30:

Augustine
Berg
Breen
Corwin
Dean
Dewey
Edwards
Ellis

Elthon
Geske
Gillette
Goetsch
Grunewald
Guernsey
Hill
Hoeven

Husted
Kimberly
Levis
Mason
Mighell
Miller
Millhone

Murray
Pelzer
Schadt
Shaw
Smith
Stevens
Zeigler

Nays, none.

Absent or not voting, 20:

Baldwin	Byers	Gillespie	Lundy
Beardsley	Chrystal	Hart	Moore
Bell of Crawford	Donohue	Hopkins	Parker
Bell of	Doran	Irwin	Stewart
Des Moines	Evans	Kirketeg	Whitehill
Billingsley			

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

By unanimous consent on request of Senator Guernsey, the rules were suspended and Senate File 464 was taken up at this time.

On motion of Senator Guernsey, Senate File 464, a bill for an act so to amend Section seventy-five hundred thirty-nine (7539), Code of Iowa, 1935, as to authorize and direct boards of supervisors to move, build or rebuild secondary road bridges on public highways intersecting levees, drainage ditches, drains or changes of natural watercourses only in such instances, as in their discretion, the same shall promote the general public welfare, reported out by the sifting committee, was taken up and considered.

Senator Guernsey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Ellis	Hoeven	Murray
Beardsley	Elthon	Husted	Parker
Berg	Evans	Irwin	Pelzer
Breen	Geske	Kimberly	Schadt
Corwin	Gillette	Levis	Shaw
Dean	Goetsch	Mighell	Smith
Dewey	Grunewald	Miller	Stevens
Doran	Guernsey	Millhone	Whitehill
Edwards	Hill	Moore	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Billingsley	Gillespie	Lundy
Bell of Crawford	Byers	Hart	Mason
Bell of	Chrystal	Hopkins	Stewart
Des Moines	Donohue	Kirketeg	

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

By unanimous consent, on request of Senator Hoeven, the rules were suspended and House File 79 was taken up at this time.

On motion of Senator Hoeven, House File 79, by Dykhouse, a bill for an act to amend Section forty-eight hundred nineteen (4819) of the Code, 1935, relating to the destruction of noxious weeds, reported out by the sifting committee, was taken up and considered.

Senator Hoeven moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Edwards	Hart	Murray
Beardsley	Ellis	Hill	Parker
Berg	Elthon	Hoeven	Pelzer
Breen	Evans	Husted	Schadt
Corwin	Geske	Irwin	Shaw
Dean	Gillette	Kimberly	Stevens
Dewey	Goetsch	Mighell	Whitehill
Donohue	Grunewald	Miller	Zeigler
Doran	Guernsey	Millhone	

Nays, none.

Absent or not voting, 15:

Baldwin	Billingsley	Hopkins	Mason
Bell of Crawford	Byers	Kirketeg	Moore
Bell of	Chrystal	Levis	Smith
Des Moines	Gillespie	Lundy	Stewart

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

By unanimous consent on request of Senator Beardsley, the rules were suspended and House File 531 was taken up at this time.

On motion of Senator Beardsley, House File 531, a bill for an act to extend the date of expiration of motor vehicle operators' licenses, and to this end to amend Section forty-nine hundred sixty-d thirty (4960-d30), Code, 1935, reported out by the sifting committee, was taken up and considered.

Senator Beardsley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Doran	Hart	Millhone
Beardsley	Ellis	Hill	Murray
Berg	Elthon	Hoeven	Parker
Breen	Evans	Hopkins	Pelzer
Byers	Geske	Husted	Schadt
Corwin	Gillette	Irwin	Shaw
Dean	Goetsch	Kimberly	Smith
Dewey	Grunewald	Mighell	Stevens
Donohue	Guernsey	Miller	Whitehill

Nays, none.

Absent or not voting, 14:

Baldwin	Billingsley	Kirketeg	Moore
Bell of Crawford	Chrystal	Levis	Stewart
Bell of	Edwards	Lundy	Zeigler
Des Moines	Gillespie	Mason	

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

By unanimous consent on request of Senator Parker, the rules were suspended and Senate File 527 was taken up at this time.

On motion of Senator Parker, Senate File 527, a bill for an act to amend Sections thirty-six hundred forty-eight (3648) and thirty-seven hundred ten (3710), Code, 1935, regarding the transfer of inmates of state institutions under the board of control, reported out by the sifting committee, was taken up and considered.

Senator Parker moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Edwards	Hart	Murray
Beardsley	Ellis	Hill	Parker
Berg	Elthon	Hoeven	Pelzer
Breen	Evans	Hopkins	Schadt
Byers	Geske	Husted	Shaw
Corwin	Gillespie	Irwin	Smith
Dean	Gillette	Kimberly	Stewart
Dewey	Goetsch	Levis	Whitehill
Donohue	Grunewald	Miller	Zeigler
Doran	Guernsey	Millhone	

Nays, none.

Absent or not voting, 11:

Baldwin	Billingsley	Lundy	Moore
Bell of Crawford	Chrystal	Mason	Stevens
Bell of	Kirketeg	Mighell	
Des Moines			

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

By unanimous consent on request of Senator Dean, the rules were suspended and House File 523 was taken up at this time.

On motion of Senator Dean, House File 523, a bill for an act to legalize and validate the proceedings of the board of supervisors of Hancock county, Iowa, with reference to the conveyance of real estate held for the benefit of the permanent school fund to Orick Rhodes and Viola Rhodes; and to authorize and direct the issuance of a patent to said real estate by the Governor and Secretary of State, reported out by the sifting committee, was taken up and considered.

Senator Dean moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Edwards	Hoeven	Murray
Beardsley	Ellis	Hopkins	Parker
Berg	Elthon	Husted	Pelzer
Breen	Evans	Irwin	Schadt
Byers	Geske	Kimberly	Shaw
Dean	Gillespie	Levis	Smith
Dewey	Gillette	Mighell	Stevens
Donohue	Hart	Miller	Whitehill
Doran	Hill	Millhone	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Billingsley	Grunewald	Mason
Bell of Crawford	Chrystal	Guernsey	Moore
Bell of	Corwin	Kirketeg	Stewart
Des Moines	Goetsch	Lundy	

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

By unanimous consent on request of Senator Elthon, the rules were suspended and House File 519 was taken up at this time.

On motion of Senator Elthon, House File 519, a bill for an act to appropriate the sum of five hundred (\$500.00) dollars to repair, refinish, clean and inspect the damage done by lightning, to the Iowa Monument in the National Cemetery at Andersonville, Georgia, to authorize the Governor to appoint a commission to

supervise and inspect such repair, refinishing and cleaning, and to appropriate not to exceed five hundred (\$500.00) dollars to pay the expenses of such commission, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Elthon	Hoeven	Millhone
Beardsley	Evans	Hopkins	Parker
Berg	Geske	Irwin	Pelzer
Breen	Gillespie	Kimberly	Schadt
Corwin	Gillette	Kirketeg	Shaw
Dean	Goetsch	Levis	Stevens
Dewey	Grunewald	Lundy	Stewart
Doran	Guernsey	Mighell	Whitehill
Edwards	Hart	Miller	Zeigler
Ellis	Hill		

Nays, none.

Absent or not voting, 12:

Baldwin	Billingsley	Donohue	Moore
Bell of Crawford	Byers	Husted	Murray
Bell of Des Moines	Chrystal	Mason	Smith

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

By unanimous consent on request of Senator Elthon, the rules were suspended and House File 527 was taken up at this time.

On motion of Senator Elthon, House File 527, a bill for an act making an appropriation for the purpose of aiding in defraying the expenses of a national encampment of the Grand Army of The Republic to be held in this state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Byers	Donohue	Elthon
Beardsley	Corwin	Doran	Geske
Berg	Dean	Edwards	Gillespie
Breen	Dewey	Ellis	Goetsch

Grunewald	Husted	Mighell	Shaw
Guernsey	Irwin	Miller	Smith
Hart	Kimberly	Murray	Stevens
Hill	Kirketeg	Parker	Stewart
Hoeven	Levis	Pelzer	Whitehill
Hopkins	Lundy	Schadt	Zeigler

Nays, none.

Absent or not voting, 10:

Baldwin	Bell of	Chrystal	Mason
Bell of Crawford	Des Moines	Evans	Millhone
	Billingsley	Gillette	Moore

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

Senator Murray asked unanimous consent to suspend the rules and take up Senate File 305 at this time.

Senator Hopkins objected.

Senator Murray moved that the rules be suspended and that Senate File 305 be taken up at this time.

Roll call was requested.

On the question, "Shall the rules be suspended and Senate File 305 be taken up at this time?" the vote was:

Ayes, 30:

Augustine	Donohue	Goetsch	Millhone
Beardsley	Doran	Grunewald	Murray
Berg	Edwards	Hart	Parker
Breen	Ellis	Hill	Schadt
Byers	Elthon	Hoeven	Whitehill
Corwin	Geske	Irwin	Zeigler
Dean	Gillespie	Kimberly	
Dewey	Gillette	Levis	

Nays, 1:

Hopkins

Absent or not voting, 19:

Baldwin	Chrystal	Lundy	Pelzer
Bell of Crawford	Evans	Mason	Shaw
Bell of	Guernsey	Mighell	Smith
Des Moines	Husted	Miller	Stevens
Billingsley	Kirketeg	Moore	Stewart

The motion prevailed, the rules were suspended, and Senate File 305 was taken up.

On motion of Senator Murray, Senate File 305, a bill for an act to amend Section forty-two hundred thirty-three-e four (4233-e4), Code, 1935, relating to transportation of school children, reported out by the sifting committee, was taken up and considered.

Senator Hopkins offered the following amendment and moved its adoption:

Amend as follows:

1. By inserting the word "public" a. At the end of line two of the title; b. After the word "in" in line 4, Section 1; c. After the word "the" in line 5, Section 1.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 6:

Augustine Grunewald	Guernsey Hopkins	Husted	Whitehill
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Nays, 30:

Beardsley	Donohue	Goetsch	Mason
Berg	Doran	Hart	Murray
Breen	Edwards	Hill	Parker
Byers	Ellis	Hoeven	Schadt
Chrystal	Elthon	Irwin	Stevens
Corwin	Geske	Kimberly	Stewart
Dean	Gillespie	Kirketeg	Zeigler
Dewey	Gillette		

Present, 7:

Levis	Mighell	Millhone	Smith
Lundy	Miller	Pelzer	

Absent or not voting, 7:

Baldwin	Bell of	Billingsley	Moore
Bell of Crawford	Des Moines	Evans	Shaw

The amendment was not adopted.

By unanimous consent, Senator Hopkins withdrew the following amendment:

Amend by striking Section 2.

Senator Donohue moved that further consideration of Senate File 305 be temporarily deferred, which motion prevailed.

Senator Irwin took the chair.

On motion of Senator Mason, Senate File 475, a bill for an act to make an appropriation to Ira Dalton, a claims bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Augustine	Elthon	Hoeven	Miller
Breen	Geske	Irwin	Parker
Chrystal	Gillespie	Kimberly	Pelzer
Dean	Gillette	Kirketeg	Schadt
Dewey	Grunewald	Levis	Shaw
Edwards	Guernsey	Mason	Whitehill
Ellis	Hart	Mighell	

Nays, 10:

Bell of	Corwin	Hill	Smith
Des Moines	Doran	Husted	Stewart
Berg	Evans	Lundy	

Present, 2:

Donohue	Murray
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Absent or not voting, 11:

Baldwin	Billingsley	Hopkins	Stevens
Beardsley	Byers	Millhone	Zeigler
Bell of Crawford	Goetsch	Moore	

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

Senator Elthon asked unanimous consent to be heard on Senate File 475.

There were objections.

Senator Elthon moved that the Senate grant him permission to speak on Senate File 475, which motion prevailed.

Senator Corwin moved to reconsider the vote by which the Senate failed to concur in the House amendment to Senate File 384.

On the question, "Shall the Senate reconsider?" the vote was:

Ayes, 33:

Augustine	Elthon	Hoeven	Miller
Berg	Evans	Husted	Murray
Chrystal	Geske	Irwin	Parker
Corwin	Gillette	Kimberly	Pelzer
Dewey	Grunewald	Kirketeg	Schadt
Donohue	Guernsey	Lundy	Shaw
Doran	Hart	Mason	Stewart
Edwards	Hill	Mighell	Whitehill
Ellis			

Nays, 1:

Smith

Absent or not voting, 16:

Baldwin	Billingsley	Gillespie	Millhone
Beardsley	Breen	Goetsch	Moore
Bell of Crawford	Byers	Hopkins	Stevens
Bell of Des Moines	Dean	Levis	Zeigler

The motion prevailed and the Senate reconsidered the vote by which it had failed to concur in the House amendment to Senate File 384.

Senator Mason moved that action on the House amendments to Senate File 384, on which the vote had been reconsidered, be temporarily deferred. The motion prevailed.

By unanimous consent on request of Senator Parker, the rules were suspended and Senate File 482 was taken up at this time.

On motion of Senator Parker, Senate File 482, a bill for an act to amend Chapter one hundred sixty-seven (167) and Sections three thousand two hundred ninety-two (3292), three thousand two hundred ninety-three (3293), three thousand three hundred (3300), three thousand three hundred thirty-one (3331), three thousand three hundred thirty-two (3332), three thousand three hundred fifty-two (3352), three thousand three hundred fifty-six (3356), three thousand three hundred ninety-five (3395), three thousand three hundred ninety-six (3396), three thousand four hundred six (3406), three thousand four hundred sixty-seven (3467), three thousand four hundred ninety-nine (3499) and three thousand five hundred four (3504), Code, 1935, all relating to the powers and duties of the superintendent of the Glenwood state school, state sanatorium, Woodward state school and colony, Cherokee state hospital, Clarinda state hospital, Independence state hospital, and Mount Pleasant state hospital, and providing for the appointment of a business manager for each of said institutions, and prescribing his powers and duties, reported out by the sifting committee, was taken up and considered.

Senator Stewart offered the following amendment and moved its adoption:

Amend by adding another section as follows:

"Sec. 12. The State Board of Control shall employ a 'farm manager' whose duties shall be to suggest and advise concerning all agricultural activities under the board's jurisdiction."

The amendment was adopted.

Senator Parker offered the following amendment and moved its adoption:

Amend as follows: 1. Amend Section one by striking from lines 14 and 15 thereof the words and figures "six thousand two hundred ninety-six (6296)" and inserting in lieu thereof the words and figures, "three thousand two hundred ninety-six (3296)".

2. Further amend Section one by inserting after the word "property" in line 31 thereof the words "and funds" and by striking the period at the end of line 35 and inserting in lieu thereof a semicolon and adding after said semicolon the following: "and he shall be accountable for all such funds, property, supplies, and equipment, and shall be chargeable therewith, at their invoice value."

The amendment was adopted.

By unanimous consent on request of Senator Parker, corrections in spelling in the bill were ordered made, and the title was corrected.

Senator Parker moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dean	Guernsey	Mighell
Beardsley	Dewey	Hart	Miller
Bell of Crawford	Donohue	Hill	Murray
Bell of	Ellis	Hoeven	Parker
Des Moines	Elthon	Hopkins	Pelzer
Berg	Evans	Irwin	Schadt
Billingsley	Geske	Kimberly	Shaw
Breen	Gillette	Kirketeg	Stevens
Byers	Goetsch	Levis	Stewart
Corwin	Grunewald	Mason	Whitehill
			Zeigler

Nays, 1:

Smith

Absent or not voting, 9:

Baldwin	Edwards	Husted	Millhone
Chrystal	Gillespie	Lundy	Moore
Doran			

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

Senator Parker moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Breen, the rules were suspended and House File 388 was taken up at this time.

On motion of Senator Breen, House File 388, a bill for an act to repeal Chapter one hundred seventeen (117), Code, 1935, relating to the practice of podiatry and to enact a substitute therefor, reported out by the sifting committee, was taken up and considered.

Senator Smith offered the following amendment and moved its adoption:

Amend House File 388, Section 4, by striking from line 9 the following: "surgery,".

The amendment was adopted.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Edwards	Hill	Miller
Beardsley	Ellis	Hoeven	Murray
Bell of Crawford	Elthon	Hopkins	Pelzer
Bell of	Geske	Husted	Schadt
Des Moines	Gillespie	Irwin	Shaw
Berg	Gillette	Kimberly	Smith
Billingsley	Goetsch	Kirketeg	Stevens
Byers	Grunewald	Levis	Stewart
Dean	Guernsey	Lundy	Whitehill
Dewey	Hart	Mighell	Zeigler
Donohue			

Nays, none.

Absent or not voting, 10:

Baldwin	Corwin	Mason	Moore
Breen	Doran	Millhone	Parker
Chrystal	Evans		

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Levis, the rules were suspended and House File 302 was taken up at this time.

On motion of Senator Levis, House File 302, by Goode, a bill

for an act in relation to the civil liability of owners, lessees, licensees and operators of radio broadcasting stations and the agents and employees of any such owner, lessee, licensee or operator, for radio defamation, reported out by the sifting committee, was taken up and considered.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Edwards	Husted	Parker
Beardsley	Ellis	Irwin	Pelzer
Bell of Crawford	Evans	Kimberly	Schadt
Berg	Geske	Kirketeg	Shaw
Billingsley	Grunewald	Levis	Smith
Breen	Guernsey	Lundy	Stevens
Byers	Hart	Mason	Stewart
Corwin	Hill	Mighell	Whitehill
Dean	Hoeven	Miller	Zeigler
Dewey	Hopkins	Murray	

Nays, none.

Absent or not voting, 11:

Baldwin	Chrystal	Elthon	Goetsch
Bell of	Donohue	Gillespie	Millhone
Des Moines	Doran	Gillette	Moore

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

By unanimous consent on request of Senator Breen, the rules were suspended and House File 398 was taken up at this time.

On motion of Senator Breen, House File 398, by Strickler, a bill for an act to amend Section eleven thousand one hundred six (11106), Code, 1935, relating to the width of newspaper columns and the duties of the state printing board, reported out by the sifting committee, was taken up and considered.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Berg	Chrystal	Donohue
Bell of Crawford	Billingsley	Corwin	Doran
Bell of	Breen	Dean	Edwards
Des Moines	Byers	Dewey	Ellis

Elthon	Grunewald	Hopkins	Pelzer
Geske	Guernsey	Irwin	Schadt
Gillespie	Hart	Kimberly	Shaw
Gillette	Hill	Kirketeg	Stewart
Goetsch	Hoeven	Mighell	Whitehill
			Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Levis	Millhone	Parker
Beardsley	Lundy	Moore	Smith
Evans	Mason	Murray	Stevens
Husted	Miller		

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

Senator Breen moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent on request of Senator Breen, the rules were suspended and House File 433 was taken up at this time.

On motion of Senator Breen, House File 433, by Engel, a bill for an act to legalize the payments authorized to be made by boards of supervisors for publication of proceedings of boards of supervisors in official newspapers, reported out by the sifting committee, was taken up and considered.

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine	Doran	Hill	Miller
Beardsley	Edwards	Hoeven	Millhone
Bell of Crawford	Ellis	Hopkins	Murray
Bell of	Elthon	Husted	Parker
Des Moines	Evans	Irwin	Pelzer
Berg	Geske	Kimberly	Schadt
Breen	Gillespie	Kirketeg	Shaw
Byers	Gillette	Levis	Smith
Chrystal	Goetsch	Lundy	Stewart
Corwin	Grunewald	Mason	Whitehill
Dean	Guernsey	Mighell	Zeigler
Dewey	Hart		

Nays, none.

Absent or not voting, 5:

Baldwin	Donohue	Moore	Stevens
Billingsley			

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

President Valentine returned to the chair.

Senator Elthon moved that the Senate insist on its amendments to Substitute for House File 477, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1937, and ending June 30, 1939, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium.

On the question, "Shall the Senate insist?" the vote was:

Ayes, 42:

Augustine	Dewey	Grunewald	Mighell
Beardsley	Donohue	Guernsey	Miller
Bell of Crawford	Doran	Hart	Murray
Bell of	Edwards	Hoeven	Parker
Des Moines	Ellis	Hopkins	Schadt
Berg	Elthon	Husted	Shaw
Breen	Evans	Irwin	Stevens
Byers	Geske	Kimberly	Stewart
Chrystal	Gillespie	Kirketeg	Whitehill
Corwin	Gillette	Lundy	Zeigler
Dean	Goetsch	Mason	

Nays, none.

Absent or not voting, 8:

Baldwin	Hill	Millhone	Pelzer
Billingsley	Levis	Moore	Smith

The motion prevailed and the Senate insisted on its amendments to Substitute for House File 477.

Senator Hopkins moved that the rules be suspended and that the President appoint the conference committee on Substitute for House File 477.

The motion prevailed and the President appointed, on the part of the Senate, Senators Elthon, Goetsch, Doran and Irwin.

By unanimous consent on request of Senator Dewey, the rules were suspended and Senate File 344 was taken up at this time.

On motion of Senator Dewey, Senate File 344, a bill for an act to repeal Section seventeen hundred ninety-four-e one (1794-e1), Chapter eighty-six-E one (86-E1), Code of 1935, relating to

licenses and enact substitutes therefor which clarify license requirements and change license fees; amend Section seventeen hundred ninety-four-e ten (1794-e10), Chapter eighty-six-E one (86-E1), Code of 1935, relating to form of license to provide for visible license worn on person of licensee and to compel licensee to have license on person and show it on demand; amend Section seventeen hundred ninety-four-e fourteen (1794-e14), Chapter eighty-six-E one (86-E1), Code of 1935, to provide for pets to be taken only during the open season; enact a section to provide for issuance of duplicate licenses in case original is lost, destroyed or stolen; amend Section seventeen hundred ninety-four-e fifteen (1794-e15) to clarify meaning of term "owners or tenants"; to require women to have fishing license; enact a section to provide license and regulations for taxidermists; enact a section requiring permit tags to hold game; enact a section to permit the sale of domestically reared game as food and provide a license therefor; enact a section giving definitions and interpretations of words and phrases used in state laws and regulations of the commission, reported out by the sifting committee, was taken up and considered.

Senator Donohue moved that further consideration of Senate File 344 be temporarily deferred, which motion prevailed.

By unanimous consent on request of Senator Elthon, the rules were suspended and Senate File 379 was taken up at this time.

On motion of Senator Elthon, Senate File 379, a bill for an act to make an appropriation for the state department of social welfare for its expenses and for aid to the needy blind, aid to dependent children and for the division of child welfare, a committee bill, was taken up and considered.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30:

Augustine	Dewey	Guernsey	Murray
Bell of	Doran	Hoeven	Parker
Des Moines	Edwards	Hopkins	Schadt
Breen	Ellis	Kimberly	Shaw
Byers	Elthon	Levis	Stevens
Chrystal	Geske	Mason	Whitehill
Corwin	Gillespie	Mighell	Zeigler
Dean	Grunewald	Miller	

Nays, 2:

Goetsch Pelzer

Absent or not voting, 18:

Baldwin	Donohue	Husted	Millhone
Beardsley	Evans	Irwin	Moore
Bell of Crawford	Gillette	Kirketeg	Smith
Berg	Hart	Lundy	Stewart
Billingsley	Hill		

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

By unanimous consent on request of Senator Elthon, the rules were suspended and Senate File 530 was taken up at this time.

By unanimous consent on request of Senator Elthon, the rules were suspended and Professor MacDonald of Ames was asked to explain Senate File 530 to the Senate.

On motion of Senator Elthon, Senate File 530, a bill for an act to make an appropriation to enable the State of Iowa to participate in the program of the Civilian Conservation Corps, the Works Progress Administration and with Federal and other agencies within the State of Iowa, a committee bill, was taken up and considered.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Dean	Goetsch	Lundy
Beardsley	Dewey	Grunewald	Mason
Bell of Crawford	Donohue	Guernsey	Mighell
Bell of	Doran	Hart	Miller
Des Moines	Edwards	Hill	Murray
Berg	Ellis	Hoeven	Parker
Billingsley	Elthon	Hopkins	Schadt
Breen	Evans	Irwin	Shaw
Byers	Geske	Kimberly	Stevens
Chrystal	Gillespie	Kirketeg	Whitehill
Corwin	Gillette	Levis	Zeigler

Nays, 2:

Husted Pelzer

Present, 1:

Stewart

Absent or not voting, 4:

Baldwin Millhone Moore Smith

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

REPORTS OF COMMITTEES

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File 101, a bill for an act to provide for the distribution of special funds to the public school districts of the state, and to appropriate for such purpose, the sum of twelve million dollars (\$12,000,000.00) for each year of the biennium beginning July 1, 1937, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Strike the title and insert in lieu thereof the following:

"An Act to provide for the distribution to the several public school corporations of the state on a teacher unit basis, of certain federal funds now or hereafter made available by act of Congress to assist the states and territories in providing more effective programs of public education; to prescribe the powers and duties of the superintendent of public instruction, the treasurer of state, the state comptroller, and other officials with reference thereto; to require certain refunds to be made by school corporations receiving tuition; and to provide for the administration of this act."

2. Strike all after the enacting clause and insert in lieu thereof the following:

"Section 1. The following terms shall, for the purpose of this act, have the following meanings:

1. "Aggregate attendance" means the sum determined by adding together the total number of school days during which each pupil in the grades in question attended a regular day school conducted by the particular public school corporation during the regular school year, excluding summer school.

2. "Average daily attendance" means the quotient arising from dividing aggregate attendance by the total number of days school was in session during the regular school year, excluding summer school. Said quotient shall be carried to such number of decimal places, fixed by the superintendent as is reasonably necessary to secure equitable distribution.

3. "Superintendent" means the superintendent of public instruction of the state of Iowa.

Sec. 2. It shall be the duty of the superintendent to keep such records and accounts, to cause such audits to be made, and to make such applications and reports to the United States Commissioner of Education, or other authorized federal officer, as shall be necessary to qualify this state to receive, and to continue to receive, such federal funds as may be allotted to this state under and by virtue of an act of the Seventy-fifth Congress of the United States, first session, now or hereafter enacted, entitled "A bill to promote the general welfare through the appropriation

of funds to assist the states and territories in providing more effective programs of public education", and such other acts of Congress, now or hereafter enacted, as may make federal funds available to this state for the purpose of providing more effective programs of general public education. For such purposes, the superintendent is hereby designated as the "chief educational authority" to represent this state.

Sec. 3. There is hereby created in the treasury of the state of Iowa a special fund, to which shall be credited such federal funds as are received pursuant to the acts of Congress designated in Section two hereof. The treasurer of state shall keep such accounts and records of the expenditure of such funds as may be prescribed by the United States Commissioner of Education, or other federal officer, pursuant to the law authorizing such distribution of federal funds.

Sec. 4. The funds credited to such special fund shall be distributed each school year, in October and April, to the several public school corporations of the state in the proportion which the total number of teacher units for each such school corporation for the preceding school year bears to the total number of teacher units for the state for such school year. Such teacher units shall be determined for each public school corporation in the following manner:

1. Teacher units in grades one to eight inclusive, and kindergarten, shall be fixed as follows: (a) For each school in which only one teacher is employed, one teacher unit; and (b) if the total average daily attendance does not exceed forty in all schools in which more than one teacher is employed, two additional teacher units; or (c) if the total average daily attendance exceeds forty in all such schools, one additional teacher unit for the first fifteen and one additional teacher unit for each additional twenty-seven, or major fraction thereof, in average daily attendance; provided that the teacher units so determined for each school corporation shall not exceed the actual number of teachers employed in grades of one to eight inclusive, and kindergarten.

2. Teacher units in grades nine to twelve inclusive shall be determined by allowing one and one-half teacher units for each high school unit, determined as follows: (a) If the total average daily attendance in grades nine to twelve in all schools is less than sixteen, one high school unit; or (b) if such total average daily attendance is more than fifteen and less than twenty-six, two high school units; or (c) if such total average daily attendance is more than twenty-five and less than forty-one, three high school units; or (d) if such total average daily attendance is more than forty, three high school units for the first forty and one additional high school unit for each additional twenty-two, or major fraction thereof, in average daily attendance; provided that the high school units so determined for each school corporation shall not exceed the actual number of teachers employed in teaching grades nine to twelve inclusive.

3. Both resident and nonresident pupils shall be included in determining the number of teacher units allowed to each school corporation.

Sec. 5. The treasurer shall, upon request, certify to the superintendent at any time the amount in the special fund created in Section three

hereof. On the first day of October and the first day of April of each year, or as soon thereafter as possible, the superintendent shall determine the amount due each of the several school corporations in the state under the provisions of this act, and shall file with the state comptroller a requisition on which shall appear the amounts due each of such school corporations.

Sec. 6. Warrants Drawn. The state comptroller, upon receipt of such requisition from the superintendent of public instruction, shall draw a warrant or warrants on the treasurer of state, payable to the school corporations entitled thereto in accordance with said requisition, and shall deliver said warrant or warrants to the superintendent of public instruction, who shall make a record thereof and transmit the same to the secretary of each of said school corporations.

Sec. 7. Deposit of Funds. Upon receipt of any such warrant, the secretary of the school corporation shall cause it to be deposited to the credit of the general fund of the said school corporation.

Sec. 8. Each public school corporation in the state which, pursuant to statutory requirements, receives tuition from another public school corporation for nonresident pupils shall, within thirty days after receiving such warrant on the treasurer of state, refund to the public school corporation paying such tuition an amount for each such nonresident pupil determined as follows:

a. The amount so received from the treasurer of state for teacher units in grades one to eight inclusive, and kindergarten, shall be divided by the total average daily attendance in such grades for the school year for which such teacher units were fixed. The result so obtained shall constitute the amount of refund for each pupil in such grades for whom tuition was received for such school year.

b. The amount so received from the treasurer of state for teacher units in grades nine to twelve inclusive shall be divided by the total average daily attendance in such grades for the school year for which such teacher units were fixed. The result so obtained shall constitute the amount of refund for each pupil in such grades for whom tuition was received for such school year.

c. Provided that if tuition was paid for any such pupil for less than the full school year the amount of refund shall bear the same proportion to the amount so determined as the period for which tuition was paid bears to the full school year.

Sec. 9. The superintendent of public instruction is hereby authorized to adopt such rules and regulations, consistent with the provisions of this act, as are necessary and proper for the administration thereof.

Sec. 10. Constitutionality. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional or 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 or invalid.

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 Herald-Patriot, a newspaper published at Chariton, Iowa, and in the Humeston New Era, a newspaper published at Humeston, Iowa.

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File 531, a bill for an act to make an appropriation to O. F. Shadle, begs leave to report it has had the same under consideration and returns the bill without recommendation.

LEO ELTHON, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS

Senate File 533, by committee on appropriations, a bill for an act to make an appropriation to the unemployment compensation commission to be credited to the employment service account for the purpose of carrying out the provisions of Section 10 (c); Section 12 (a); Section 13 (b), Senate File No. 1, (unemployment compensation law) Acts of the 46th General Assembly, Extraordinary Session.

Read first and second times and placed on calendar.

Senate File 534, by committee on claims, a bill for an act to make an appropriation to George Clancy.

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

EXTRA COPIES OF SENATE FILE 450

By unanimous consent on request of Senator Dewey, six hundred extra copies of Senate File 450, creating the conservation commission, were ordered printed.

On motion of Senator Irwin the Senate recessed until the fall of the gavel.

The Senate reconvened, President Valentine presiding.

By unanimous consent on request of Senator Doran the rules were suspended and House File 253 was taken up.

THIRD READING OF BILLS

On motion of Senator Doran, House File 253, by Lookingbill, a bill for an act to amend Section sixty-two hundred eleven (6211), Code, 1935, relating to the power of cities and towns to levy taxes for the building and maintenance of free public libraries, reported out by the sifting committee, was taken up and considered.

Senator Doran offered the following amendment and moved its adoption:

Amend House File 253 by inserting after the word "than", in line six (6) of Section two (2), the following: "ten thousand (10,000) population and less than seventy-five thousand (75,000) population, having situated therein a state owned educational institution with a regular attendance of more than".

The amendment was adopted.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Edwards	Hoeven	Murray
Bell of Crawford	Ellis	Hopkins	Parker
Berg	Evans	Husted	Pelzer
Breen	Gillespie	Kimberly	Schadt
Byers	Gillette	Kirketeg	Shaw
Corwin	Goetsch	Levis	Stevens
Dewey	Grunewald	Lundy	Whitehill
Donohue	Hart	Mighell	Zeigler
Doran	Hill	Miller	

Nays, none.

Absent or not voting, 15:

Baldwin	Billingsley	Geske	Millhone
Beardsley	Chrystal	Guernsey	Moore
Bell of	Dean	Irwin	Smith
Des Moines	Elthon	Mason	Stewart

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

By unanimous consent on request of Senator Doran, the rules were suspended and House File 501 was taken up.

On motion of Senator Doran, House File 501, a bill for an act to amend Section eight thousand nine hundred six (8906) of the Code, 1935, to provide additional financial requirements to be complied with by mutual insurance companies prior to the issuance

of a certificate of authority, reported out by the sifting committee, was taken up and considered.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine	Dean	Goetsch	Miller
Beardsley	Donohue	Grunewald	Parker
Bell of Crawford	Doran	Hill	Schadt
Bell of	Edwards	Hopkins	Shaw
Des Moines	Ellis	Kimberly	Stevens
Billingsley	Evans	Kirketeg	Stewart
Breen	Geske	Levis	Whitehill
Byers	Gillespie	Lundy	Zeigler
Chrystal			

Nays, none.

Absent or not voting, 18:

Baldwin	Gillette	Irwin	Moore
Berg	Guernsey	Mason	Murray
Corwin	Hart	Mighell	Pelzer
Dewey	Hoeven	Millhone	Smith
Elthon	Husted		

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

By unanimous consent on request of Senator Doran, the rules were suspended and House File 510 was taken up at this time.

On motion of Senator Doran, House File 510, a bill for an act to require insurance associations organized and operating under Chapter four hundred six (406) of the Code of Iowa, 1935, to maintain a reserve for unearned premiums, but excepting county mutuals and associations operating on a post loss basis and not charging advance assessments, reported out by the sifting committee, was taken up and considered.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Berg	Corwin	Ellis
Beardsley	Billingsley	Dean	Evans
Bell of Crawford	Breen	Dewey	Geske
Bell of	Byers	Doran	Gillespie
Des Moines	Chrystal	Edwards	Grunewald

Guernsey	Kimberly	Mighell	Schadt
Hart	Kirketeg	Miller	Stewart
Hill	Levis	Millhone	Whitehill
Hopkins	Lundy	Murray	Zeigler

Nays, none.

Absent or not voting, 15:

Baldwin	Goetsch	Mason	Shaw
Donohue	Hoeven	Moore	Smith
Elthon	Husted	Parker	Stevens
Gillette	Irwin	Pelzer	

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

On motion of Senator Mason, consideration of Senate File 446, a bill for an act to make an appropriation to Ella Talbott, on which action had been postponed, was resumed.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Elthon	Hopkins	Murray
Beardsley	Evans	Husted	Parker
Bell of Crawford	Geske	Kimberly	Pelzer
Berg	Gillespie	Kirketeg	Schadt
Billingsley	Gillette	Levis	Shaw
Chrystal	Goetsch	Mason	Stevens
Dean	Grunewald	Mighell	Stewart
Doran	Guernsey	Miller	Whitehill
Edwards	Hart	Millhone	Zeigler
Ellis	Hill	Moore	

Nays, 2:

Breen	Dewey
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Absent or not voting, 9:

Baldwin	Byers	Hoeven	Lundy
Bell of	Corwin	Irwin	Smith
Des Moines	Donohue		

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

HOUSE AMENDMENTS CONSIDERED

Senator Gillette called up for consideration Senate File 384, amended by the House, and moved that the Senate concur in the following amendment:

Amend Section 4, line three (3), by striking the word and figures

“fifteen (15)” and inserting in lieu thereof the word and figures “eighty (80)”.

On the question, “Shall the Senate concur?” the vote was:

Ayes, 45:

Augustine	Donohue	Hill	Millhone
Beardsley	Doran	Hoeven	Moore
Bell of Crawford	Edwards	Hopkins	Murray
Bell of	Ellis	Husted	Parker
Des Moines	Evans	Kimberly	Pelzer
Berg	Geske	Kirketeg	Schadt
Breen	Gillespie	Levis	Shaw
Byers	Gillette	Lundy	Smith
Chrystal	Goetsch	Mason	Stewart
Corwin	Grunewald	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Hart		

Nays, none.

Absent or not voting, 5:

Baldwin	Elthon	Irwin	Stevens
Billingsley			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Mason, Senate File 384, a bill for an act to make appropriations to D. I. Goehring, Mrs. Kendall Burch, Willard Poland and Wallace A. Carr, as amended, on which consideration had been deferred, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?” the vote was:

Ayes, 40:

Augustine	Edwards	Hoeven	Murray
Bell of Crawford	Ellis	Hopkins	Parker
Bell of	Evans	Husted	Pelzer
Des Moines	Geske	Kimberly	Schadt
Berg	Gillette	Kirketeg	Shaw
Chrystal	Goetsch	Levis	Smith
Corwin	Grunewald	Mason	Stevens
Dean	Guernsey	Mighell	Stewart
Dewey	Hart	Miller	Whitehill
Donohue	Hill	Moore	Zeigler
Doran			

Nays, none.

Absent or not voting, 10:

Baldwin	Breen	Gillespie	Lundy
Beardsley	Byers	Irwin	Millhone
Billingsley	Elthon		

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

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire a call of the Senate on all pending claim bills now on the calendar:

E. I. MASON.	STANLEY L. HART.
C. B. HOEVEN.	FRANK E. ELLIS.
L. S. GILLETTE.	HUGH G. GUERNSEY.
ANDREW BELL.	TOM E. MURRAY.
H. D. MILLER.	E. P. DONOHUE.
FRANK C. BYERS.	LEO ELTHON.
W. MIGHELL.	ROY E. STEVENS.
K. A. EVANS.	

Senator Irwin moved that the call of the Senate be raised.

Senator Shaw moved, as a substitute for the motion by Senator Irwin, that the call be raised as to the four Senators who are members of the conference committee on the appropriation bill.

The motion prevailed and the motion by Senator Shaw was substituted.

The substitute motion prevailed.

Senator Donohue called up the following motion by Senators Levis and Donohue:

MR. PRESIDENT: We move that no bills be considered by the Senate from now until the time of final adjournment except unfinished business, conference reports, House bills that are now on the calendar, Senate legalizing acts that are now on the calendar and any other legalizing acts that may be placed on the calendar by the sifting committee, appropriation bills, claim bills, and omnibus bills, and that all other bills now on the calendar be rereferred to the sifting committee.

Senator Murray moved to amend the pending amendment as follows:

Amend the motion as made by Senators Donohue and Levis by including therein "except bills which are now a special order on the House calendar".

The amendment to the motion was adopted.

Senator Beardsley moved to amend the motion of Senator Donohue by including House File 303 in those excepted by the motion.

Senator Hopkins moved the previous question on the amendment to the motion, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment to the motion be adopted?" the vote was:

Ayes, 26:

Baldwin	Edwards	Hopkins	Miller
Beardsley	Ellis	Husted	Millhone
Berg	Elthon	Irwin	Schadt
Chrystal	Evans	Kimberly	Shaw
Dean	Geske	Levis	Stevens
Dewey	Hill	Lundy	Zeigler
Doran	Hoeven		

Nays, 15:

Bell of Crawford	Corwin	Grunewald	Mighell
Bell of	Donohue	Guernsey	Pelzer
Des Moines	Gillespie	Hart	Stewart
Byers	Goetsch	Kirketeg	Whitehill

Absent or not voting, 9:

Augustine	Gillette	Moore	Parker
Billingsley	Mason	Murray	Smith
Breen			

The amendment to the motion was adopted.

By unanimous consent on request of Senator Donohue, Senate Files 123, 148, 461, 528 and 529 were excepted from the motion made by Senator Donohue.

Senator Mighell moved to amend the motion of Senator Donohue by including Senate File 211 in those excepted by the motion.

Roll call was requested.

On the question, "Shall the amendment to the motion be adopted?" the vote was:

Ayes, 16:

Augustine	Dean	Hopkins	Miller
Bell of Crawford	Doran	Husted	Pelzer
Bell of	Gillette	Mason	Schadt
Des Moines	Hoeven	Mighell	Shaw
Chrystal			

Nays, 34:

Baldwin	Edwards	Hart	Moore
Beardsley	Ellis	Hill	Murray
Berg	Elthon	Irwin	Parker
Billingsley	Evans	Kimberly	Smith
Breen	Geske	Kirketeg	Stevens
Byers	Gillespie	Levis	Stewart
Corwin	Goetsch	Lundy	Whitehill
Dewey	Grunewald	Millhone	Zeigler
Donohue	Guernsey		

Absent or not voting, none.

The amendment was not adopted.

Senator Breen offered as a substitute the following motion and moved its substitution:

MR. PRESIDENT: I move as a substitute for the motion, as amended, as made by Senator Donohue, that no bills be considered by the Senate from now until the time of final adjournment except unfinished business, conference reports, House bills that are now on the calendar, Senate legalizing acts, appropriation bills, claim bills, and House or Senate bills that may hereafter be reported out by the Senate sifting committee, and that all other bills on the calendar be rereferred to the sifting committee.

Senator Husted moved the previous question on the substitute motion by Senator Breen.

Roll call was requested.

On the question, "Shall the motion by Senator Breen be substituted?" the vote was:

Ayes, 40:

Augustine	Edwards	Hoeven	Murray
Beardsley	Ellis	Hopkins	Parker
Bell of Crawford	Elthon	Husted	Pelzer
Berg	Evans	Irwin	Schadt
Billingsley	Geske	Kimberly	Shaw
Breen	Gillespie	Kirketeg	Smith
Byers	Gillette	Levis	Stevens
Corwin	Grunewald	Mason	Stewart
Dean	Guernsey	Mighell	Whitehill
Dewey	Hill	Miller	Zeigler

Nays, 3:

Baldwin	Chrystal	Doran
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Absent or not voting, 7:

Bell of	Donohue	Hart	Millhone
Des Moines	Goetsch	Lundy	Moore

The motion by Senator Breen was substituted.

The substitute motion prevailed.

THIRD READING OF BILLS

On motion of Senator Husted, Senate File 148, a bill for an act to repeal Sections four thousand eight hundred seventeen (4817) to four thousand eight hundred twenty-nine (4829), inclusive, Code, 1935, relating to the eradication and control of weeds and to enact a substitute therefor defining the classes of noxious weeds, providing for the appointment of a state botanist and county, township, city, and town weed commissioners, and prescribing their compensation, powers, and duties; defining the duties of the secretary of agriculture, board of supervisors, weed commissioners, land owners and tenants, with respect to the control and destruction of noxious weeds or weeds declared temporarily noxious by the secretary of agriculture; providing for orders by the board of supervisors to describe the time and manner in which land owners must destroy weeds on their land and on adjoining roads, prescribing the notice to be given of such orders and providing for the destruction of such weeds at the expense of the land owners who do not comply with such order; providing for the procedure for assessing such expense as a tax against the land and the collection thereof; imposing certain duties upon the highway commission for the destruction of weeds, and upon officers responsible for the care of the public highways to make complaint regarding such weeds and upon the county attorney to enforce the provisions of this act; and providing penalties for the violation of its provisions, reported out by the sifting committee, was taken up and considered.

The following committee amendments, as amended, were adopted:

Amend Section one as follows: 1. Amend proposed Section 4818 by striking all of the section after the word "station" in line three, and substituting in lieu thereof, the following: "whose duty shall be to cooperate in developing a constructive weed eradication program."

2. Amend proposed Section 4822 by inserting in line two after the word "directions", the following: "due notice having been given to the land owners ten days previous,".

3. Amend proposed Section 4829-a1 by inserting after the word "owners" in line four, the following sentence: "In cases where the cost appears likely to exceed twenty-five dollars, notice to property owners shall be by registered letters."

4. Amend proposed Section 4829-a5 by striking the last sentence.

5. Amend proposed Section 4829-a6, Section three, line ten, by striking

all after the word "in" to the semicolon in line twelve, and substituting in lieu thereof, the following: "an official county newspaper;"

Senator Baldwin offered the following amendment to the amendments and moved its adoption:

Strike from the last line of amendment 5 the word "an" before the word "official", and further amend by striking the word "newspaper" and inserting in lieu thereof the following: "newspapers in the county in which the property to be assessed is situated".

The amendment to the amendment was adopted.

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Ellis	Hopkins	Moore
Baldwin	Elthon	Husted	Parker
Beardsley	Evans	Kimberly	Pelzer
Berg	Geske	Kirketeg	Schadt
Byers	Gillespie	Levis	Shaw
Chrystal	Gillette	Lundy	Smith
Corwin	Grunewald	Mason	Stevens
Dean	Guernsey	Mighell	Stewart
Dewey	Hart	Miller	Whitehill
Donohue	Hill	Millhone	Zeigler
Edwards	Hoeven		

Nays, none.

Absent or not voting, 8:

Bell of Crawford	Billingsley	Doran	Irwin
Bell of Des Moines	Breen	Goetsch	Murray

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

Senator Berg moved to reconsider the vote by which Senate File 474 failed to pass the Senate.

On the question, "Shall the Senate reconsider the vote by which Senate File 474 failed to pass the Senate?" the vote was:

Ayes, 39:

Augustine	Chrystal	Geske	Husted
Baldwin	Dean	Gillespie	Kimberly
Beardsley	Dewey	Goetsch	Kirketeg
Bell of Crawford	Doran	Grunewald	Lundy
Bell of Des Moines	Edwards	Guernsey	Mason
Berg	Ellis	Hart	Mighell
Billingsley	Elthon	Hill	Miller
	Evans	Hopkins	Millhone

Murray Parker	Pelzer Schadt	Shaw Stevens	Stewart Whitehill
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Nays, 10:

Breen	Donohue	Levis	Smith
Byers	Gillette	Moore	Zeigler
Corwin	Hoeven		

Absent or not voting, 1:

Irwin

The motion to reconsider the vote by which Senate File 474 failed to pass the Senate prevailed.

On motion of Senator Mason, Senate File 474, a bill for an act to make an appropriation to Luella Sherling, on which the action of the Senate was reconsidered, was taken up and placed on passage.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Edwards	Hart	Miller
Baldwin	Ellis	Hill	Murray
Beardsley	Elthon	Hopkins	Parker
Bell of Crawford	Evans	Husted	Pelzer
Bell of	Geske	Kimberly	Schadt
Des Moines	Gillespie	Kirketeg	Shaw
Chrystal	Goetsch	Lundy	Stevens
Dean	Grunewald	Mason	Stewart
Dewey	Guernsey	Mighell	Whitehill
Doran			

Nays, 11:

Berg	Corwin	Hoeven	Smith
Breen	Donohue	Levis	Zeigler
Byers	Gillette	Moore	

Absent or not voting, 3:

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

Senator Doran moved to reconsider the vote by which Senate File 475 failed to pass the Senate.

On the question "Shall the Senate reconsider the vote by which Senate File 475 failed to pass the Senate?" the vote was:

Ayes, 34:

Augustine	Corwin	Edwards	Geske
Baldwin	Dean	Ellis	Gillespie
Berg	Dewey	Elthon	Gillette
Chrystal	Doran	Evans	Goetsch

Grunewald	Husted	Millhone	Shaw
Guernsey	Kirketeg	Moore	Stevens
Hill	Mason	Pelzer	Stewart
Hoeven	Mighell	Schadt	Whitehill
Hopkins	Miller		

Nays, 2:

Byers	Donohue
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Absent or not voting, 14:

Beardsley	Billingsley	Kimberly	Parker
Bell of Crawford	Breen	Levis	Smith
Bell of	Hart	Lundy	Zeigler
Des Moines	Irwin	Murray	

The motion prevailed and the Senate reconsidered the vote by which Senate File 475 failed to pass the Senate.

On motion of Senator Doran, Senate File 475, a bill for an act to make an appropriation to Ira Dalton, on which the action of the Senate was reconsidered, was taken up and placed on passage.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Dewey	Grunewald	Miller
Baldwin	Doran	Guernsey	Millhone
Beardsley	Edwards	Hart	Murray
Bell of Crawford	Ellis	Hill	Parker
Bell of	Elthon	Hoeven	Pelzer
Des Moines	Evans	Kimberly	Schadt
Berg	Geske	Kirketeg	Shaw
Breen	Gillespie	Levis	Stevens
Chrystal	Gillette	Mason	Stewart
Dean	Goetsch	Mighell	Whitehill

Nays, 4:

Corwin	Donohue	Smith	Zeigler
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Absent or not voting, 7:

Billingsley	Hopkins	Irwin	Moore
Byers	Husted	Lundy	

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

By unanimous consent on request of Senator Chrystal, the rules were suspended and Senate File 368 was taken up at this time.

By unanimous consent on request of Senator Chrystal, House File 461 was substituted for Senate File 368.

On motion of Senator Chrystal, House File 461, by Baumhover, a bill for an act to legalize an election held on the 16th day of

November, 1936, in the town of Manning, Iowa, for the purpose of acquiring land and building thereon a swimming pool, and incurring an indebtedness in the sum not to exceed twelve thousand dollars (\$12,000.00) for which bonds were issued, which was substituted for Senate File 368, was taken up and considered.

Senator Chrystal moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Dewey	Hart	Millhone
Baldwin	Donohue	Hill	Moore
Beardsley	Edwards	Hoeven	Parker
Bell of Crawford	Ellis	Hopkins	Pelzer
Bell of	Elthon	Husted	Schadt
Des Moines	Evans	Kimberly	Shaw
Berg	Gillespie	Kirketeg	Smith
Breen	Gillette	Levis	Stevens
Byers	Goetsch	Lundy	Stewart
Chrystal	Grunewald	Mighell	Whitehill
Corwin	Guernsey	Miller	Zeigler
Dean			

Nays, none.

Absent or not voting, 6:

Billingsley	Geske	Mason	Murray
Doran	Irwin		

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

Senator Chrystal asked and received unanimous consent to withdraw Senate File 368, companion bill to House File 461, from the further consideration of the Senate.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 481 failed to receive a two-thirds (2/3) majority. HUGH W. LUNDY.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File 305 by striking everything after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 4233-e4, Code of 1935, is hereby amended by adding thereto the following: 'When transportation has been provided for by any district or sub-district, such transportation shall also be available

to any children residing in said district or sub-district enrolled in any denominational elementary school.'”

E. P. DONOHUE.

MR. PRESIDENT: I move to amend Senate File 305 by striking the comma after the word “district” in line 6 of Section 1 and adding the following: “without additional cost to the district,”. ORA E. HUSTED.

MR. PRESIDENT: Amend Senate File 344, Section 1, by adding a paragraph at the end thereof reading as follows:

One-third of the revenue accruing to the Conservation Commission from the sale of hunting licenses to residents of the state shall be set aside and be known as the “Game Area Fund”. This fund shall be expended only for the acquiring or leasing, development, and administration of areas suitable for game protection, propagation, and/or for public shooting purposes. In the expenditure of such fund the northern and southern parts of the state shall each have spent therein not less than forty-five per cent (45%) nor more than fifty-five per cent (55%) of the total expenditures made during the biennium ending June 30th of odd numbered years. For the purpose of this section the division line between the north and south part of the state is the north line of Township eighty-three (Twp. 83) north of the base line used in the original survey of Iowa by the United States Government.

A. CLAIRE DEWEY.

MR. PRESIDENT: I move to amend Senate File 344 as follows:

Amend Section 1, line twelve (12), by inserting after the word “state”, the words “over sixteen years of age”, and by striking the figures “\$1.50” and inserting in lieu thereof the figures “\$1.00”.

Further amend by striking all of line thirteen (13) of Section 1.

Further amend by striking from line fourteen (14) of Section 1, the figures “\$25.00” and inserting in lieu thereof the figures “\$15.00”.

Further amend by striking from line fifteen (15) of Section 1, the word and figure “three (3)”, and inserting in lieu thereof the word and figure “seven (7)”, and by striking the figures “\$5.00” and inserting in lieu thereof the figures “\$3.00”.

Further amend Section 1, line seventeen (17), by inserting before the word “Residents”, the word “Male”.

Further amend Section 1, line eighteen (18), by striking the figures “\$1.50” and inserting in lieu thereof the figures “\$1.00”.

Amend Section 1, line twenty-one (21), by inserting after the word “state”, the words “over sixteen years of age”.

Further amend by striking from line forty-seven (47) of Section 1, the words “or fish peddler’s license”.

Amend by inserting a new line following line forty-seven (47) as follows: “Fish peddler’s license \$2.00”.

Amend by striking from line fifty-seven (57) the figures “\$5.00” and inserting in lieu thereof the figures “\$3.00”.

Amend Section 2, by striking from line sixteen (16), the period (.), and inserting in lieu thereof the following: “, or furnish license or proof of having one, within twenty-four hours.”.

Further amend Section 2 by striking the remainder of said section.

Amend Section 5, line ten (10), by striking the word and figure "twelve (12)", and inserting in lieu thereof the word and figure "sixteen (16)".

Amend Section 9, line eleven (11), by adding a new paragraph following line eleven (11) as follows: "Alien: Alien shall not be construed to mean any person who has applied for naturalization papers."

E. P. CORWIN.

MR. PRESIDENT: I move to amend the amendment to House File 454, Section 1, subsection 1, of 5402-a, as follows:

Strike all after the word "publisher" in line one, all of line two and the words "same by the subscriber, and" in line three and strike the word "six" in line four and insert in lieu thereof the word "three".

Also amend by striking all of sub-section 2, and further amend the amendment which amends the title by striking all after the word "subscriber" in line three and the word "all" in line four.

HOWARD C. BALDWIN.

MR. PRESIDENT: I move to amend House File 211 as follows:

1. Amend the title by striking the comma after the word "Iowa" and inserting in lieu thereof a period, and by striking the following words: "and providing that the rule shall apply to cases now pending".

2. Amend by striking all of Sections two (2) and three (3) of the act.

E. P. DONOHUE.

MR. PRESIDENT: We move that House File 389 be amended as follows:

1. Amend the title by inserting in line 8 thereof immediately preceding the word "Code" the following: "sixty-nine hundred forty-three-f sixty-three (6943-f63) and sixty-nine hundred forty-three-f sixty-five (6943-f65)".

2. Amend that portion of Section five denominated 6943-f15b by striking from line 5 of subsection three thereof the word "three" and inserting in lieu thereof the word "four". SPECIAL COMMITTEE ON TAX REVISION.

On motion of Senator Donohue, the Senate recessed until the fall of the gavel.



* * *

The Senate reconvened at the fall of the gavel, President Valentine presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File 450 and House Files 79, 433, 519, 523, 527, 531 and 540.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File 450 and House Files 79, 433, 519, 523, 527, 531 and 540.

BILL SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of April, 1937, sent to the Governor for his approval, Senate File 450.

FRANK PELZER, *Chairman.*

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments to, and passed, the following bill in which the concurrence of the House was asked:

House File 253, a bill for an act relating to the power of cities and towns to levy taxes for building and maintenance of free public libraries.

Also: That the House has concurred in the Senate amendments to, and passed, the following bill in which the concurrence of the House was asked:

House File 388, a bill for an act relating to the practice of podiatry.

Also: That the Speaker has appointed as the conference committee, on the part of the House, on Substitute for House File 477, a bill for an act to establish the general fund for the state of Iowa, Representatives Alesch, Hickenlooper, Stimpson and Blue.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Smith, House File 186, a bill for an act to amend Section twenty-five hundred eight-five-c one (2585-c1), Code, 1935, relating to the definition of an embalmer, reported out by the sifting committee, was taken up and considered.

Senator Edwards offered the following amendment and moved its adoption:

Amend House File 186 as follows:

1. Amend Section 1, line four (4), by striking therefrom the following words "continuation of a firm or corporation" and inserting in lieu thereof the words and punctuation " , a legally established funeral home other than Co-operative Burial Associations, except that each such legally established funeral home shall comply with the provisions of this chapter as to state control, licenses, and license fees,".

2. Further amend by adding the following as Section 2:

"Sec. 2. The following section is hereby enacted and the code editor is directed to insert the same in the Code immediately following Section twenty-five hundred thirty-four (2534), Chapter 115, Code, 1935, to-wit:

'The State Department of Health shall annually add four dollars (\$4.00) to the renewal fee provided for in subdivision seven (7) of Section twenty-five hundred sixteen (2516), Code, 1935, for one licensed to practice embalming, and such additional moneys shall be accepted as a part of the regular renewal fee. The payment of the same shall be prerequisite to the renewal of such licenses. The funds derived by the State Department of Health from the additional renewal fees collected under this section in behalf of the profession of embalming shall be paid to the Board of Embalming Examiners and such funds so collected by the State Department of Health shall be used for the advancement of the arts and sciences of the embalming profession.'

Senator Mason offered the following amendment to the pending amendment and moved its adoption:

Amend the Edwards amendment to House File 186 as found on page 1118 of the Senate Journal in line 12 of Section two (2) thereof as follows:

Insert after the word "Examiners" the words "at such time as said Board of Embalming Examiners or the Iowa Funeral Directors Association conducts a state-wide educational meeting for its members, in such amounts as are necessary for such said meeting only".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

By unanimous consent, Senator Smith withdrew the following amendment:

Amend House File 186 by striking the word "act" in line five (5), and inserting the word "chapter" in lieu thereof.

Senator Smith moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29:

Baldwin	Donohue	Husted	Schadt
Beardsley	Edwards	Kirketeg	Shaw
Berg	Evans	Levis	Smith
Breen	Geske	Lundy	Stevens
Byers	Guernsey	Mason	Stewart
Corwin	Hill	Millhone	Whitehill
Dean	Hopkins	Parker	Zeigler
Dewey			

Nays, 2:

Hart Kimberly

Absent or not voting, 19:

Augustine	Chrystal	Gillette	Mighell
Bell of Crawford	Doran	Goetsch	Miller
Bell of	Ellis	Grunewald	Moore
Des Moines	Elthon	Hoeven	Murray
Billingsley	Gillespie	Irwin	Pelzer

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

On motion of Senator Gillette, House File 456, by Johnson and Lookingbill, a bill for an act to authorize the Iowa state board of education to purchase certain real estate for an experimental farm in accordance with the provisions of the Act of Congress approved July 2, 1862 (12 Stat. L 503), reported out by the sifting committee, was taken up and considered.

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Edwards	Hoeven	Millhone
Baldwin	Evans	Hopkins	Moore
Beardsley	Geske	Irwin	Murray
Berg	Gillespie	Kimberly	Schadt
Breen	Gillette	Kirketeg	Shaw
Corwin	Grunewald	Lundy	Stevens
Dean	Guernsey	Mighell	Stewart
Donohue	Hart	Miller	Zeigler
Doran	Hill		

Nays, 9:

Byers	Husted	Mason	Pelzer
Dewey	Levis	Parker	Whitehill
Goetsch			

Absent or not voting, 7:

Bell of Crawford	Billingsley	Ellis	Smith
Bell of Des Moines	Chrystal	Elthon	

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

On motion of Senator Levis, House File 380, by Wood and Hoegh, a bill for an act to amend Chapter sixty-eight (68), Code of 1935, relating to the blasting of coal in coal mines, and prohibiting any blasting while persons other than the shot firer or firers are in said mine, reported out by the sifting committee, was taken up and considered.

Senator Mason offered the following amendment and moved its adoption:

Amend Section 2 by striking from lines 1 and 2 the following: "do any blasting or exploding of shots", and inserting in lieu thereof, "shoot or explode black powder".

Further amend by striking from line 4 of Section 2 the following: "the firing of shots or blasting", and inserting in lieu thereof, "the shooting or exploding of black powder".

By unanimous consent on request of Senator Breen, Mr. Clarkson was asked to explain House File 380 to the Senate.

Senator Hopkins moved the previous question on the amendment by Senator Mason, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 7:

Billingsley	Kimberly	Murray	Pelzer
Evans	Mason	Parker	

Nays, 32:

Augustine	Dewey	Guernsey	Miller
Baldwin	Donohue	Hill	Moore
Beardsley	Edwards	Hoeven	Schadt
Berg	Ellis	Hopkins	Smith
Breen	Geske	Husted	Stevens
Byers	Gillespie	Levis	Stewart
Corwin	Gillette	Lundy	Whitehill
Dean	Grunewald	Mighell	Zeigler

Absent or not voting, 11:

Bell of Crawford	Chrystal	Goetsch	Kirketeg
Bell of	Doran	Hart	Millhone
Des Moines	Elthon	Irwin	Shaw

The amendment was not adopted.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Dean	Hill	Moore
Baldwin	Dewey	Hoeven	Parker
Beardsley	Edwards	Hopkins	Pelzer
Bell of	Ellis	Husted	Schadt
Des Moines	Geske	Kirketeg	Smith
Berg	Gillespie	Levis	Stevens
Breen	Gillette	Lundy	Stewart
Byers	Grunewald	Mighell	Whitehill
Chrystal	Guernsey	Miller	Zeigler
Corwin	Hart	Millhone	

Nays, 1:

Kimberly

Absent or not voting, 11:

Bell of Crawford	Doran	Goetsch	Murray
Billingsley	Elthon	Irwin	Shaw
Donohue	Evans	Mason	

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

On motion of Senator Breen, Senate File 461, a bill for an act to amend Sections six thousand nine hundred forty-three-f four (6943-f4), six thousand nine hundred forty-three-f six (6943-f6), six thousand nine hundred forty-three-f eight (6943-f8), six thousand nine hundred forty-three-f nine (6943-f9), six thousand nine hundred forty-three-f ten (6943-f10), six thousand nine hundred forty-three-f eleven (6943-f11), six thousand nine hundred forty-three-f fifteen (6943-f15), six thousand nine hundred forty-three-f sixteen (6943-f16), six thousand nine hundred forty-three-f seventeen (6943-f17), six thousand nine hundred forty-three-f twenty-one (6943-f21), six thousand nine hundred forty-three-f twenty-three (6943-f23), and six thousand nine hundred forty-three-f twenty-five (6943-f25), Code, 1935, and to repeal Section six thousand nine hundred forty-three-f nineteen (6943-f19), Code, 1935, all relating to taxation of the income of individuals, fiduciaries,

trusts, estates, and corporations, to the administration and collection of such tax, and to the taxation of the grantor in the case of certain revocable trusts; and to amend Section six thousand nine hundred forty-three-f sixty (6943-f60), Code, 1935, relating to refunds of sales and income tax in certain cases, reported out by the sifting committee, was taken up and considered.

The following committee amendments were adopted:

Amend by renumbering Sections twenty-five and twenty-six and insert after Section twenty-four the following Section twenty-five:

"Sec. 25. Section six thousand nine hundred forty-three-f twenty-nine (6943-f29), Code, 1935, is hereby amended by inserting after the word 'business' in line nineteen thereof the words 'carried on'; and by striking the period at the end of line thirty-one thereof and inserting in lieu thereof a comma, and by adding after said comma the following: 'but in all cases in which such rule is equitable, that part of the net income attributable to business within this state shall be that proportion of the total net income which the gross income received by reason of business carried on from, by, or through offices, agencies, or branches in this state bears to the total gross income of the taxpayer.'"

Amend as follows:

1. Amend Section twenty-three by inserting after the word "cases" in line eleven thereof the following: "and the amendments made by Sections sixteen and seventeen shall apply to all returns heretofore and hereafter filed, even though the two year period, which was prescribed in subsection one of Section 6943-f21 prior to such amendments, has already expired."

2. Amend Section twenty-four by striking the word "the" before the word "state" both in line seven and in line nine, and inserting in lieu thereof in each line the word "any".

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28:

Augustine	Dewey	Grunewald	Mighell
Beardsley	Donohue	Hill	Miller
Berg	Edwards	Hoeven	Millhone
Breen	Ellis	Hopkins	Murray
Byers	Geske	Kimberly	Schadt
Corwin	Gillespie	Kirketeg	Shaw
Dean	Gillette	Levis	Smith

Nays, 8:

Baldwin	Hart	Parker	Whitehill
Billingsley	Moore	Pelzer	Zeigler

Absent or not voting, 14:

Bell of Crawford	Doran	Guernsey	Mason
Bell of	Elthon	Husted	Stevens
Des Moines	Evans	Irwin	Stewart
Chrystal	Goetsch	Lundy	

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

CONSIDERATION OF SENATE FILE 305 RESUMED

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 305 by striking everything after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 4233-e4, Code of 1935, is hereby amended by adding thereto the following: 'When transportation has been provided for by any district or sub-district, such transportation shall also be available to any children residing in said district or sub-district enrolled in any denominational elementary school.'"

Senator Hoeven offered the following amendment to the pending amendment:

Amend the Donohue amendment to Senate File 305 by inserting after the word "when" in line two thereof, the following: "regular bus".

The amendment to the amendment was adopted.

Senator Hopkins offered the following amendment to the pending amendment and moved its adoption:

Amend the Donohue amendment to Senate File 305, as it appears on pages 1251 and 1252 of the Senate Journal as follows: By changing the period (.) at the end thereof to a comma (,) and adding thereto the following: "providing, however, that no additional mileage shall be added to take care of any children enrolled in any denominational school."

Senator Hopkins moved that Senate File 305 be rereferred to the sifting committee.

Roll call was requested.

On the question, "Shall the bill be committed to the sifting committee?" the vote was:

Ayes, 6:

Augustine	Hopkins	Millhone	Stewart
Edwards	Husted		

Nays, 28:

Baldwin	Chrystal	Hart	Murray
Beardsley	Corwin	Hill	Parker
Bell of Crawford	Dewey	Kimberly	Schadt
Bell of	Donohue	Levis	Shaw
Des Moines	Ellis	Mason	Stevens
Berg	Geske	Miller	Whitehill
Breen	Gillespie	Moore	Zeigler
Byers			

Present, 10:

Billingsley	Guernsey	Lundy	Pelzer
Gillette	Hoeven	Mighell	Smith
Grunewald	Kirketeg		

Absent or not voting, 6:

Dean	Elthon	Goetsch	Irwin
Doran	Evans		

The motion did not prevail.

Senator Hopkins moved the adoption of the amendment to the amendment.

The amendment to the amendment was adopted.

Senator Husted offered the following amendment to the pending amendment as amended and moved its adoption:

Amend by changing the period to a comma after the word "school" at the end of the amendment as amended, and add the following: "and providing that such transportation can be furnished without additional cost to the district."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Hoeven moved that the Senate recess until the fall of the gavel.

The motion did not prevail.

Senator Murray moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Byers	Doran	Guernsey
Baldwin	Chrystal	Ellis	Hill
Beardsley	Corwin	Geske	Kimberly
Bell of Crawford	Dewey	Gillespie	Kirketeg
Breen	Donohue	Gillette	Levis

Lundy	Millhone	Pelzer	Stevens
Mason	Murray	Schadt	Whitehill
Mighell	Parker	Shaw	Zeigler
Miller			

Nays, 5:

Billingsley	Husted	Moore	Stewart
Hopkins			

Absent or not voting, 12:

Bell of	Edwards	Goetsch	Hoeven
Des Moines	Elthon	Grunewald	Irwin
Berg	Evans	Hart	Smith
Dean			

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

On motion of Senator Hoeven the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President Valentine presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 8, 136, 137, 158, 174, 381, 385, 386, 387, 388, 389, 390, 391, 406, 408, 409, 410, 412, 414, 416, 418, 419, 422, 423, 430, 431, 442, 443, 449, 467, 468, 469, and 471.

FRANK. PELZER, *Chairman Senate Committee.*
JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 8, 136, 137, 158, 174, 381, 385, 386, 387, 388, 389, 390, 391, 406, 408, 409, 410, 412, 414, 416, 418, 419, 422, 423, 430, 431, 442, 443, 449, 467, 468, 469, and 471.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that

the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 20, to create a committee to determine Iowa's participation in the Golden Gate International Exposition.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 114, a bill for an act requiring the city treasurer to act as treasurer for the board of hospital trustees in cities.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 134, a bill for an act relating to relinquishment by boards of supervisors of their authority and control of drainage districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 278, a bill for an act to provide for the construction of sewers and sewage disposal works in Dickinson county, Iowa, for the protection of Iowa Great Lakes System.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 321, a bill for an act relating to posting prices on motor vehicle fuel and fuel oil.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 376, a bill for an act relating to old age assistance.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 376

1. Amend by striking Section 1 and inserting in lieu thereof the following:

"Section 1. Amend Section fifty-two hundred ninety-six-f one (5296-f1), Code, 1935, by inserting in line 2 following the word 'commission' the words 'and the department under its jurisdiction'.

"Further amend said section by adding as subsection 7 thereof the following:

"7. The term 'income' shall mean that gain or recurrent benefit, or both, accruing to the applicant for or the recipient of old age assistance because of his own labor, business or property or because of the reasonable legal or contractual liability of another person or legal entity, whether in the form of money, goods or services of whatever nature and from whatever source, upon which a monetary value can be placed."

"Further amend said section by adding as subsection 8 the following:

"8. The term 'property' shall mean those things in which a person has legal title or owns, whether in lands, goods, investments, stocks, bonds, securities, notes, money or money on deposit, insurance on his life, or intangible rights such as patents, copyrights, or anything of value which may be alienated."

2. Amend by striking all of Section 2 and inserting in lieu thereof the following:

"Sec. 2. Amend Section fifty-two hundred ninety-six-f two (5296-f2), Code, 1935, by inserting following the word 'commission' in line 24 the following: 'but not to exceed fifteen hundred dollars per year'."

3. Amend by striking all of Section 3 and inserting in lieu thereof the following:

"Sec. 3. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Section fifty-two hundred ninety-six-f three (5296-f3), and inserting in lieu thereof the following:

"5296-f3. Superintendent. The commission shall appoint a superintendent of the old age assistance department who shall be qualified by character, training and experience. He shall receive a salary of three thousand dollars (\$3000) a year. The superintendent, with the approval of the commission, shall appoint the necessary personnel to carry out the provisions of this chapter."

4. Amend by striking Section 5 and inserting in lieu thereof the following:

"Sec. 5. Amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935, by striking all of Sections fifty-two hundred ninety-six-f five (5296-f5) and fifty-two hundred ninety-six-f six (5296-f6) and inserting in lieu thereof, the following;

"5296-f5. County Board. The board of supervisors of each county shall appoint a county old age assistance board, which shall consist of three members, not more than two of whom shall belong to the same political party, and at least one of whom shall be a woman. At the discretion of the board of supervisors one or more of said members may be chosen from the membership of said board of supervisors. Within thirty days after the effective date of this section the board of supervisors shall appoint the members of the county board, which members shall serve until their successors are appointed as hereinafter provided. Commencing with January 1, 1938, and annually thereafter, the board of supervisors shall appoint the members of the county board who shall serve for one year and until their successors are appointed. If a vacancy shall occur in the membership of the county board, other than by the expiration of a term, a member shall be appointed to fill such vacancy for the unexpired term. All appointments, made as herein provided, shall be made a part of the regular proceedings of the board of supervisors and shall be filed with the county auditor and with the secretary of the state board."

"5296-f6. Compensation of County Board Members. All members of the county board shall be reimbursed for the actual and necessary expenses incurred by them in the discharge of their duties. They shall also receive compensation for services at the rate of three dollars per diem, but such compensation shall not exceed a total of ninety dollars in any one year in counties of less than thirty-three thousand population, or one hundred twenty dollars in counties of more than thirty-three thousand population. The expenses and compensation of county board members shall

be paid from the general fund of the county; provided, however, that members of the board of supervisors serving on said county old age assistance board shall not be paid compensation as members of said county board for any day on which they are paid for their official work as members of the board of supervisors.' ”

5. Amend Section 6 by striking the word “act” in line 12 and inserting in lieu thereof the word “chapter”.

Further amend said Section 6 by adding after line 39 the following:

“4. Prescribe in its rules and regulations the manner and procedure by which persons shall qualify for the various types of employment in the administration of old age assistance and fix the standards for such employment.”

6. Amend Section 6 by adding thereto the following:

“5. Fix the salaries for the personnel of the department.”

7. Amend Section 9 by striking all of lines 1, 2, 3, and 4 and inserting in lieu thereof the following:

“Sec. 9. Amend Section fifty-two hundred ninety-six-f twelve (5296-f12), Code, 1935, by striking all of lines two (2), three (3) and four (4), and inserting in lieu thereof the following:

‘ance may be granted and paid only to a person who at the time of application and during the continuance of a certificate of assistance.’.”

Further amend Section 9 by striking all of lines 7 and 8 and inserting in lieu thereof the following:

“1. Has residence or domicile in the state of Iowa.”

Further amend Section 9 by striking from lines 15 and 16 the words “and who has been a resident of the state of Iowa for at least ten (10) years”.

8. Amend Section 10 by adding following line 5 the following:

“Further amend said section by inserting in line sixteen (16) following the word ‘dollars’ the words and punctuation: ‘, or if married and not separated from the spouse, if he and his spouse have more than four hundred fifty dollars’.

“Further amend said section by striking from line twenty-four (24) the word ‘pension’ and inserting in lieu thereof the word ‘assistance’.”

9. Amend Section 13 by striking the word “recipient” in line 28 and substituting the word “grantor”.

Further amend Section 13 by striking from lines 30 and 31 the words, figures and punctuation, “plus three and one-half (3½%) per cent interest thereon from the date or dates of payment.”, and inserting in lieu thereof the following: “. Said option in so far as the heirs are concerned shall be for two years from the date of the death of the grantor or the grantor’s surviving spouse, if any, and shall include an interest charge of three and one-half per cent during the period of the option to the heirs.”

Further amend Section 13 by adding following line 39 the following:

“Further amend said section by striking all of lines fifty (50), fifty-one (51) and fifty-two (52) and inserting in lieu thereof the following: ‘chapter, and the expiration of the option to the heirs, the property shall

be disposed of and so much of the proceeds as is necessary for the repayment of the amount of assistance and other benefits paid to the grantor and/or his spouse and repayment of amount expended for the preservation of the property shall be transferred to the old age assistance revolving fund. The balance, if any, shall be paid through the old age assistance revolving fund to the heirs.'"

"The sale for any general or special taxes of any property, against which a lien has been filed under the provisions of this and the preceding section, shall not affect said lien or its enforcement; and the state board and division shall be entitled to an assignment of the certificate of tax sale of said property upon tender to the holder or to the county auditor of the amount to which the holder of the tax sale certificate would be entitled in case of redemption.'"

10. Amend Section 14 of said senate file by striking from line 12 the word "and" and inserting in lieu thereof the words, "as provided in Sections fifty-two hundred ninety-six-fifteen (5296-f15) and fifty-two hundred ninety-six-fifteen (5296-f16) Code, 1935, is filed or a".

11. Amend by adding as a new section following Section 14 the following:

"Sec. 14a. Amend Section fifty-two hundred ninety-six-g two (5296-g2), Code, 1935, by adding thereto the following sentence:

"Any recipient of old age assistance may assign any such insurance policy or benefit for the purpose stated in this section, and when such assignment has been received by the company, association, society, or other organization, issuing same, the commission shall have a vested interest therein for the purpose and to the extent as is contemplated in this section, and the contract so made between such insured person and the commission, shall be valid, and binding upon such insured person, company, association, society or other organization, any other statute to the contrary notwithstanding.'"

12. Amend Section 15 by striking all of lines 5 to 18 inclusive and inserting in lieu thereof the following:

"5296-f18. Procedure with Application. When an application is made for old age assistance, the county board shall promptly send it to the division. Within sixty days, the county board shall make an investigation of the applicant's claim through an investigator, and make, in addition, such direct investigation as it deems advisable. After hearing the applicant, if he so requests, if it approves the claim, the county board shall make a recommendation of the amount of assistance to be allowed; or, if it disapprove, make a recommendation that no assistance be allowed. Within ninety days from the date of the application, the county board shall send its recommendation and the reason for such recommendation to the division with such supporting papers as the state board may require, unless for reasons beyond the county board's control which reasons shall be reported."

Further amend said Section 15 by adding at the end of line 32 the words "or county board".

Further amend Section 15 by inserting following the word "order" in line 36 the words "or within thirty days after the time hereinbefore prescribed for the county board or division to act."

Further amend Section 15 by striking from the line 42 the words "from the" and substituting the words and punctuation, ", from the membership of the".

Further amend Section 15 by striking from line 63 the words " and to the division".

13. Amend Section 17 by striking the word "of" in line 5 and substituting the word "in".

14. Amend by adding as a new section following Section 18 the following:

"Sec. 18a. No person who is a precinct, county or state committeeman of any political party shall be eligible to be appointed to any office or to hold any position provided for under any of the provisions of this act during the time he shall hold such office, and any person appointed or employed under the provisions of this act who becomes a precinct, county or state committeeman of any political party shall be disqualified from the further holding of any position created under the provisions of this act and shall be forthwith removed from such position."

15. Amend Section 21 by inserting between lines 5 and 6 the following: "Further amend said section by adding, following the word "same" in line twelve (12) the words, "or whenever there is a contractual liability for another person or legal entity to pay the same'."

16. Amend Section 23 by inserting in line 4 following the word "nursing" the words and punctuation "osteopathic, chiropractic,".

17. Amend Section 27 by striking from line 6 the word "of" and substituting the word "for".

Further amend Section 27 by striking the words "before the state board" in line 7 and substituting in lieu thereof the words and punctuation: ", as provided by Section fifty-two hundred ninety-six-f eighteen (5296-f18),".

18. Amend Section 28 by inserting a comma following the word "corporation" in line 8.

19. Amend Section 37 by striking the period in line 3 and adding the following: "and inserting as a new section in Chapter two hundred sixty-six-F one (266-F1), Code, 1935, the following:

'5296-i7. Cancellation of Warrants. The state comptroller, as of January, April, July and October first of each year, shall stop payment on and cancel all old age assistance warrants or checks which have been outstanding and unredeemed by the state treasurer for six months or longer.'"

20. Amend Section 38 by striking all of lines five (5) to seven (7), inclusive, and inserting in lieu thereof, the words, "striking from line twelve (12)".

Further amend said Section 38 by striking the word and punctuation " 'division' " in line one hundred two (102) and inserting in lieu thereof, the words and punctuation, " 'state board or division' ".

Further amend said Section 38 by striking all of lines one hundred five (105) to one hundred seven (107), inclusive.

21. Amend by striking all of Section 38.

22. Amend by striking all of Section 39.

23. Amend by striking all of Section 40.

24. Amend by striking the words "state board" wherever they appear in said bill and inserting in lieu thereof the word "commission".

Further amend said Senate file by striking the word "division" wherever it appears in said bill and inserting in lieu thereof the word "commission".

Further amend said Senate file by striking the word "division's" wherever it appears in said bill and inserting in lieu thereof the word "commission's".

Further amend by striking the words "state board and division" wherever they appear in said bill and inserting in lieu thereof the word "commission".

25. Amend by striking all of Section 43 and inserting in lieu thereof the following:

"Sec. 43. This act, being deemed of importance, shall be in full force and effect on July 1, 1937, after its passage and publication in two newspapers of general circulation in this state, as provided by law."

26. Amend by renumbering the sections.

Amend by striking all of the title and substituting in lieu thereof the following:

An Act to revise and amend Chapter two hundred sixty-six-F one (266-F1), Code, 1935; to amend Section fifty-two hundred ninety-six-f one (5296-f1), defining "commission", "income" and "property"; to amend Section fifty-two hundred ninety-six-f two (5296-f2) relating to the compensation of members of the commission; to enact, as a new section, Section fifty-two hundred ninety-six-i one (5296-i1) defining the powers and duties of the old age assistance commission; to repeal Section fifty-two hundred ninety-six-f four (5296-f4); to repeal Section fifty-two hundred ninety-six-f three (5296-f3) and to re-define the qualifications, duties, and salary provisions of the superintendent; to repeal Sections fifty-two hundred ninety-six-f five (5296-f5) and fifty-two hundred ninety-six-f six (5296-f6) and to enact substitutes in lieu thereof, relating to the appointment of county boards and the compensation of the members; to amend Section fifty-two hundred ninety-six-f ten (5296-f10); to amend Section fifty-two hundred ninety-six-f eleven (5296-f11) requiring certain acts by applicants, and clarifying said section; to amend and revise Section fifty-two hundred ninety-six-f twelve (5296-f12) regarding the qualifications entitling applicants to old age assistance under said chapter; to amend Section fifty-two hundred ninety-six-f thirteen (5296-f13) so as to provide a personal property restriction for a married person living with spouse; to amend Section fifty-two hundred ninety-six-f fourteen (5296-f14), changing the manner of computing income charges on homesteads; to amend Section fifty-two hundred ninety-six-f fifteen (5296-f15); to amend Section fifty-two hundred ninety-six-f sixteen (5296-f16), setting the time at which the statute of limitations shall begin to run against the state of Iowa, making the management of property a duty of the commission, and providing for the crediting of income rather than the paying thereof to recipients; to repeal Section fifty-two hundred ninety-six-g one (5296-

g1) and enact a substitute in lieu thereof; to amend Section fifty-two hundred ninety-six-g two (5296-g2) relating to the assignment of insurance; to amend Section fifty-two hundred ninety-six-f twenty (5296-f20); to repeal Section fifty-two hundred ninety-six-f eighteen (5296-f18) and to make provisions for determining the specific procedure to be followed by the commission and boards when application has been made for old age assistance and the steps requisite for the granting of such old age assistance; to amend Section fifty-two hundred ninety-six-f twenty-two (5296-f22) permitting discretion as to date of payment of assistance; to repeal Section fifty-two hundred ninety-six-g three (5296-g3); to amend Section fifty-two hundred ninety-six-f twenty-three (5296-f23) placing power to cancel assistance in the commission; to repeal Section fifty-two hundred ninety-six-f twenty-four (5296-f24) and substitute provision for collection of excess assistance either before or after death of the recipient; to amend Section fifty-two hundred ninety-six-f twenty-five (5296-f25) so as to permit reasonable funeral expense for approved applicants and to include all funeral expenses as part of the claim of the state against a deceased recipient's estate; to repeal Section fifty-two hundred ninety-six-f twenty-six (5296-f26) and substitute provisions for payment directly to residents of charitable, benevolent or fraternal institutions, not tax supported, and declaring the duties of such institutions with respect thereto; to amend Section fifty-two hundred ninety-six-f twenty-seven (5296-f27) so as to include fuel, dental, nursing, chiropractic and osteopathic assistance in the exceptions therein provided; to repeal Section fifty-two hundred ninety-six-f twenty-eight (5296-f28) and substitute specific procedure to be followed in cases of persons believed, or adjudged to be incompetent, to provide for the appointment of guardians for such persons and the duties with respect thereto; to enact, as a new section, Section fifty-two hundred ninety-six-i two (5296-i2) making all records confidential with certain exceptions; to enact, as a new section, Section fifty-two hundred ninety-six-i three (5296-i3) creating a right to recover, by the commission, from legally obligated persons who have falsely denied ability to support applicants; to amend Section fifty-two hundred ninety-six-f thirty (5296-f30); to amend Section fifty-two hundred ninety-six-f thirty-one (5296-f31) re-defining elements considered a criminal violation of the chapter and the punishment therefor; to amend Section fifty-two hundred ninety-six-f thirty-four (5296-f34) to insert the word "assistance" in lieu of the word "pension" where it occurs; to amend Section fifty-two hundred ninety-six-g five (5296-g5) to insert the word "assistance" in lieu of the word "pension" where it occurs; to amend Section fifty-two hundred ninety-six-g six (5296-g6) to insert the words "assistance revolving" in lieu of the word "pension" where it occurs; to amend Section fifty-two hundred ninety-six-g seven (5296-g7) to insert the word "assistance" in lieu of the word "pension" where it occurs, and re-defining the sources and contents of the old age assistance revolving fund; to enact, as a new section, Section fifty-two hundred ninety-six-i four (5296-i4) providing for payment of funds from the revolving

fund to the United States in compliance with title I of the federal social security act; to enact, as a new section, Section fifty-two hundred ninety-six-i five (5296-i5) creating right to mandamus proceedings in certain cases; to repeal Section fifty-two hundred ninety-six-f thirty-six (5296-f36); to repeal Section fifty-two hundred ninety-six-f thirty-eight (5296-f38); to enact, as a new section, a section prohibiting any party official from serving in any capacity in the administration of this act; to enact, as a new section, Section fifty-two hundred ninety-six-i seven (5296-i7) providing for the cancellation of warrants outstanding and unredeemed by the State Treasurer for six months or longer; all relating to old age assistance, all of the Code, 1935.

CONSIDERATION OF SENATE FILE 344 RESUMED

Senator Corwin called up and moved the adoption of the amendments which appear on page 1252 of the Senate Journal.

Division on the amendments was requested.

The following amendments were adopted:

Amend Section 1, line twelve (12), by inserting after the word "state", the words, "over sixteen years of age", and by striking the figures "\$1.50" and inserting in lieu thereof the figures "\$1.00".

Further amend by striking all of line thirteen (13) of Section 1.

Further amend by striking from line fourteen (14) of Section 1, the figures "\$25.00" and inserting in lieu thereof the figures "\$15.00".

Further amend Section 1, line eighteen (18), by striking the figures "\$1.50" and inserting in lieu thereof the figures "\$1.00".

Amend Section 1, line twenty-one (21), by inserting after the word "state", the words, "over sixteen years of age".

Amend Section 5, line ten (10), by striking the word and figure "twelve (12)", and inserting in lieu thereof the word and figure "sixteen (16)".

Amend Section 9, line eleven (11), by adding a new paragraph following line eleven (11) as follows: "Alien: Alien shall not be construed to mean any person who has applied for naturalization papers."

Roll call was ordered on the following amendment:

Further amend Section 1, line seventeen (17), by inserting before the word "Residents", the word "Male".

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Baldwin	Corwin	Husted	Parker
Beardsley	Evans	Kimberly	Pelzer
Bell of	Grunewald	Kirketeg	Schadt
Des Moines	Hart	Lundy	Shaw
Berg	Hill	Miller	Stewart
Billingsley	Hoeven	Millhone	Zeigler
Chrystal			

Nays, 18:

Bell of Crawford	Donohue	Guernsey	Murray
Breen	Ellis	Hopkins	Smith
Byers	Geske	Mason	Stevens
Dean	Gillespie	Mighell	Whitehill
Dewey	Gillette		

Absent or not voting, 8:

Augustine	Edwards	Goetsch	Levis
Doran	Elthon	Irwin	Moore

The amendment was adopted.

By unanimous consent, Senator Corwin amended his amendment to line 15 by striking therefrom the following:

"the word and figure 'three (3)', and inserting in lieu thereof the word and figure 'seven (7)' and by striking".

The amendment as amended was not adopted.

By unanimous consent, Senator Corwin withdrew the following amendments:

Further amend by striking from line forty-seven (47) of Section 1, the words "or fish peddler's license".

Amend by inserting a new line following line forty-seven (47) as follows: "Fish peddler's license \$2.00".

Amend by striking from line fifty-seven (57) the figures "\$5.00" and inserting in lieu thereof the figures "\$3.00".

The following amendment was taken up:

Amend Section 2 by striking from line sixteen (16) the period (.) and inserting in lieu thereof the following: ", or furnish license or proof of having one, within twenty-four hours."

Senator Gillette offered the following substitute amendment and moved its substitution:

Amend Section 2 by striking from line sixteen (16) the period (.) and inserting in lieu thereof the following: ", or furnish proof of having an existing license to the conservation officer or person making the arrest, within twenty-four (24) hours."

The motion prevailed and the amendment was substituted.

The substitute amendment was not adopted.

By unanimous consent, Senator Corwin withdrew the following amendment:

Further amend Section 2 by striking the remainder of said section.

By unanimous consent Senator Dewey withdrew the following amendment:

Amend Section 1 by adding a paragraph at the end thereof reading as follows:

One-third of the revenue accruing to the Conservation Commission from the sale of hunting licenses to residents of the state shall be set aside and be known as the "Game Area Fund". This fund shall be expended only for the acquiring or leasing, development, and administration of areas suitable for game protection, propagation, and/or for public shooting purposes. In the expenditure of such fund the northern and southern parts of the state shall each have spent therein not less than forty-five per cent (45%) nor more than fifty-five per cent (55%) of the total expenditures made during the biennium ending June 30th of odd numbered years. For the purpose of this section the division line between the north and south part of the state is the north line of Township eighty-three (Twp. 83) north of the base line used in the original survey of Iowa by the United States Government.

Senator Corwin offered the following amendments and moved their adoption:

Amend Section 1 by striking from line 47 the following: "or fish pedler's".

Amend by inserting a new line following line 47 as follows: "Fish pedler's license \$2.00".

The amendments were adopted.

Senator Dewey offered the following amendment and moved its adoption:

Amend Section 2 by striking all of lines 4, 5, 6 and the first two words and period of line 7.

The amendment was adopted.

Senator Dewey offered the following amendment to the title and moved its adoption:

Amend the title by striking from line 15 the following: "require women to have fishing license;"

The amendment was adopted.

Senator Dewey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Beardsley	Chrystal	Ellis	Hill
Bell of	Corwin	Evans	Hoeven
Des Moines	Dean	Geske	Husted
Berg	Dewey	Grunewald	Kimberly
Breen	Donohue	Guernsey	Kirketeg
Byers	Edwards	Hart	Lundy

Mighell	Murray	Schadt	Stevens
Miller	Parker	Shaw	Whitehill
Millhone	Pelzer	Smith	Zeigler

Nays, none.

Absent or not voting, 15:

Augustine	Doran	Goetsch	Mason
Baldwin	Elthon	Hopkins	Moore
Bell of Crawford	Gillespie	Irwin	Stewart
Billingsley	Gillette	Levis	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tem Byers took the chair.

On motion of Senator Breen, House File 389, a bill for an act to amend Section six thousand nine hundred forty-three-f five (6943-f5), Code, 1935, to amend Section six thousand nine hundred forty-three-f fifteen (6943-f15) sub-section one (1), Code, 1935, all relating to taxing income at its source, reported out by the sifting committee, was taken up and considered.

The following committee amendments were adopted:

1. Amend the title by inserting in line 8 thereof immediately preceding the word "Code" the following: "sixty-nine hundred forty-three-f sixty-three (6943-f63) and sixty-nine hundred forty-three-f sixty-five (6943-f65),";

2. Amend that portion of Section five denominated 6943-f15b by striking from line 5 of subsection three thereof the word "three" and inserting in lieu thereof the word "four".

Senator Breen moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Beardsley	Dewey	Hill	Millhone
Bell of Crawford	Donohue	Husted	Murray
Bell of	Edwards	Kimberly	Pelzer
Des Moines	Ellis	Kirketeg	Schadt
Berg	Geske	Lundy	Shaw
Breen	Gillette	Mason	Smith
Byers	Grunewald	Mighell	Whitehill
Corwin	Guernsey	Miller	Zeigler

Nays, 1:

Hopkins

Absent or not voting, 18:

Augustine	Doran	Hart	Moore
Baldwin	Elthon	Hoeven	Parker
Billingsley	Evans	Irwin	Stevens
Chrystal	Gillespie	Levis	Stewart
Dean	Goetsch		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Beardsley, the rules were suspended and House File 218 was taken up at this time.

On motion of Senator Beardsley, House File 218, a bill for an act to license and regulate persons engaged in the business of, at retail, selling, bartering or otherwise dealing in new and used motor vehicles within the state of Iowa; to fix the scope of the regulation in this act provided and prescribe the terms and conditions under which the license provided for in this act may be granted, revoked and denied; to prohibit and declare void as against public policy certain contracts, agreements or understandings between motor vehicle dealers and motor vehicle manufacturers or distributors in connection with the sale and transfer of retail instalment contracts arising from the retail instalment sale of motor vehicles; to prohibit coercion of motor vehicle dealers by manufacturers or distributors; to provide for the creation of a motor vehicle dealer license fee fund; to provide for the enforcement of this act by injunction and by prescribing penalties for the violation of or non-compliance with this act, reported out by the sifting committee, was taken up and considered.

Senator Donohue moved the previous question which motion prevailed.

Senator Beardsley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Beardsley	Byers	Ellis	Hoeven
Bell of Crawford	Chrystal	Evans	Hopkins
Bell of Des Moines	Corwin	Geske	Husted
Berg	Dean	Gillette	Kimberly
Billingsley	Dewey	Grunewald	Kirketeg
Breen	Donohue	Guernsey	Lundy
	Edwards	Hill	Mason

Mighell
Miller
Millhone
Murray

Parker
Pelzer
Schadt

Shaw
Smith
Stevens

Stewart
Whitehill
Zeigler

Nays, none.

Absent or not voting, 10:

Augustine
Baldwin
Doran

Elthon
Gillespie
Goetsch

Hart
Irwin

Levis
Moore

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Berg, the rules were suspended and Senate File 528 was taken up at this time.

On motion of Senator Berg, Senate File 528, a bill for an act to amend Section two of Senate File 316, Acts of the Forty-seventh General Assembly, to strike that portion of said section relating to payment of the sales tax on motor vehicles, reported out by the sifting committee, was taken up and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine
Berg
Billingsley
Breen
Byers
Corwin
Dean
Dewey
Donohue

Edwards
Ellis
Evans
Geske
Gillespie
Gillette
Grunewald
Guernsey
Hill

Hoeven
Hopkins
Kimberly
Kirketeg
Lundy
Mason
Mighell
Miller
Millhone

Murray
Pelzer
Schadt
Shaw
Smith
Stevens
Stewart
Whitehill
Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin
Beardsley
Bell of Crawford
Bell of
Des Moines

Chrystal
Doran
Elthon
Goetsch

Hart
Husted
Irwin

Levis
Moore
Parker

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Berg, the rules were suspended and Senate File 529 was taken up at this time.

On motion of Senator Berg, Senate File 529, a bill for an act to repeal Section six thousand nine hundred forty-three-f two (6943-f2), Code, 1935, relating to the purpose of Chapter three hundred twenty-nine-F one (329-F1), Code, 1935, and to enact a substitute therefor, reported out by the sifting committee, was taken up and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Edwards	Hopkins	Parker
Beardsley	Ellis	Husted	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Geske	Kirketeg	Shaw
Breen	Gillespie	Lundy	Smith
Byers	Gillette	Mighell	Stevens
Corwin	Grunewald	Miller	Stewart
Dean	Guernsey	Millhone	Whitehill
Dewey	Hill	Murray	Zeigler
Donohue	Hoeven		

Nays, none.

Absent or not voting, 12:

Baldwin	Chrystal	Goetsch	Levis
Bell of Crawford	Doran	Hart	Mason
Bell of	Elthon	Irwin	Moore
Des Moines			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shaw, House File 211, a bill for an act to permit the service of process upon a non-resident who is attending a trial to defend in a criminal action pending against him in the State of Iowa, and providing that the rule shall apply to cases now pending, reported out by the sifting committee, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend House File 211 as follows:

1. Amend the title by striking the comma after the word "Iowa" and inserting in lieu thereof a period, and by striking the following words: "and providing that the rule shall apply to cases now pending".
2. Amend by striking all of Sections two (2) and three (3) of the act.

President Valentine returned to the chair.

Senator Millhone moved the previous question on the amendment and the main bill.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Baldwin	Breen	Evans	Parker
Bell of	Byers	Hoeven	Schadt
Des Moines	Corwin	Hopkins	Stewart
Berg	Donohue	Kimberly	Zeigler
Billingsley	Edwards	Murray	

Nays, 25:

Augustine	Geske	Kirketeg	Moore
Beardsley	Gillespie	Lundy	Pelzer
Bell of Crawford	Gillette	Mason	Shaw
Chrystal	Grunewald	Mighell	Smith
Dean	Guernsey	Miller	Stevens
Dewey	Husted	Millhone	Whitehill
Ellis			

Present, 1:

Hill

Absent or not voting, 6:

Doran	Goetsch	Irwin	Levis
Elthon	Hart		

The amendment was not adopted.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29:

Augustine	Elthon	Hopkins	Millhone
Beardsley	Geske	Husted	Pelzer
Bell of Crawford	Gillespie	Kirketeg	Schadt
Chrystal	Gillette	Lundy	Shaw
Dean	Goetsch	Mason	Smith
Dewey	Grunewald	Mighell	Stevens
Edwards	Guernsey	Miller	Whitehill
Ellis			

Nays, 16:

Baldwin	Breen	Evans	Moore
Bell of	Byers	Hart	Murray
Des Moines	Corwin	Hoeven	Parker
Berg	Donohue	Kimberly	Zeigler
Billingsley			

Present, 3:

Doran	Hill	Stewart
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Absent or not voting, 2:

Irwin	Levis
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stevens, House File 167, a bill for an act to amend Chapter two hundred fifty-seven (257), Code, 1935, providing for the recording of federal social security account numbers in the office of the county recorder, reported out by the sifting committee, was taken up and considered.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dean	Guernsey	Murray
Baldwin	Dewey	Hill	Parker
Beardsley	Donohue	Hoeven	Pelzer
Bell of Crawford	Edwards	Hopkins	Schadt
Berg	Ellis	Kimberly	Shaw
Billingsley	Evans	Kirketeg	Smith
Breen	Geske	Lundy	Stevens
Byers	Gillespie	Mighell	Stewart
Chrystal	Gillette	Miller	Whitehill
Corwin	Grunewald	Moore	Zeigler

Nays, none.

Absent or not voting, 10:

Bell of	Elthon	Husted	Mason
Des Moines	Goetsch	Irwin	Millhone
Doran	Hart	Levis	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Whitehill, House File 483, a bill for an act to make an appropriation to the National Guard of Iowa for the rehabilitation of the water supply system at Camp Dodge, reported out by the sifting committee, was taken up and considered.

Senator Whitehill moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Dean	Guernsey	Moore
Baldwin	Dewey	Hill	Murray
Beardsley	Donohue	Hopkins	Parker
Bell of	Edwards	Husted	Schadt
Des Moines	Ellis	Kimberly	Shaw
Berg	Evans	Kirketeg	Smith
Breen	Geske	Lundy	Stewart
Byers	Gillespie	Mighell	Whitehill
Corwin	Grunewald	Millhone	Zeigler

Nays, none.

Absent or not voting, 15:

Bell of Crawford	Elthon	Hoeven	Miller
Billingsley	Gillette	Irwin	Pelzer
Chrystal	Goetsch	Levis	Stevens
Doran	Hart	Mason	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Lundy, Senate File 123, a bill for an act to amend Section seven thousand one hundred seventy-one (7171), Code, 1935, relative to annual levies, reported out by the sifting committee, was taken up and considered.

Senator Lundy offered the following amendment and moved its adoption:

Amend Section one by striking the period at the end thereof and inserting in lieu thereof a comma, and by adding after said comma the following: "and unless the total tax levy for all county purposes will not exceed the average tax levy for all county purposes for the preceding two years."

The amendment was adopted.

By unanimous consent, Senator Lundy withdrew the following amendment:

Amend Section one by striking the word "where" from line four thereof and inserting in lieu thereof the following: "in which the net adjusted actual value of all realty for the year 1933, as determined by the State Board of Assessment and Review, did not exceed \$26,000,000, and in which".

Senator Lundy moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30:

Augustine	Ellis	Kimberly	Pelzer
Beardsley	Evans	Kirketeg	Schadt
Berg	Gillespie	Lundy	Shaw
Byers	Grunewald	Mighell	Smith
Chrystal	Guernsey	Millhone	Stewart
Corwin	Hill	Murray	Whitehill
Dean	Hoeven	Parker	Zeigler
Edwards	Hopkins		

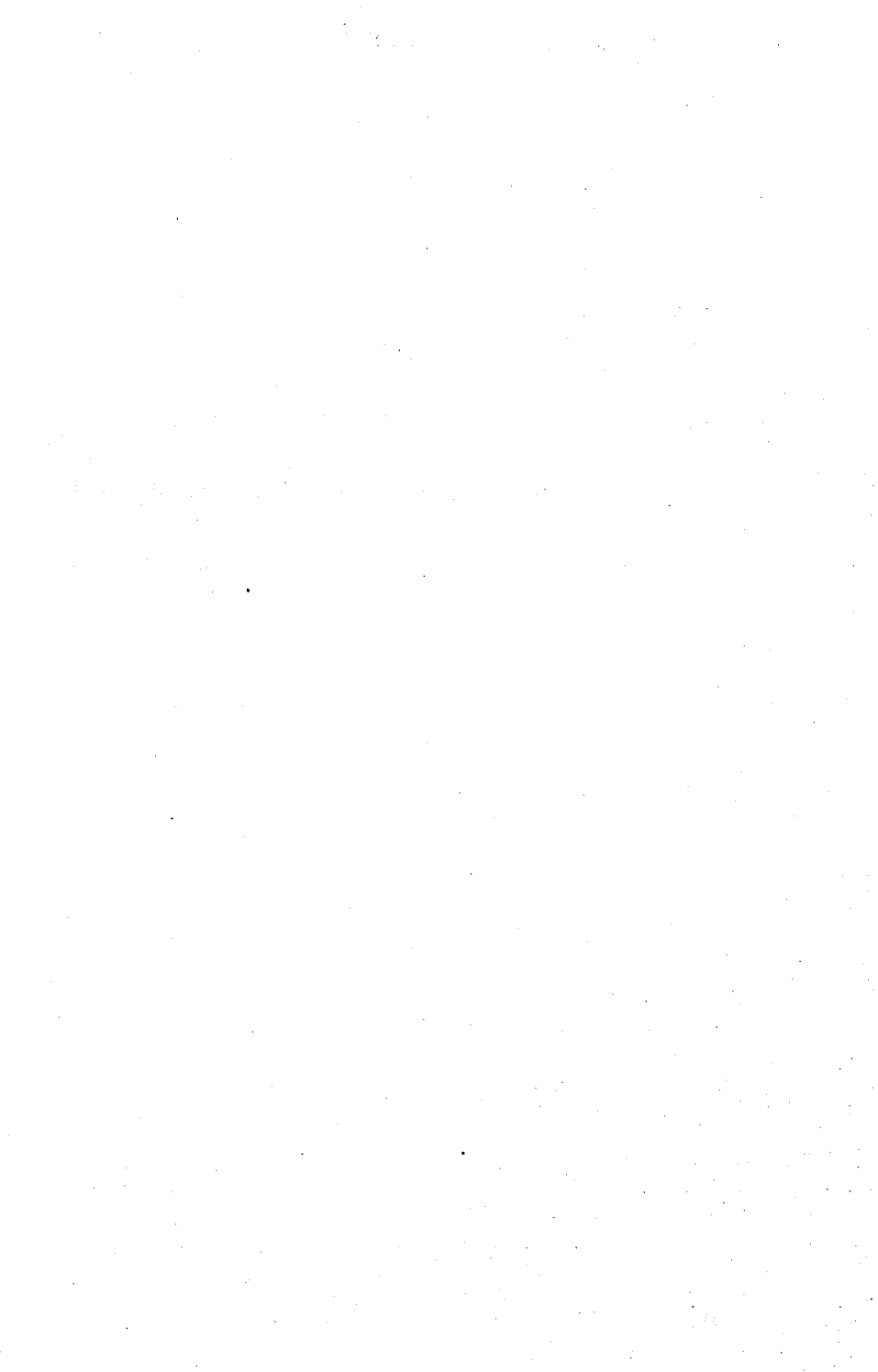
Nays, none.

Absent or not voting, 20:

Baldwin	Dewey	Gillette	Levis
Bell of Crawford	Donohue	Goetsch	Mason
Bell of	Doran	Hart	Miller
Des Moines	Elthon	Husted	Moore
Billingsley	Geske	Irwin	Stevens
Breen			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Parker, the Senate recessed until the fall of the gavel.



The Senate reconvened at the fall of the gavel, President Valentine presiding.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of April, 1937, sent to the Governor for his approval, Senate Files 8, 136, 137, 158, 174, 381, 385, 386, 387, 388, 389, 390, 391, 406, 408, 409, 410, 412, 414, 416, 418, 419, 422, 423, 430, 431, 442, 443, 449, 467, 468, 469 and 471. FRANK PELZER, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Shaw, House File 538, a bill for an act to legalize the notarial acts of R. A. Hawk, reported out by the sifting committee, was taken up and considered.

Senator Shaw moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Augustine	Gillespie	Husted	Schadt
Berg	Gillette	Kimberly	Shaw
Corwin	Grunewald	Mason	Smith
Dean	Guernsey	Mighell	Stevens
Dewey	Hart	Miller	Stewart
Edwards	Hill	Millhone	Whitehill
Ellis	Hoeven	Murray	Zeigler
Geske	Hopkins	Pelzer	

Nays, none.

Absent or not voting, 19:

Baldwin	Billingsley	Doran	Kirketeg
Beardsley	Breen	Elthon	Levis
Bell of Crawford	Byers	Evans	Lundy
Bell of	Chrystal	Goetsch	Moore
Des Moines	Donohue	Irwin	Parker

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Baldwin, Senate Joint Resolution 5, a joint resolution proposing an amendment to Article seven (VII) of the constitution of the state of Iowa by adding thereto Section

(8) relating to the use of motor vehicle license fees, registration fees and other charges on account of the operation of motor vehicles and licenses and excise taxes on motor vehicle fuels, reported out by the sifting committee, was taken up and considered.

Senator Baldwin moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the resolution pass?" the vote was:

Ayes, 37:

Augustine	Dean	Grunewald	Millhone
Baldwin	Dewey	Guernsey	Murray
Beardsley	Donohue	Hart	Parker
Bell of Crawford	Edwards	Hill	Pelzer
Berg	Ellis	Hoeven	Schadt
Breen	Evans	Husted	Shaw
Byers	Geske	Kimberly	Smith
Chrystal	Gillespie	Mighell	Stewart
Corwin	Gillette	Miller	Whitehill
			Zeigler

Nays, none.

Absent or not voting, 13:

Bell of	Elthon	Irwin	Mason
Des Moines	Goetsch	Kirketeg	Moore
Billingsley	Hopkins	Levis	Stevens
Doran		Lundy	

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Schadt, the rules were suspended and House File 518 was substituted for Senate File 457, and taken up at this time.

On motion of Senator Schadt, House File 518, a bill for an act to legalize a special election held in the city of Iowa City, Iowa, on the 11th day of December, 1936, substituted for Senate File 457, was taken up and considered.

Senator Schadt moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Billingsley	Dewey	Gillespie
Baldwin	Breen	Edwards	Grunewald
Beardsley	Byers	Ellis	Hart
Bell of Crawford	Corwin	Evans	Hill
Berg	Dean	Geske	Hopkins

Husted
Kimberly
Levis
Mighell

Miller
Millhone
Murray
Parker

Pelzer
Schadt
Shaw
Smith

Stewart
Whitehill
Zeigler

Nays, none.

Absent or not voting, 15:

Bell of
Des Moines
Chrystal
Donohue

Doran
Elthon
Gillette
Goetsch

Guernsey
Hoeven
Irwin
Kirketeg

Lundy
Mason
Moore
Stevens

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Schadt, Senate File 457, companion bill to House File 518, was withdrawn from the further consideration of the Senate.

SENATE CONCURRENT RESOLUTION 17 CONSIDERED

By unanimous consent on request of Senator Baldwin, the rules were suspended and Senate Concurrent Resolution 17, which appears on page 1131 of the Senate Journal, was taken up and considered.

Senator Baldwin moved the adoption of the resolution, which motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Levis, House File 454, by Dietz, a bill for an act to amend Chapter 274, Code of Iowa, 1935; to repeal Section fifty-three hundred ninety-eight (5398) and enact a substitute therefor determining source of selection of legal newspapers; to repeal Section fifty-four hundred one (5401) and enact a substitute therefor determining procedure of county auditor in case of contest; to repeal Section fifty-four hundred two (5402) and enact a substitute therefor to determine action of county auditor in choice of newspapers; to enact as a new section, Section fifty-four hundred two-a (5402-a) providing the method of determination of the bona fide paid subscribers of a newspaper by the board of supervisors; to repeal Section fifty-four hundred three (5403) and enact a substitute therefor providing for selection in case of equality of newspapers; all relating to official newspapers, reported out by the sifting committee, was taken up and considered.

Senator Baldwin offered the following amendments and moved their adoption:

Amend Section 1, subsection 1, of 5402-a, as follows:

Strike all after the word "publisher" in line one, all of line two and the words "or subscription for same by the subscriber, and" in line three and strike the word "six" in line four and insert in lieu thereof the word "three".

Also amend by striking all of sub-section 2, and further amend the title by striking all after the comma following the word "subscriber" in line two and the word "all" in line three.

Senator Hopkins moved the previous question on the pending amendment, which motion prevailed.

Roll call was requested.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 19:

Augustine	Berg	Edwards	Miller
Baldwin	Billingsley	Ellis	Moore
Bell of Crawford	Byers	Grunewald	Murray
Bell of	Chrystal	Hopkins	Smith
Des Moines	Corwin	Mason	Stewaart

Nays, 15:

Beardsley	Guernsey	Kimberly	Shaw
Dean	Hart	Levis	Whitehill
Dewey	Hill	Lundy	Zeigler
Evans	Husted	Pelzer	

Present, 6:

Donohue	Hoeven	Parker	Stevens
Geske	Millhone		

Absent or not voting, 10:

Breen	Gillespie	Goetsch	Mighell
Doran	Gillette	Irwin	Schadt
Elthon		Kirketeg	

The amendment was adopted.

Senator Levis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Augustine	Berg	Dean	Geske
Baldwin	Breen	Dewey	Grunewald
Bell of Crawford	Byers	Donohue	Hill
Bell of	Chrystal	Edwards	Kimberly
Des Moines	Corwin	Ellis	Levis

Mason
Millhone

Murray
Shaw

Smith
Stevens

Stewart
Whitehill

Nays, 1:

Zeigler

Present, 1:

Mighell

Absent or not voting, 21:

Beardsley
Billingsley
Doran
Elthon
Evans

Gillespie
Gillette
Goetsch
Guernsey
Hart

Hoeven
Hopkins
Husted
Irwin
Kirketeg

Lundy
Miller
Moore
Parker
Pelzer
Schadt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Mrs. Addison Parker of Des Moines, Polk county, as a member of the state conservation commission, to succeed Mrs. Henry Frankel, resigned, for the term ending July 1, 1937; also to serve as a Republican member of the same for the term ending July 1, 1943.

The Senate confirmed the appointment of Logan Blizzard of McGregor, Clayton county, as a member of the state conservation commission, to serve as a Republican member for the term ending July 1, 1939.

The Senate confirmed the appointment of Gus A. Olson, Whiting, Monona county, as a member of the state highway commission, to serve as a Democratic member for the term ending July 1, 1941.

The Senate confirmed the appointment of Dr. E. W. Neenan of Sioux City, Woodbury county, as a member of the state conservation commission, to succeed Dr. E. E. Speaker, resigned, and to serve as a Democratic member for the term ending July 1, 1939.

The Senate confirmed the appointment of Mr. Roscoe Stewart of Ottumwa, Wapello county, as a member of the state conservation commission, to succeed the late Dr. W. C. Boone, and to

serve as a Republican member for the term ending July 1, 1941.

The Senate arose from executive session and resumed regular session.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 20

By unanimous consent on request of Senator Elthon, the rules were suspended and the following House concurrent resolution was taken up and considered:

Whereas, beginning in May, 1939, there will be held in San Francisco, California, the Golden Gate International Exposition, and

Whereas, the State of Iowa has been invited to participate in said exposition and to report its findings and recommendations to the next session of the General Assembly, now, therefore,

Be It Resolved by the House, the Senate Concurring: That a committee is hereby created, composed of the Secretary of State, the members of the legislative committee on retrenchment and reform, and three citizens of the State of Iowa to be appointed by the Governor. The Governor shall be an ex-officio member of said committee. Said committee, the members of which shall receive no compensation, shall make such investigation and study as it may deem advisable to determine the question of Iowa's participation in said exposition, and shall report its findings and recommendations to the next session of the General Assembly. The committee shall have the authority to accept pledges of gifts, grants and donations of money and property to be used in the event of Iowa's participation in said exposition, and shall also make report of such pledges to the next session of the General Assembly.

Senator Elthon moved the adoption of the resolution, which motion prevailed and the resolution was adopted.

On motion of Senator Baldwin, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President Valentine presiding.

On motion of Senator Mason, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

Senator Gillespie moved the adoption of the majority report of the committee appointed under Senate Resolution 7.

Senator Doran offered as a substitute the following:

I move because of the lack of time upon the part of the Senate, in

the closing days of this session, to thoroughly consider the transcript and the majority and minority reports of the investigating committee appointed under Senate Joint Resolution 7, that the transcript of the evidence be referred to the Governor of the State of Iowa with directions that he take such action upon the same as in his judgment he deems advisable.

Roll call was requested.

On the question, "Shall the motion of Senator Doran be substituted?" the vote was:

Ayes, 11:

Baldwin	Gillette	Levis	Millhone
Berg	Husted	Miller	Moore
Doran	Irwin		Stewart

Nays, 36:

Augustine	Dewey	Guernsey	Mighell
Beardsley	Donohue	Hart	Murray
Bell of Crawford	Edwards	Hill	Parker
Bell of	Ellis	Hoeven	Pelzer
Des Moines	Evans	Hopkins	Schadt
Breen	Geske	Kimberly	Shaw
Byers	Gillespie	Kirketeg	Stevens
Chrystal	Goetsch	Lundy	Whitehill
Corwin	Grunewald	Mason	Zeigler
Dean			

Absent or not voting, 3:

Billingsley	Elthon	Smith
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The motion to substitute did not prevail.

Senator Grunewald moved as a substitute that the minority report be substituted for the majority report.

Roll call was requested.

On the question, "Shall the motion to substitute prevail?" the vote was:

Ayes, 19:

Augustine	Chrystal	Gillette	Mighell
Baldwin	Dean	Grunewald	Miller
Bell of	Doran	Hopkins	Moore
Des Moines	Ellis	Irwin	Murray
Breen	Geske	Levis	Stevens

Nays, 27:

Beardsley	Edwards	Hoeven	Pelzer
Bell of Crawford	Evans	Husted	Schadt
Berg	Gillespie	Kimberly	Shaw
Byers	Goetsch	Kirketeg	Stewart
Corwin	Guernsey	Lundy	Whitehill
Dewey	Hart	Mason	Zeigler
Donohue	Hill	Parker	

Absent or not voting, 4:

Billingsley	Elthon	Millhone	Smith
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The motion to substitute did not prevail.

Roll call was requested.

On the question, "Shall the motion by Senator Gillespie to adopt the majority report prevail?" the vote was:

Ayes, 18:

Byers	Goetsch	Husted	Mason
Dewey	Guernsey	Kimberly	Parker
Donohue	Hart	Kirketeg	Shaw
Edwards	Hoeven	Lundy	Whitehill
Evans			Zeigler

Nays, 25:

Augustine	Chrystal	Gillette	Mighell
Baldwin	Corwin	Grunewald	Miller
Beardsley	Dean	Hill	Moore
Bell of	Doran	Hopkins	Murray
Des Moines	Ellis	Irwin	Pelzer
Berg	Geske	Levis	Schadt
Breen			Stevens

Present 1:

Gillespie

Absent or not voting, 6:

Bell of Crawford	Elthon	Smith	Stewart
Billingsley	Millhone		

The report was not adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 456, 380, 218, 211, 510, 253, 461, 388, 302, 398 and 501.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 456, 380, 218, 211, 510, 253, 461, 388, 302, 398 and 501.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 340, a bill for an act to appropriate funds with which to remove Police Radio Station KNFN from Waterloo to Cedar Falls.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 426, a bill for an act permitting insurance companies other than life, to act as surety for bail in criminal cases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 433, a bill for an act to make an appropriation to Robert Collatt, Roy Shitley and Claude C. Taft.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 30, a bill for an act to make an appropriation to Iowa City.

Also: That the House has refused to concur on a point of order in Senate amendments to House File 186, a bill for an act relating to the practice of embalming.

Also: That the House has concurred in Senate amendments to and passed House File 389, a bill for an act relating to the taxation of the income of individuals, fiduciaries, trusts and estates.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 446, a bill for an act relating to tax rates computed by county auditors.

Also: That the House has concurred in Senate amendments to and passed House File 454, a bill for an act relating to official newspapers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 504, a bill for an act relating to beer and malt liquors.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 548, a bill for an act to make an appropriation to pay the expenses of Judges of the District Court of the state.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 549, a bill for an act to make an appropriation for the state hospital at Mt. Pleasant.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 30, a bill for an act to make an appropriation to the city of Iowa City, Iowa, to compensate the city for expenses incurred in improving and extending its sewage system and constructing and equipping a sewage disposal plant, in proportion to the use of such system and plant by state-owned property.

Read first and second times and referred to committee on appropriations.

House File 446, a bill for an act to legalize tax rates computed by county auditors in the years 1934, 1935 and 1936.

Read first and second times and referred to sifting committee.

House File 504, a bill for an act to amend Section one thousand nine hundred twenty-one-f ninety-eight (1921-f98), one thousand nine hundred twenty-one-f ninety-nine (1921-f99), one thousand nine hundred twenty-one-f one hundred three (1921-f103), one thousand nine hundred twenty-one-f one hundred five (1921-f105), one thousand nine hundred twenty-one-f one hundred seventeen (1921-f117), one thousand nine hundred twenty-one-f one hundred twenty-two (1921-f122), one thousand nine hundred twenty-one-f one hundred twenty-four (1921-f124), one thousand nine hundred twenty-one-f one hundred fourteen (1921-f114), one thousand nine hundred twenty-one-f one hundred twenty-six (1921-f126), one thousand nine hundred twenty-one-f one hundred twenty (1921-f120), and one thousand nine hundred twenty-one-f one hundred (1921-f100); to repeal Sections one thousand nine hundred twenty-one-f one hundred four (1921-f104) and one thousand nine hundred twenty-one-f one hundred seven (1921-f107); to repeal Section one thousand nine hundred twenty-one-g three (1921-g3) and enact a substitute therefor; to amend Section nineteen hundred twenty-one-f one hundred twenty-one (1921-f121); to insert new sections in Chapter ninety-three-F two (93-F2); all of Chapter ninety-three-F two (93-F2) of the 1935 Code of Iowa, relating to beer and malt liquors, and the licensing, regulation and sale thereof, and providing that the Attorney General of the state of Iowa shall secure certified copies of the names of certain persons paying to the federal government the special tax imposed on persons keeping for sale and selling spirituous intoxicating liquor, and providing that such certified copy shall constitute prima facie

evidence of the violation of the liquor laws of Iowa, and providing the penalty therefor, and providing that such certified copy shall be competent evidence in the state of Iowa, providing for the issuance of writs of injunction, providing for the revocation of beer permits, and setting out the duties of county attorneys to commence criminal proceedings and injunction actions.”

Read first and second times and referred to sifting committee.

House File 548, a bill for an act to make an appropriation to pay the expenses of the Judges of the District Court of the State of Iowa.

Read first and second times and referred to committee on appropriations.

House File 549, a bill for an act making an appropriation for the erection of building, for appurtenances and connections thereto, for furniture, fixtures, and furnishings, needed for the Hospital for Insane at Mt. Pleasant, to take the place of the building and contents destroyed by fire August 10, 1936.

Read first and second times and referred to committee on appropriations.

By unanimous consent on request of Senator Irwin, the rules were suspended and House Files 544, 484, and 487 were taken up at this time.

THIRD READING OF BILLS

On motion of Senator Irwin, House File 544, a bill for an act to repeal Sections seven thousand four hundred twenty-d seven (7420-d7), seven thousand four hundred twenty-a ten (7420-a10), seven thousand four hundred twenty-a eleven (7420-a11), and seven thousand four hundred twenty-a twelve (7420-a12), Code, 1935, and enact substitutes therefor; to repeal Sections seven thousand four hundred twenty-a six (7420-a6), seven thousand four hundred twenty-a seven (7420-a7), and seven thousand four hundred twenty-a fifteen, (7420-a15), Code, 1935; and to amend Sections seven thousand four hundred twenty-d six (7420-d6), seven thousand four hundred twenty-a three (7420-a3), seven thousand four hundred twenty-a eight (7420-a8), seven thousand four hundred twenty-a thirteen (7420-a13), seven thousand four hundred twenty-a fourteen (7420-a14) and seven thousand four

hundred twenty-b one (7420-b1), Code, 1935, all relating to the interest paid on public deposits, and the diversion thereof to the state sinking fund, and to provide an assessment system authorizing the state treasurer, with the approval of the executive council, to make certain assessments against depositories of public funds for the benefit of the state sinking fund, and to repeal all acts or parts of acts in conflict herewith, reported out by the sifting committee, was taken up and considered.

Senator Irwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Dewey	Grunewald	Levis
Baldwin	Donohue	Guernsey	Lundy
Beardsley	Doran	Hart	Mighell
Bell of	Edwards	Hill	Miller
Des Moines	Ellis	Hoeven	Moore
Berg	Evans	Hopkins	Murray
Byers	Gillespie	Irwin	Schadt
Chrystal	Gillette	Kimberly	Shaw
Corwin	Goetsch	Kirketeg	Stevens
Dean			Zeigler

Nays, none.

Absent or not voting, 13:

Bell of Crawford	Geske	Millhone	Smith
Billingsley	Husted	Parker	Stewart
Breen	Mason	Pelzer	Whitehill
Elthon			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Irwin, House File 487, a bill for an act to repeal Sections ninety-two hundred forty-six (9246) to ninety-two hundred fifty-four (9254), inclusive, of the Code, 1935, relating to assessment liabilities of stockholders in banks and specifying when such repeal shall become effective, reported out by the sifting committee, was taken up and considered.

Senator Irwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Dewey	Hart	Mason
Baldwin	Doran	Hill	Mighell
Beardsley	Edwards	Hoeven	Miller
Bell of	Ellis	Hopkins	Moore
Des Moines	Evans	Husted	Murray
Berg	Gillespie	Irwin	Pelzer
Breen	Gillette	Kimberly	Schadt
Chrystal	Goetsch	Kirketeg	Shaw
Corwin	Grunewald	Levis	Stevens
Dean	Guernsey		Zeigler

Nays, none.

Absent or not voting, 12:

Bell of Crawford	Donohue	Lundy	Smith
Billingsley	Elthon	Millhone	Stewart
Byers	Geske	Parker	Whitehill

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Berg asked unanimous consent that the rules be suspended and that House Joint Resolution 15 be withdrawn from the sifting committee.

There were objections and Senator Berg moved that House Joint Resolution 15 be withdrawn from the sifting committee.

The motion did not prevail and House Joint Resolution 15 was not withdrawn from the sifting committee.

On motion of Senator Irwin, House File 484, a bill for an act to amend Chapter four hundred fifteen (415), Code, 1935, and providing for the method and manner of handling and terminating trusts created as a part of the plan of reorganization of state banks, savings banks and trust companies, and providing the manner and method of liquidation and distribution of the assets, the appointment of the superintendent of banking as receiver, the designation of the attorney general or assistants as attorney for the superintendent of banking in the liquidation and distribution; providing the method and manner of filing claims against the state sinking fund for public deposits; providing rules of construction, and providing that insofar as the provisions of this act shall conflict with any other act or parts thereof the provisions of this act shall govern, reported out by the sifting committee, was taken up and considered.

Senator Irwin offered the following amendments and moved their adoption:

Amend House File 484, Section 1, line 13, by striking the words "or where the superintendent of banking" and inserting in lieu thereof the words "and they".

Further amend said section by striking the word "he" in line 16 and inserting in lieu thereof the words "the superintendent of banking".

The amendments were adopted.

Senator Irwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Dean	Hill	Miller
Baldwin	Dewey	Hoeven	Moore
Beardsley	Donohue	Hopkins	Murray
Bell of	Doran	Husted	Pelzer
Des Moines	Edwards	Irwin	Schadt
Berg	Ellis	Kimberly	Shaw
Breen	Grunewald	Kirketeg	Stevens
Byers	Guernsey	Lundy	Whitehill
Chrystal	Hart	Mighell	Zeigler
Corwin			

Nays, none.

Absent or not voting, 14:

Bell of Crawford	Geske	Goetsch	Millhone
Billingsley	Gillespie	Levis	Parker
Elthon	Gillette	Mason	Smith
Evans			Stewart

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE ON THE SUBSTITUTE FOR HOUSE FILE 477

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE: We, your conference committee appointed to consider the differences between the Senate and the House on the Substitute for House File 477, beg leave to report that we had the same under consideration and desire to report as follows:

We recommend that the House concur in the Senate amendment with the following changes:

Section 3, change figures "\$49,000.00" to "\$43,000.00".

Section 3, change figures "\$61,000.00" to "\$55,000.00".

Section 4, change figures "\$85,000.00" to "\$83,000.00".

Section 4, change figures "\$90,000.00" to "\$88,000.00".

Section 6, change figures "\$35,864.80" to "\$32,000.00".

Section 6, change figures "\$10,208.00" to "\$10,000.00".

Section 6, change figures "\$51,072.80" to "\$47,000.00".

Section 7, change figures "\$175,000.00" to "\$155,000.00".

Section 7, change figures "\$20,000.00" to "\$10,000.00".

Section 7, change figures "\$195,000.00" to "\$165,000.00".

Section 8, change figures "\$50,000.00" to "\$61,686.00".

Section 8, change figures "\$61,550.00" to "\$73,186.00".

Section 15, change figures "\$3,000.00" to "\$2,628.00".

Section 15, change figures "\$14,300.00" to "\$14,372.00".

Section 15, change figures "\$17,300.00" to "\$17,000.00".

Section 19, subsection 5, change figures "\$1,300.00" to "\$1,200.00".

Section 20, change figures "\$28,600.00" to "\$27,600.00".

Section 20, change figures "\$31,000.00" to "\$30,000.00".

Section 21, amend lines 7 and 8 by striking the words and figures, "and \$7,500.00 of said appropriation is to be used for the", and insert in lieu thereof the word, "including".

Further amend by striking the words in line 9, "State Historical" and insert in lieu thereof the word, "said".

Section 21, further amend by striking in lines 11, 12, and 13, the words and figures, "and the \$7,500.00 to be used for the underwriting of the first 10,000 copies".

Further amend by striking in lines 14 and 15 the words, "State Historical" and insert in lieu thereof the word, "said".

Section 23, change figures "\$45,075.00" to "\$42,500.00".

Section 23, change figures "\$50,075.00" to "\$47,500.00".

Section 29, change figures "\$10,000.00" to "\$5,000.00".

Section 29, change figures "\$22,925.00" to "\$20,000.00".

Section 30, change figures "\$232,647.00" to "\$230,659.25".

Section 30, change figures "\$235,647.00" to "\$233,659.25".

Section 34, change figures "\$11,500.00" to "\$11,880.00".

Section 34, change figures "\$14,620.00" to "\$15,000.00".

Section 35, change figures "\$140,000.00" to "\$136,000.00".

Section 36, change figures "\$40,000.00" to "\$35,500.00".

Section 36, change figures "\$44,500.00" to "\$40,000.00".

Section 39, change figures "\$48,385.00" to "\$46,600.00".

Section 39, change figures "\$59,785.00" to "\$58,000.00".

Section 41, change figures "\$3,120.00" to "\$3,127.00".

Section 41, change figures "\$5,500.00" to "\$6,092.00".

Section 41, change figures "\$8,620.00" to "\$9,219.00".

Section 44, change figures "\$81,170.00" to "\$80,000.00".

Section 44, change figures "\$86,170.00" to "\$85,000.00".

Section 45, change figures "\$500.00" to "\$400.00".

Section 46, change figures "\$52,692.00" to "\$52,000.00".

Section 46, change figures "\$55,692.00" to "\$55,000.00".

Section 47, change figures "\$277,896.00" to "\$260,000.00".

Section 47, subsection 2, change figures "\$327,279.00" to "\$310,000.00".

Section 47, subsection 3, change figures "\$334,115.00" to "\$315,000.00".

Section 47, subsection 4, change figures "\$302,053.00" to "\$290,000.00".

Section 47, subsection 5, change figures "\$331,304.00" to "\$315,000.00".

Section 47, subsection 6, change figures "\$327,253.00" to "\$312,000.00".
 Section 47, subsection 8, change figures "\$412,500.00" to "\$400,000.00".
 Section 47, subsection 8, change figures "\$425,000.00" to "\$412,500.00".
 Section 47, subsection 10, change figures "\$43,000.00" to "\$38,000.00".
 Section 47, subsection 10, change figures "\$53,000.00" to "\$48,000.00".
 Section 47, subsection 11, change figures "\$257,187.00" to "\$246,885.00".
 Section 47, subsection 13, change figures "\$193,130.00" to "\$190,000.00".
 Section 47, subsection 15, change figures "\$77,505.00" to "\$76,960.00".
 Section 48, subsection 1, change figures "\$2,240,000.00" to "\$2,092,500.00".

Section 48, subsection 2, change figures "\$2,151,000.00" to "\$2,031,000.00".

Section 48, subsection 3, change figures "\$620,000.00" to "\$616,500.00".
 Section 48, subsection 5, change figures "\$114,740.00" to "\$112,000.00".
 Section 48, subsection 6, change figures "\$990,000.00" to "\$965,000.00".
 Section 48, subsection 7, change figures "\$108,000.00" to "\$104,000.00".
 Section 48, subsection 7, change figures "\$9,000.00" to "\$8,666.66".
 Section 48, subsection 8, strike all of subsection 8 and insert in lieu thereof the following:

"State Hygienic Laboratory—State Department of Health.

For the bacteriological laboratory, State Hygienic Laboratory of the State Department of Health at Iowa City for each year of the said biennium the sum of forty thousand dollars (\$40,000.00), or so much thereof as may be necessary to provide for public health examinations, such as bacteriological, water and serological tests, to determine the causes of infectious diseases, the origin and control of epidemics throughout the state of Iowa.

This appropriation to be expended as follows:

Director	\$2100.00
Assistant Director	3000.00
Assistant Director	3000.00
Serologist	2280.00
Serologist	1560.00
Serologist	1500.00
Technicians (6) at \$1200 each.....	7200.00
Assistant Chemical Engineers (3)—1 at.....	\$1500
1 at.....	\$1200
1 at.....	\$1200
Secretary	1200.00
Stenographers (2) at \$1000 each.....	2000.00
	<hr/>
	\$27740.00
Operating expense	12260.00
	<hr/>
	\$40000.00"

Section 50, change figures "\$17.50" to "\$15.00".

Section 50, change figures "\$15.00" to "\$12.50".

Section 58. Amend Section 58 by adding thereto the following: "the increases granted to the departments, boards, and institutions are made

with the recommendation that there be no increase in salaries to employees receiving more than \$1200.00 per year, except as provided for herein".

We also recommend that the Secretary of the Senate and the Chief Clerk of the House, cooperating with the office of the comptroller, be authorized to make such changes in the bill as are necessary to correct the totals in the various sections to correspond with the changes made.

LEO ELTHON.

GUSTAVE ALESCH.

L. H. DORAN.

ROBERT D. BLUE.

SAM D. GOETSCH.

B. B. HICKENLOOPER.

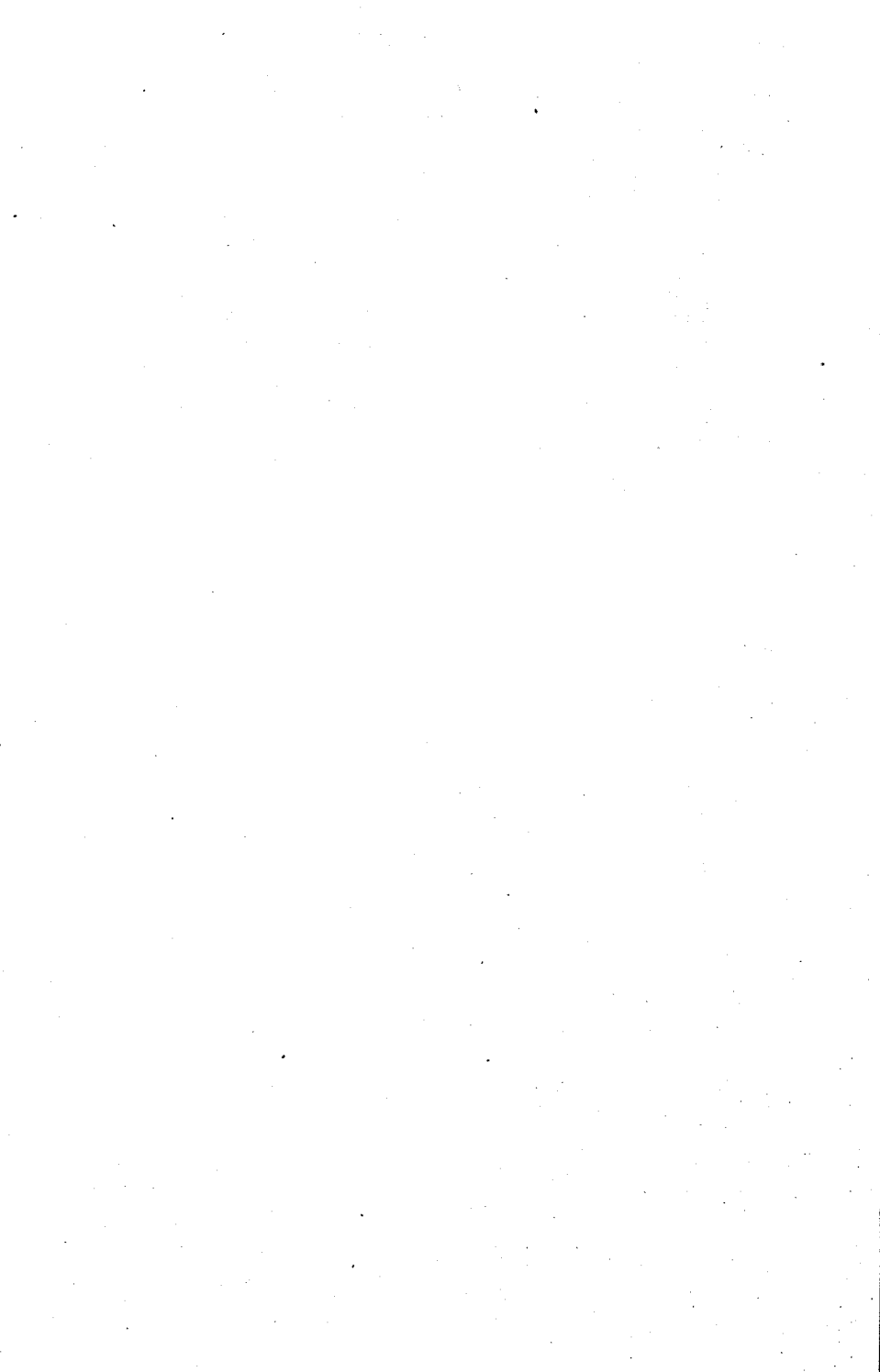
H. L. IRWIN.

THOMAS STIMPSON.

On the part of the Senate.

On the part of the House.

On motion of Senator Byers the Senate recessed until the fall of the gavel.





The Senate reconvened at the fall of the gavel, President Valentine presiding.

THIRD READING OF BILLS

On motion of Senator Gillespie, House File 365, a bill for an act to amend Section fifty-three hundred sixty-eight-a five (5368-a5), Code, 1935, relating to authority of board of supervisors to contract for medical and dental service for the poor, reported out by the sifting committee, was taken up and considered.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine	Donohue	Guernsey	Lundy
Beardsley	Ellis	Hart	Mason
Bell of	Elthon	Hill	Mighell
Des Moines	Geske	Hoeven	Miller
Berg	Gillespie	Husted	Murray
Breen	Gillette	Irwin	Schadt
Byers	Goetsch	Kimberly	Stewart
Chrystal	Grunewald	Kirketeg	Zeigler
Dean			

Nays, none.

Absent or not voting, 18:

Baldwin	Doran	Millhone	Shaw
Bell of Crawford	Edwards	Moore	Smith
Billingsley	Evans	Parker	Stevens
Corwin	Hopkins	Pelzer	Whitehill
Dewey	Levis		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gillette, House File 319, by Maniece, a bill for an act to amend Section forty-two hundred thirty-nine-a three (4239-a3), Code, 1935, relative to compensation of county officers, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Gillette moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29:

Augustine	Ellis	Guernsey	Mason
Beardsley	Evans	Hart	Mighell
Breen	Geske	Hill	Miller
Byers	Gillespie	Hoeven	Murray
Chrystal	Gillette	Husted	Pelzer
Dean	Goetsch	Irwin	Schadt
Doran	Grunewald	Kimberly	Zeigler
Edwards			

Nays, none.

Absent or not voting, 21:

Baldwin	Corwin	Levis	Shaw
Bell of Crawford	Dewey	Lundy	Smith
Bell of	Donohue	Millhone	Stevens
Des Moines	Elthon	Moore	Stewart
Berg	Hopkins	Parker	Whitehill
Billingsley	Kirketeg		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Dean, House File 258, by McEnaney, a bill for an act to amend Section fifty-six hundred ninety-four (5694) of the Code, 1935, relating to the chief of fire department in cities under the manager plan, reported out by the sifting committee, was taken up and considered.

Senator Dean moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Augustine	Donohue	Goetsch	Lundy
Beardsley	Doran	Grunewald	Mason
Bell of	Edwards	Guernsey	Mighell
Des Moines	Ellis	Hill	Miller
Breen	Evans	Hoeven	Murray
Byers	Geske	Husted	Pelzer
Chrystal	Gillespie	Irwin	Schadt
Dean	Gillette	Kimberly	Zeigler

Nays, none.

Absent or not voting, 19:

Baldwin	Dewey	Levis	Smith
Bell of Crawford	Elthon	Millhone	Stevens
Berg	Hart	Moore	Stewart
Billingsley	Hopkins	Parker	Whitehill
Corwin	Kirketeg	Shaw	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Dean, House File 352, by Knudson, a bill for an act to amend Section three thousand one hundred thirty-seven-e one (3137-e1), Code, 1935, providing for the proper identification of seed corn, both in the advertising and on the sale tags used in marketing same, reported out by the sifting committee, was taken up and considered.

Senator Dean moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine	Edwards	Guernsey	Mason
Beardsley	Ellis	Hart	Mighell
Breen	Evans	Hill	Miller
Byers	Geske	Hoeven	Murray
Chrystal	Gillespie	Husted	Parker
Dean	Gillette	Irwin	Pelzer
Donohue	Goetsch	Kimberly	Schadt
Doran	Grunewald	Lundy	Zeigler

Nays, none.

Absent or not voting, 18:

Baldwin	Billingsley	Kirketeg	Smith
Bell of Crawford	Corwin	Levis	Stevens
Bell of	Dewey	Millhone	Stewart
Des Moines	Elthon	Moore	Whitehill
Berg	Hopkins	Shaw	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gillespie, House File 165, a bill for an act to repeal Chapter two hundred eighty-two (282) of the Code of Iowa, 1935; to provide for the establishment of benefited water districts and the construction of a water system to serve such district; to provide for submission of the question of the establishment of such district and the construction of said system to the voters in such district and to create a board of trustees to supervise and manage such system; to provide for the issuance of bonds for the purpose of constructing said system and for a levy of a tax to retire said bonds and to pay the cost of upkeep and maintenance of such system, reported out by the sifting committee, was taken up and considered.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27:

Augustine	Doran	Grunewald	Mighell
Beardsley	Edwards	Hill	Miller
Breen	Ellis	Hoeven	Murray
Byers	Evans	Husted	Pelzer
Chrystal	Geske	Irwin	Schadt
Dean	Gilfespie	Kimberly	Stewart
Donohue	Goetsch		Zeigler

Nays, none.

Absent or not voting, 23:

Baldwin	Corwin	Hopkins	Moore
Bell of Crawford	Dewey	Kirketeg	Parker
Bell of	Elthon	Levis	Shaw
Des Moines	Gillette	Lundy	Smith
Berg	Guernsey	Mason	Stevens
Billingsley	Hart	Millhone	Whitehill

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Beardsley, House File 533, a bill for an act to amend Section four thousand seven hundred forty-six (4746), providing that petitions for road assessment districts may be signed by non-resident land owners, reported out by the sifting committee, was taken up, considered, and the report of the committee adopted.

Senator Beardsley offered the following amendment and moved its adoption:

Amend by inserting in the enacting clause after the word "of" the words "the state of".

The amendment was adopted.

Senator Beardsley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine	Dean	Gillette	Irwin
Beardsley	Donohue	Goetsch	Kimberly
Bell of	Edwards	Grunewald	Kirketeg
Des Moines	Ellis	Guernsey	Mighell
Berg	Elthon	Hart	Murray
Breen	Evans	Hill	Pelzer
Byers	Geske	Hoeven	Schadt
Chrystal	Gillespie	Husted	Stewart
			Zeigler

Nays, none.

Absent or not voting, 18:

Baldwin	Doran	Miller	Shaw
Bell of Crawford	Hopkins	Millhone	Smith
Billingsley	Levis	Moore	Stevens
Corwin	Lundy	Parker	Whitehill
Dewey	Mason		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gillespie, House File 114, a bill for an act to repeal Section sixty-five hundred seventy-eight-b one (6578-b1), Code, 1935, relative to anticipating the collection of taxes for improvements in parks and cemeteries, and to enact a substitute therefor, reported out by the sifting committee, was taken up and considered.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Doran	Grunewald	Lundy
Beardsley	Edwards	Guernsey	Mason
Bell of Des Moines	Ellis	Hart	Mighell
Berg	Elthon	Hill	Miller
Breen	Evans	Hoeven	Murray
Byers	Geske	Husted	Pelzer
Chrystal	Gillespie	Irwin	Schadt
Dean	Gillette	Kimberly	Stewart
Donohue	Goetsch	Kirketeg	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Dewey	Moore	Smith
Bell of Crawford	Hopkins	Parker	Stevens
Billingsley	Levis	Shaw	Whitehill
Corwin	Millhone		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Geske, Senate File 523, a bill for an act to authorize and legalize issuance of warrants by the independent school district of Elkader, in Clayton county, Iowa, in excess of the anticipated income for the fiscal year ending June 30, 1937, made necessary by reason of the loss of equipment and facilities by fire, reported out by the sifting committee, was taken up and considered.

Senator Geske offered the following amendment and moved its adoption:

Amend Section 4, line 5, by striking the words "Guttenberg Press" and the word "Guttenberg" and inserting in lieu thereof the words "North Iowa Times" and the word "McGregor".

The amendment was adopted.

Senator Geske moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32:

Augustine	Donohue	Grunewald	Lundy
Beardsley	Doran	Guernsey	Mighell
Bell of	Ellis	Hart	Miller
Des Moines	Elthon	Hill	Murray
Berg	Evans	Hoeven	Parker
Breen	Geske	Irwin	Pelzer
Byers	Gillette	Kimberly	Schadt
Chrystal	Goetsch	Kirketeg	Stewart
			Zeigler

Nays, none.

Absent or not voting, 18:

Baldwin	Dewey	Levis	Shaw
Bell of Crawford	Edwards	Mason	Smith
Billingsley	Gillespie	Millhone	Stevens
Corwin	Hopkins	Moore	Whitehill
Dean	Husted		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gillette, House File 543, a bill for an act legalizing ordinance number thirty-three (33) of the town council of Albert City, Iowa, passed and adopted, April 10, 1937, and published April 15, 1937, which Ordinance empowers the town council of Albert City to borrow funds not to exceed ten thousand dollars (\$10,000.00), reported out by the sifting committee, was taken up and considered.

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Breen	Doran	Geske
Beardsley	Byers	Edwards	Gillespie
Bell of	Chrystal	Ellis	Gillette
Des Moines	Dean	Elthon	Goetsch
Berg	Donohue	Evans	Grunewald

Guernsey
Hart
Hill
Hoeven
Husted

Irwin
Kimberly
Kirketeg
Lundy

Mighell
Miller
Murray
Parker

Pelzer
Schadt
Stewart
Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin
Bell of Crawford
Billingsley
Corwin

Dewey
Hopkins
Levis
Mason

Millhone
Moore
Shaw

Smith
Stevens
Whitehill

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stewart, House File 480, a bill for an act to amend Chapter one hundred forty-eight (148), Code of 1935, relating to the definition of ice milk, imitation ice cream, fruit ice and milk sherbet and providing certain regulations as to the sale thereof, reported out by the sifting committee, was taken up and considered.

Senator Beardsley offered the following amendment and moved its adoption:

Amend Section 1 by changing the period in line 7 to a comma and adding the following: "except malted milk or malted milk products."

By unanimous consent, Senator Beardsley withdrew his amendment.

Senator Breen offered the following amendment and moved its adoption:

Amend Section 1 by striking in line 4, the word "or" and inserting after the comma following the word "cream" the following: "or frozen malted milk."

The amendment was adopted.

Senator Stewart moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine
Beardsley
Bell of
Des Moines
Berg
Breen

Chrystal
Corwin
Dean
Donohue
Doran
Edwards

Ellis
Elthon
Evans
Geske
Gillespie
Gillette

Grunewald
Guernsey
Hill
Hoeven
Husted
Irwin

Kimberly	Miller	Pelzer	Stevens
Kirketeg	Murray	Schadt	Stewart
Mason	Parker	Shaw	Ziegler
Mighell			

Nays, none.

Absent or not voting, 14:

Baldwin	Dewey	Levis	Moore
Bell of Crawford	Goetsch	Lundy	Smith
Billingsley	Hart	Millhone	Whitehill
Byers	Hopkins		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Irwin, House File 131, by Judd and Bulow, a bill for an act to amend subdivision a-one (a1) of Section sixty-three hundred twenty-six (6326), Code, 1935, relating to limitation of hours on duty for firemen, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Donohue	Goetsch	Mason
Beardsley	Doran	Grunewald	Mighell
Bell of Crawford	Edwards	Guernsey	Miller
Berg	Ellis	Hill	Murray
Breen	Elthon	Hoeven	Parker
Byers	Evans	Husted	Pelzer
Chrystal	Geske	Irwin	Schadt
Corwin	Gillespie	Kimberly	Shaw
Dean	Gillette	Kirketeg	Stewart
			Ziegler

Nays, none.

Absent or not voting, 13:

Baldwin	Dewey	Lundy	Smith
Bell of	Hart	Millhone	Stevens
Des Moines	Hopkins	Moore	Whitehill
Billingsley	Levis		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Stevens, House File 496, a bill for an act to repeal Section sixty-nine hundred fifty-g one (6950-g1), Code, 1935, and enact a substitute therefor, relating to the suspen-

sion of taxes on property of recipients of old age assistance, reported out by the sifting committee, was taken up and considered.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Dean	Guernsey	Mighell
Beardsley	Donohue	Hart	Miller
Bell of Crawford	Doran	Hill	Murray
Bell of	Edwards	Hoeven	Parker
Des Moines	Ellis	Husted	Pelzer
Berg	Geske	Irwin	Schadt
Breen	Gillespie	Kimberly	Shaw
Byers	Gillette	Kirketeg	Stevens
Chrystal	Goetsch	Lundy	Stewart
Corwin	Grunewald	Mason	Zeigler

Nays, none.

Absent or not voting, 11:

Baldwin	Elthon	Levis	Smith
Billingsley	Evans	Millhone	Whitehill
Dewey	Hopkins	Moore	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Murray, House File 146, by Strickler, a bill for an act to amend subdivision eight (8) of Section sixty-three hundred twenty-six-f six (6326-f6) and subdivision one (1) of Section sixty-three hundred twenty-six-f nine (6326-f9), Code, 1935, relating to retirement systems for police and firemen, and providing a tax therefor, reported out by the sifting committee, was taken up and considered.

Senator Murray moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Donohue	Grunewald	Miller
Beardsley	Doran	Guernsey	Murray
Bell of	Edwards	Hart	Parker
Des Moines	Ellis	Husted	Pelzer
Berg	Elthon	Irwin	Schadt
Breen	Evans	Kimberly	Shaw
Byers	Geske	Kirketeg	Stevens
Corwin	Gillespie	Lundy	Stewart
Dean	Goetsch	Mighell	Zeigler

Nays, none.

Absent or not voting, 15:

Baldwin	Dewey	Hopkins	Millhone
Bell of Crawford	Gillette	Levis	Moore
Billingsley	Hill	Mason	Smith
Chrystal	Hoeven		Whitehill

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Corwin, House File 307, by Latchaw, Hickenlooper, Foster of Cedar, and Stewart, a bill for an act to amend Chapter two hundred fifteen (215), Code, 1935, so as to provide public school facilities for children who have become a public charge and are being cared for in a licensed children's boarding home, as defined in Chapter one hundred eighty-one-A thirty-three (181-A33), Code, 1935, and to provide that the tuition of such children shall be paid by the state, reported out by the sifting committee, was taken up and considered.

Senator Corwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30:

Augustine	Dean	Guernsey	Miller
Beardsley	Edwards	Hart	Murray
Bell of	Ellis	Husted	Parker
Des Moines	Elthon	Irwin	Pelzer
Berg	Evans	Kimberly	Shaw
Breen	Geske	Kirketeg	Stevens
Byers	Goetsch	Mason	Zeigler
Corwin	Grunewald	Mighell	

Nays, none.

Absent or not voting, 20:

Baldwin	Donohue	Hoeven	Moore
Bell of Crawford	Doran	Hopkins	Schadt
Billingsley	Gillespie	Levis	Smith
Chrystal	Gillette	Lundy	Stewart
Dewey	Hill	Millhone	Whitehill

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gillette, House File 181, by Keeney, a bill for an act to repeal Section fifty-three hundred fifty-two (5352), Code of Iowa, 1935, and to enact a substitute therefor relating to the vote required to carry special elections for the establishment of county public hospitals, reported out by the sifting committee, was taken up and considered.

Senator Gillette moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Edwards	Guernsey	Murray
Beardsley	Ellis	Hart	Parker
Bell of	Elthon	Hoeven	Pelzer
Des Moines	Evans	Husted	Schadt
Berg	Geske	Irwin	Shaw
Byers	Gillespie	Kimberly	Stevens
Corwin	Gillette	Kirketeg	Stewart
Dean	Goetsch	Lundy	Zeigler
Doran	Grunewald	Miller	

Nays, none.

Absent or not voting, 16:

Baldwin	Chrystal	Hopkins	Millhone
Bell of Crawford	Dewey	Levis	Moore
Billingsley	Donohue	Mason	Smith
Breen	Hill	Mighell	Whitehill

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Elthon, House File 528, a bill for an act to make an appropriation for the expenses incurred in the election contests of Peaco vs. Judd and Bulow; of Campbell vs. Woods; of McLean vs. Latchaw; of Hadley vs. Peisen; of Oehmke vs. Dykhouse; of Aldrich vs. Blue; of Peel vs. O'Neill; of Harnagel vs. Brown; of Peyton vs. Moore, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Irwin offered the following amendment and moved its adoption:

Amend House File 528 by adding at the end of Section 1 the following: "L. P. Maloy, Attorney at Law, \$95.00" and by changing the numbers and total to correspond therewith.

The amendment was adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Bell of	Berg	Byers
Beardsley	Des Moines	Breen	Chrystal

Corwin	Geske	Irwin	Parker
Dean	Gillespie	Kimberly	Pelzer
Donohue	Goetsch	Kirketeg	Schadt
Edwards	Grunewald	Lundy	Shaw
Ellis	Guernsey	Mighell	Stevens
Elthon	Hoeven	Miller	Stewart
Evans	Husted	Murray	Zeigler

Nays, none.

Absent or not voting, 15:

Baldwin	Doran	Hopkins	Moore
Bell of Crawford	Gillette	Levis	Smith
Billingsley	Hart	Mason	Whitehill
Dewey	Hill	Millhone	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Elthon the rules were suspended and House File 548 was withdrawn from the committee on appropriations and placed on the calendar.

By unanimous consent on request of Senator Elthon, House File 548 was substituted for Senate File 532 and taken up at this time.

On motion of Senator Elthon, House File 548, a bill for an act to make an appropriation to the Judges of the District Court of the State of Iowa, substituted for Senate File 532, was taken up and considered.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Doran	Grunewald	Mighell
Beardsley	Edwards	Guernsey	Miller
Berg	Ellis	Hart	Murray
Breen	Elthon	Hoeven	Parker
Byers	Evans	Husted	Pelzer
Chrystal	Geske	Irwin	Schadt
Corwin	Gillespie	Kimberly	Shaw
Dean	Gillette	Kirketeg	Stewart
Donohue	Goetsch	Mason	Zeigler

Nays, none.

Absent or not voting, 14:

Baldwin	Billingsley	Levis	Smith
Bell of Crawford	Dewey	Lundy	Stevens
Bell of	Hill	Millhone	Whitehill
Des Moines	Hopkins	Moore	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE 532 WITHDRAWN

By unanimous consent on request of Senator Elthon, Senate File 532, companion bill to House File 548, was withdrawn from the further consideration of the Senate.

By unanimous consent, the rules were suspended, and Senator Shaw offered the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 18

Be It Resolved by the Senate of the State of Iowa, the House of Representatives Concurring therein:

Section 1. There is hereby established a standing committee of the Senate of this state, to be officially known as the Senate Committee on Interstate Cooperation, and to consist of five senators. The members and the chairman of this committee shall be designated in the same manner as is customary in the case of the members and chairmen of other standing committees of the Senate. In addition to the regular members, the president of the Senate shall be ex-officio an honorary non-voting member of this committee.

Sec. 2. There is hereby established a similar standing committee of the House of Representatives of this state, to be officially known as the House Committee on Interstate Cooperation, and to consist of five members of the House of Representatives. The members and the chairman of this committee shall be designated in the same manner as is customary in the case of the members and chairmen of other standing committees of the House of Representatives. In addition to the regular members, the Speaker of the House of Representatives shall be ex-officio an honorary non-voting member of this committee.

Sec. 3. There is hereby established a committee of administrative officials and employees of this state to be officially known as the Governor's Committee on Interstate Cooperation, and to consist of five members. Its members shall be: the Comptroller of this state, ex-officio; the Attorney General, ex-officio; the chief of the staff of the State Planning Board or the corresponding official of this state, ex-officio; and two other administrative officials or employees to be designated by the Governor. If there is uncertainty as to the identity of any of the ex-officio members of this committee, the Governor shall determine the question, and his determination and designation shall be conclusive. The Governor shall appoint one of the five members of this committee as its chairman. In addition to the regular members, the Governor shall be ex-officio an honorary non-voting member of this committee.

Sec. 4. There is hereby established the Iowa Commission on Inter-

state Cooperation. This Commission shall be composed of fifteen regular members, namely:

The five members of the Senate Committee on Interstate Cooperation,
The five members of the House Committee on Interstate Cooperation,
and

The five members of the Governor's Committee on Interstate Cooperation.

The Governor, the President of the Senate and the Speaker of the House of Representatives shall be ex-officio honorary non-voting members of this Commission. The Chairman of the Governor's Committee on Interstate Cooperation shall be ex-officio Chairman of this Commission.

Sec. 5. The said standing Committee of the Senate and the said standing Committee of the House of Representatives shall function during the regular sessions of the legislature and also during the interim periods between such sessions; their members shall serve until their successors are designated; and they shall respectively constitute for this state the Senate Council and House Council of the American Legislators' Association. The Incumbency of each administrative member of this Commission shall extend until the first day of February next following his appointment, and thereafter until his successor is appointed.

Sec. 6. It shall be the function of this Commission:

(1) To carry forward the participation of this state as a member of the Council of State Governments.

(2) To encourage and assist the legislative, executive, administrative and judicial officials and employees of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other states, of the federal government, and of local units of government.

(3) To endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating:

(a) The adoption of compacts,

(b) The enactment of uniform or reciprocal statutes,

(c) The adoption of uniform or reciprocal administrative rules and regulations,

(d) The informal cooperation of governmental offices with one another,

(e) The personal cooperation of governmental officials and employees with one another, individually,

(f) The interchange and clearance of research and information, and

(g) Any other suitable process.

(4) In short, to do all such acts as will, in the opinion of this Commission, enable this State to do its part—or more than its part in forming a more perfect union among the various governments in the United States and in developing the Council of State Governments for that purpose.

Sec. 7. The Commission shall establish such delegations and com-

mittees as it deems advisable, in order that they may confer and formulate proposals concerning effective means to secure intergovernmental harmony, and may perform other functions for the Commission in obedience to its decisions. Subject to the approval of the Commission, the member or members of each such delegation or committee shall be appointed by the Chairman of the Commission. State officials or employees who are not members of the Commission on Interstate Cooperation may be appointed as members of any such delegation or committee, but private citizens holding no governmental position in this state shall not be eligible. The Commission may provide such other rules as it considers appropriate concerning the membership and the functioning of any such delegation or committee. The Commission may provide for advisory boards for itself and for its various delegations and committees, and may authorize private citizens to serve on such boards.

Sec. 8. The Commission shall report to the Governor and to the Legislature within fifteen days after the convening of each regular legislative session, and at such other times as it deems appropriate. Its members and the members of all delegations and committees which it establishes shall serve without compensation for such service.

Sec. 9. The Committees and the Commission established by this Act shall be informally known, respectively, as the Senate Cooperation Committee, the House Cooperation Committee, the Governor's Cooperation Committee and the Iowa Cooperation Commission.

Sec. 10. The Council of State Governments is hereby declared to be a joint governmental agency of this state and of the other states which cooperate through it.

Sec. 11. The Secretary of State shall forthwith communicate the text of this measure to the Governor, to the Senate, and to the House of Representatives, of each of the other states of the Union, and shall advise each legislature which has not already done so that it is hereby memorialized to enact a law or pass resolutions to this measure, thus establishing a similar commission, and thus joining with this State in the common cause of reducing the burdens which are imposed upon the citizens of every state by governmental confusion, competition and conflict.

The motion prevailed and the resolution was adopted.

On motion of Senator Breen, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President Valentine presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled, Senate Files 77, 92, 114, 134, 154, 278, 321, 384, 411, 420, and 421.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 77, 92, 114, 134, 154, 278, 321, 384, 411, 420, and 421.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of April, 1937, sent to the Governor for his approval, Senate Files 77, 92, 114, 134, 154, 278, 321, 384, 411, 420, and 421.

FRANK PELZER, *Chairman.*

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and failed to pass the following bill in which the concurrence of the House was asked:

Senate File 18, a bill for an act relating to divorce.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 123, a bill for an act relating to annual levies.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 448, a bill for an act making an appropriation from fees received by Real Estate Commissioner for educational purposes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 464, a bill for an act relating to secondary road bridges.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 530, a bill for an act to make an appropriation to enable the state to participate in the program with federal agencies.

Also: That the House has adopted the conference committee report,

adopted and concurred in amendments recommended therein, and passed House File 477, a bill for an act to establish a general fund for the state of Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 545, a bill for an act to make an appropriation for miscellaneous expenses.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 550, a bill for an act making an appropriation to the board of education and the board of control.

A. C. GUSTAFSON, *Chief Clerk*

HOUSE AMENDMENTS TO SENATE FILE 18

Amend Senate File 18 by inserting preceding the word "insanity" in line 5, Section 1, the word "incurable".

Amend by adding as Section 2 the following:

"Sec. 2. The period of five (5) years time required under this act shall not begin until this act goes into effect."

Amend by adding as Section 3 the following:

"Sec. 3. Providing further that no divorce shall be granted unless a guardian ad litem, who shall be an attorney at law, shall have been appointed by the court to defend said action and such guardian ad litem shall be authorized by order of court to employ not to exceed three physicians, who are experts in mental diseases, to examine said defendant and for the purpose of testifying in behalf of said defendant at said trial and the reasonable expense therefor shall be paid by the plaintiff."

Amend by adding as Section 4 the following:

"Sec. 4. Every decree of divorce granted under the provisions hereof shall contain a provision providing for the support of the defendant out of any property belonging to or subsequently acquired by the plaintiff and any plaintiff to whom a divorce is granted who shall wilfully fail to comply with the order of court for the support of such former spouse may be found guilty of contempt of court and shall be punished by a fine of not exceeding five thousand (5000) dollars or by imprisonment in the county jail not to exceed six months."

Amend by renumbering the rest of the sections.

HOUSE AMENDMENTS TO SENATE FILE 123

Amend Senate File 123 by inserting between the words "county" and "is", in line 7, Section 1, the words:

"for the years 1937 and 1938 only".

HOUSE AMENDMENTS CONSIDERED

Senator Lundy called up for consideration Senate File 123, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 123 by inserting between the words "county" and "is", in line 7, Section 1, the words: "for the years 1937 and 1938 only".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 37:

Augustine	Doran	Hill	Millhone
Baldwin	Edwards	Hoeven	Murray
Bell of	Ellis	Irwin	Parker
Des Moines	Evans	Kimberly	Pelzer
Berg	Geske	Kirketeg	Schadt
Breen	Gillespie	Levis	Shaw
Chrystal	Goetsch	Lundy	Stevens
Dean	Grunewald	Mason	Stewart
Dewey	Guernsey	Mighell	Zeigler
Donohue	Hart		

Nays, none.

Absent or not voting, 13:

Beardsley	Corwin	Hopkins	Moore
Bell of Crawford	Elthon	Husted	Smith
Billingsley	Gillette	Miller	Whitehill
Byers			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Mason, Senate File 476, a bill for an act to make an appropriation to Mrs. Emily A. Nicoll, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Doran	Guernsey	Moore
Beardsley	Edwards	Hill	Murray
Bell of Crawford	Ellis	Hoeven	Pelzer
Breen	Elthon	Kirketeg	Schadt
Byers	Evans	Levis	Shaw
Corwin	Geske	Mighell	Stewart
Dean	Gillette	Miller	Whitehill
Dewey	Goetsch	Millhone	Zeigler
Donohue	Grunewald		

Nays, none.

Absent or not voting, 16:

Baldwin	Chrystal	Husted	Mason
Bell of	Gillespie	Irwin	Parker
Des Moines	Hart	Kimberly	Smith
Berg	Hopkins	Lundy	Stevens
Billingsley			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 477, a bill for an act to make appropriations to E. R. Wald, F. D. Cox, D. H. Anderson and B. L. Basinger, M.D., a claims bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Edwards	Hill	Murray
Bell of Crawford	Ellis	Hoeven	Parker
Breen	Elthon	Kirketeg	Pelzer
Byers	Evans	Levis	Schadt
Corwin	Geske	Mason	Shaw
Dean	Gillette	Mighell	Stewart
Dewey	Goetsch	Miller	Whitehill
Donohue	Grunewald	Millhone	Zeigler
Doran	Guernsey		

Nays, none.

Absent or not voting, 16:

Baldwin	Billingsley	Hopkins	Lundy
Beardsley	Chrystal	Husted	Moore
Bell of	Gillespie	Irwin	Smith
Des Moines	Hart	Kimberly	Stevens
Berg			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 478, a bill for an act to make an appropriation to William M. Schneider, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Ellis	Husted	Moore
Bell of Crawford	Elthon	Kimberly	Murray
Breen	Evans	Kirketeg	Pelzer
Byers	Geske	Levis	Schadt
Corwin	Gillette	Mason	Shaw
Dean	Goetsch	Mighell	Stewart
Dewey	Grunewald	Miller	Whitehill
Doran	Guernsey	Millhone	Zeigler
Edwards	Hill		

Nays, none.

Absent or not voting, 16:

Baldwin	Billingsley	Hart	Lundy
Beardsley	Chrystal	Hoeven	Parker
Bell of	Donohue	Hopkins	Smith
Des Moines	Gillespie	Irwin	Stevens
Berg			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 479, a bill for an act to make an appropriation to Willie Claussen, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Doran	Guernsey	Miller
Beardsley	Edwards	Hill	Murray
Bell of Crawford	Ellis	Hoeven	Parker
Breen	Elthon	Kimberly	Pelzer
Byers	Evans	Kirketeg	Schadt
Chrystal	Geske	Lundy	Stewart
Corwin	Gillette	Mason	Whitehill
Dean	Goetsch	Mighell	Zeigler
Dewey	Grunewald		

Nays, 2:

Husted	Millhone
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Absent or not voting, 14:

Baldwin	Billingsley	Hopkins	Moore
Bell of	Donohue	Irwin	Shaw
Des Moines	Gillespie	Levis	Smith
Berg	Hart		Stevens

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 480, a bill for an act

to make an appropriation to Francis Woolman, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 2:

Bell of Crawford Miller

Nays, 30:

Augustine	Edwards	Kimberly	Parker
Baldwin	Evans	Kirketeg	Pelzer
Beardsley	Geske	Levis	Schadt
Breen	Grunewald	Lundy	Shaw
Byers	Guernsey	Millhone	Stewart
Corwin	Hill	Moore	Whitehill
Dewey	Hoeven	Murray	Zeigler
Donohue	Husted		

Absent or not voting, 18:

Bell of	Dean	Gillette	Mason
Des Moines	Doran	Goetsch	Mighell
Berg	Ellis	Hart	Smith
Billingsley	Elthon	Hopkins	Stevens
Chrystal	Gillespie	Irwin	

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 407, a bill for an act to make an appropriation to Sarah J. Conlin, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 14:

Augustine	Ellis	Grunewald	Mighell
Baldwin	Elthon	Kirketeg	Miller
Bell of Crawford	Gillette	Mason	Shaw
Edwards	Goetsch		

Nays, 16:

Breen	Evans	Levis	Schadt
Corwin	Hill	Murray	Stewart
Dewey	Hoeven	Parker	Whitehill
Donohue	Husted	Pelzer	Zeigler

Absent or not voting, 20:

Beardsley	Berg	Chrystal	Geske
Bell of	Billingsley	Dean	Gillespie
Des Moines	Byers	Doran	Guernsey

Hart	Kimberly	Millhone	Smith
Hopkins	Lundy	Moore	Stevens
Irwin			

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 441, a bill for an act to make appropriations to Joe H. Smith; Earl, Leonard and Mrs. Bonnie Frisk; and Patrick Lynch, a committee bill, was taken up and considered.

Senator Donohue offered the following amendment and moved its adoption:

Amend Senate File 441 by striking all of Section 1, and amend the title by striking therefrom “; and Patrick Lynch”.

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?” the vote was:

Ayes, 36:

Augustine	Donohue	Hart	Mighell
Beardsley	Doran	Hill	Miller
Bell of Crawford	Edwards	Hoeven	Millhone
Bell of	Ellis	Hopkins	Murray
Des Moines	Evans	Husted	Pelzer
Berg	Gillette	Kirketeg	Shaw
Billingsley	Goetsch	Levis	Stewart
Byers	Grunewald	Lundy	Whitehill
Corwin	Guernsey	Mason	Zeigler
Dewey			

Nays, none.

Absent or not voting, 14:

Baldwin	Elthon	Kimberly	Schadt
Breen	Geske	Moore	Smith
Chrystal	Gillespie	Parker	Stevens
Dean	Irwin		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on motion of Senator Elthon, Senate File 533, a bill for an act to make an appropriation to the unemployment compensation commission to be credited to the employment service account for the purpose of carrying out the provisions of Section 10 (c); Section 12 (a); Section 13 (b), Senate File 1,

(unemployment compensation law) Acts of the 46th General Assembly, Extraordinary Session, a committee bill, was taken up and considered.

By unanimous consent on request of Senator Elthon, the Honorable Claude Stanley was asked to explain Senate File 533 to the Senate.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Chrystal	Gillette	Levis
Baldwin	Corwin	Grunewald	Mighell
Beardsley	Dean	Guernsey	Miller
Bell of Crawford	Dewey	Hill	Millhone
Bell of	Edwards	Hoeven	Moore
Des Moines	Ellis	Hopkins	Murray
Breen	Elthon	Husted	Schadt
Byers	Geske	Kimberly	Shaw
		Kirketeg	Zeigler

Nays, none.

Absent or not voting, 17:

Berg	Gillespie	Lundy	Smith
Billingsley	Goetsch	Mason	Stevens
Donohue	Hart	Parker	Stewart
Doran	Irwin	Pelzer	Whitehill
Evans			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 444, 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, a claims bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34:

Augustine	Byers	Ellis	Guernsey
Bell of Crawford	Chrystal	Elthon	Hart
Bell of	Dean	Evans	Hill
Des Moines	Dewey	Geske	Hoeven
Berg	Doran	Gillette	Husted
Breen	Edwards	Grunewald	Kimberly

Levis	Miller	Pelzer	Stevens
Mason	Moore	Schadt	Stewart
Mighell	Murray	Shaw	

Nays, none.

Absent or not voting, 16:

Baldwin	Donohue	Irwin	Parker
Beardsley	Gillespie	Kirketeg	Smith
Billingsley	Goetsch	Lundy	Whitehill
Corwin	Hopkins	Millhone	Zeigler

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Byers moved that the Senate consider nothing further during the present session except unfinished business, appropriations, which include claims bills, the omnibus bill, and the millage bill.

Senator Breen moved to amend the motion by Senator Byers by exempting also House File 303.

Senator Mighell moved as a substitute for the pending motion and amendment that the Senate proceed with the consideration of the appropriation bills.

Senator Hopkins moved the previous question on the main motion, the amendment to the motion, and the substitute motion, which motion prevailed.

Roll call was requested.

On the question, "Shall the motion by Senator Mighell be substituted?" the vote was.

Ayes, 37:

Augustine	Donohue	Hill	Murray
Baldwin	Doran	Hoeven	Parker
Bell of Crawford	Edwards	Hopkins	Pelzer
Bell of	Ellis	Kimberly	Schadt
Des Moines	Evans	Kirketeg	Shaw
Berg	Geske	Levis	Stevens
Breen	Gillette	Mason	Stewart
Byers	Grunewald	Mighell	Whitehill
Dean	Guernsey	Miller	Zeigler
Dewey	Hart		

Nays, 1:

Chrystal

Absent or not voting, 12:

Beardsley	Elthon	Husted	Millhone
Billingsley	Gillespie	Irwin	Moore
Corwin	Goetsch	Lundy	Smith

The motion by Senator Mighell was substituted.

The substitute motion prevailed.

On motion of Senator Mason, Senate File 484, a bill for an act to make an appropriation to the estate of George Mogridge, a committee bill, was taken up and considered.

By unanimous consent on request of Senator Mason, the rules were suspended and the Honorable Don Burrington was asked to explain to the Senate, Senate File 484 and the other claims bills arising out of the salary reduction acts being declared unconstitutional.

By unanimous consent on request of Senator Hart, the rules were suspended and Fred Porter was asked to explain these claims to the Senate.

Senator Mason moved that the bill be read a third time now. which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 17:

Baldwin	Doran	Hart	Miller
Breen	Evans	Hoeven	Murray
Corwin	Geske	Irwin	Parker
Donohue	Guernsey	Lundy	Schadt
			Zeigler

Nays, 26:

Augustine	Dewey	Hill	Millhone
Beardsley	Edwards	Husted	Moore
Bell of Crawford	Ellis	Kimberly	Pelzer
Bell of	Elthon	Kirketeg	Shaw
Des Moines	Gillespie	Levis	Stevens
Chrystal	Gillette	Mason	Stewart
Dean	Grunewald	Mighell	

Present, 1:

Whitehill

Absent or not voting, 6:

Berg	Byers	Hopkins	Smith
Billingsley	Goetsch		

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 501, a bill for an act to make an appropriation to Hazel A. Todd, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Donohue	Hart	Mighell
Baldwin	Edwards	Hill	Miller
Beardsley	Elthon	Hoeven	Millhone
Bell of	Geske	Husted	Moore
Des Moines	Gillespie	Irwin	Pelzer
Berg	Gillette	Kimberly	Schadt
Chrystal	Goetsch	Kirketeg	Stevens
Corwin	Grunewald	Levis	Stewart
Dean	Guernsey	Mason	Zeigler
Dewey			

Nays, none.

Absent or not voting, 14:

Bell of	Crawford	Doran	Lundy	Shaw
Billingsley		Ellis	Murray	Smith
Breen		Evans	Parker	Whitehill
Byers		Hopkins		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 502, a bill for an act to make an appropriation to Mr. and Mrs. Frank M. Burnell, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 19:

Augustine	Elthon	Grunewald	Miller
Bell of	Crawford	Evans	Pelzer
Chrystal		Geske	Schadt
Corwin		Gillespie	Zeigler
Edwards		Gillette	

Nays, 19:

Beardsley	Donohue	Husted	Parker
Berg	Goetsch	Levis	Shaw
Breen	Hill	Lundy	Stewart
Dean	Hoeven	Millhone	Whitehill
Dewey	Hopkins	Moore	

Absent or not voting, 12:

Baldwin	Byers	Irwin	Murray
Bell of	Doran	Kimberly	Smith
Des Moines	Ellis	Kirketeg	Stevens
Billingsley			

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 506, a bill for an act to make appropriations to Willis & Moore, G. A. Holland, Dan McEniry, P. J. Clancy & Sons, Hopkins & Mulock, Wissler Insurance Agency, Webster Insurance Agency, Ruhl & Ruhl, Snyder, Walsh & Hynes, Waterman & Lohmiller, C. I. Snyder Company, A. A. Luchow, James Mulqueen, F. C. Hendricks, Everest Agency, J. M. Lynch, Goldsmith & Co., Continental Mort. Company, Daugherty Insurance Agency, R. L. Myers, C. W. Bittinger, J. P. Gable, Richardson Brothers, Hoffman Insurance Agency, Dick Bell Insurance Agency, John F. Golden, Walter M. Spriggs, J. A. Daugherty, H. H. Schulte, W. E. Shmich, E. J. Murtagh, Vaughn & Moen, William J. Carter & Son, Tom Kelley, T. Grant Janney & Son, Walton Brothers, C. D. Hutchins, Carl Johnson, Ralph T. McElroy, F. P. Baer & Son, Phoenix Insurance Agency, J. E. Hull, O. J. Graham, Brunn Insurance Agency, Herman C. Miller, Ed J. Lang, Frank Jewell, Haines-Johnson & Baker, Rene Rosenthal, J. W. Greenley, Klaus Insurance Agency, John M. Welch, I. M. Lobenstein, Don C. Cook, R. D. Gray & Company, Slavia Realty Company, Incorporated, John Tumultey, Hobbs Agency, Ed S. Lofton & Son, Heitzman Land & Loan Company, Pete G. Kern, Scherfs Insurance Agency, William F. Kiel & Son, H. W. Peel & Son, James E. Jamieson, C. H. Topping, Maeglin & Diercks, Fred M. Ziegler, Kern Insurance Agency, F. W. Eversmeyer, John T. McCarthy, A. C. Root Agency, A. W. Hansen Insurance, Phillip Holm, Murphy Insurance Agency, Schlueter Insurance Agency, Kretschmer Insurance Agency, Joseph C. Gehrig, B. L. Belt, G. R. Feltus, Helen C. Johnson, E. E. Duer, H. H. Spayde, H. C. Modlin, G. R. Cooper, A. J. Kading Agency, James Z. May, Ray W. Miller Company, Frank D. Hamilton, F. W. Bearman, A. C. Klatt, J. A. Murphy, Anna M. Hermann, J. Q. Laner, Leo E. Mooney, Stanley D. Hoyne, Tyrell Insurance Agency and John F. Grote Company, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Donohue	Grunewald	Mason
Baldwin	Doran	Guernsey	Miller
Bell of Crawford	Edwards	Hart	Murray
Bell of	Ellis	Hoeven	Parker
Des Moines	Evans	Hopkins	Schadt
Berg	Geske	Irwin	Shaw
Breen	Gillespie	Kimberly	Stevens
Chrystal	Gillette	Kirketeg	Stewart
Corwin	Goetsch	Lundy	Whitehill
Dean			

Nays, 4:

Dewey	Husted	Levis	Zeigler
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Absent or not voting, 10:

Beardsley	Elthon	Millhone	Pelzer
Billingsley	Hill	Moore	Smith
Byers	Mighell		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Mason moved that Senate Files 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 507 and 508, all arising out of the salary reduction act, be referred to the sifting committee.

Senator Donohue moved as a substitute for the motion by Senator Mason that all the above bills except Senate Files 507 and 508 be referred to the sifting committee.

Roll call was requested.

On the question, "Shall the motion by Senator Donohue be substituted for the motion by Senator Mason?" the vote was:

Ayes, 26:

Augustine	Donohue	Hart	Miller
Beardsley	Edwards	Hoeven	Murray
Bell of Crawford	Ellis	Kimberly	Pelzer
Berg	Evans	Kirketeg	Schadt
Byers	Geske	Lundy	Shaw
Corwin	Grunewald	Mason	Zeigler
Dewey	Guernsey		

Nays, 13:

Baldwin	Gillespie	Hill	Millhone
Breen	Gillette	Hopkins	Moore
Chrystal	Goetsch	Husted	Stevens
Doran			

Absent or not voting, 11:

Bell of	Dean	Levis	Smith
Des Moines	Elthon	Mighell	Stewart
Billingsley	Irwin	Parker	Whitehill

The motion by Senator Donohue was substituted.

The substitute motion prevailed.

On motion of Senator Lundy, Senate File 123, a bill for an act to amend Section seven thousand one hundred seventy-one (7171), Code, 1935, relative to annual levies, as amended, was taken up and considered.

Senator Lundy moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Augustine	Edwards	Hill	Miller
Baldwin	Ellis	Hoeven	Millhone
Beardsley	Elthon	Hopkins	Moore
Berg	Evans	Irwin	Parker
Breen	Geske	Kimberly	Pelzer
Byers	Gillespie	Kirketeg	Schadt
Corwin	Goetsch	Levis	Stewart
Dean	Grunewald	Lundy	Whitehill
Donohue	Guernsey	Mason	Zeigler
Doran	Hart	Mighell	

Nays, 1:

Dewey

Absent or not voting, 10:

Bell of Crawford	Billingsley	Husted	Shaw
Bell of	Chrystal	Murray	Smith
Des Moines	Gillette		Stevens

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Elthon, the report of the conference committee on Substitute for House File 477, which appears on page 1296 of the Senate Journal, was taken up and considered.

Senator Elthon moved that the Senate adopt the report of the conference committee and concur in the amendments therein proposed.

On the question, "Shall the Senate adopt the report of the conference committee and concur in the amendments therein proposed?" the vote was:

Ayes, 45:

Augustine	Doran	Hill	Millhone
Beardsley	Edwards	Hoeven	Moore
Bell of Crawford	Ellis	Hopkins	Murray
Bell of	Elthon	Husted	Parker
Des Moines	Evans	Irwin	Pelzer
Berg	Geske	Kimberly	Schadt
Breen	Gillespie	Kirketeg	Shaw
Byers	Gillette	Levis	Stevens
Corwin	Goetsch	Lundy	Stewart
Dean	Grunewald	Mason	Whitehill
Dewey	Guernsey	Mighell	Zeigler
Donohue	Hart		

Nays, 3:

Baldwin	Chrystal	Miller
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Absent or not voting, 2:

Billingsley	Smith
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The motion prevailed, the conference committee report was adopted, and the amendments concurred in.

On motion of Senator Elthon, Substitute for House File 477, as amended by the conference committee report, was taken up and considered.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine	Doran	Hart	Miller
Baldwin	Edwards	Hill	Millhone
Beardsley	Ellis	Hoeven	Moore
Bell of Crawford	Elthon	Hopkins	Murray
Berg	Evans	Husted	Parker
Breen	Geske	Irwin	Pelzer
Byers	Gillespie	Kimberly	Schadt
Corwin	Gillette	Kirketeg	Shaw
Dean	Goetsch	Lundy	Stevens
Dewey	Grunewald	Mason	Stewart
Donohue	Guernsey	Mighell	Whitehill
			Zeigler

Nays, 1:

Chrystal

Absent or not voting, 4:

Bell of	Billingsley	Levis	Smith
Des Moines			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens called up for consideration Senate File 376, amended by the House, and moved that the Senate concur in the amendments which appear on pages 1264, 1265, 1266, 1267, 1268, 1269, 1270 and 1271 of the Senate Journal.

On motion of Senator Mason the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President Valentine presiding.

Senator Levis asked unanimous consent that the rules be suspended and that House File 446 be withdrawn from the sifting committee.

There were objections to the request.

Senator Levis moved that the rules be suspended and that House File 446 be withdrawn from the sifting committee.

Roll call was requested.

On the question, "Shall the rules be suspended and House File 446 be withdrawn from the sifting committee?" the vote was:

Ayes, 21:

Baldwin	Dean	Guernsey	Lundy
Bell of Crawford	Doran	Hill	Miller
Bell of	Edwards	Hopkins	Murray
Des Moines	Geske	Irwin	Parker
Billingsley	Grunewald	Levis	Shaw
Breen			Stevens

Nays, 19:

Beardsley	Donohue	Goetsch	Millhone
Berg	Ellis	Hart	Schadt
Byers	Evans	Mason	Stewart
Corwin	Gillespie	Mighell	Whitehill
Dewey	Gillette		Zeigler

Present, 4:

Augustine	Hoeven	Kimberly	Kirketeg
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Absent or not voting, 6:

Chrystal	Husted	Pelzer	Smith
Elthon	Moore		

The motion did not prevail and House File 446 was not withdrawn from the sifting committee.

Senator Bell of Des Moines asked unanimous consent that the

rules be suspended and that House File 303 be withdrawn from the sifting committee.

There were objections to the request.

Senator Bell moved that the rules be suspended and that House File 303 be withdrawn from the sifting committee.

Senator Millhone moved the previous question, which motion prevailed.

Roll call was requested.

On the question, "Shall the rules be suspended and House File 303 be withdrawn from the sifting committee?" the vote was:

Ayes, 13:

Augustine	Breen	Goetsch	Mighell
Baldwin	Dean	Irwin	Murray
Bell of	Geske	Lundy	Parker
Des Moines			Shaw

Nays, 29:

Bell of Crawford	Doran	Hart	Miller
Berg	Edwards	Hill	Millhone
Billingsley	Ellis	Hoeven	Pelzer
Byers	Elthon	Hopkins	Schadt
Corwin	Evans	Husted	Stevens
Dewey	Gillespie	Levis	Stewart
Donohue	Grunewald	Mason	Whitehill
			Zeigler

Present, 4:

Gillette	Guernsey	Kimberly	Kirketeg
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Absent or not voting, 4:

Beardsley	Chrystal	Moore	Smith
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The motion did not prevail and House File 303 was not withdrawn from the sifting committee.

THIRD READING OF BILLS

On motion of Senator Mason, Senate File 507, a bill for an act to make an appropriation to the guards and turnkeys at the State Penitentiary at Fort Madison, a committee bill, was taken up and considered.

Senator Hart moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 45:

Augustine	Bell of Crawford	Berg	Byers
Baldwin	Bell of	Billingsley	Chrystal
Beardsley	Des Moines	Breen	Corwin

Dean	Gillespie	Kimberly	Parker
Dewey	Goetsch	Kirketeg	Pelzer
Donohue	Grunewald	Levis	Schadt
Doran	Guernsey	Lundy	Shaw
Edwards	Hart	Mason	Stevens
Ellis	Hill	Mighell	Stewart
Elthon	Hoeven	Millhone	Whitehill
Evans	Hopkins	Murray	Zeigler
Geske	Irwin		

Nays, none.

Absent or not voting, 5:

Gillette	Miller	Moore	Smith
Husted			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 508, a bill for an act to make appropriations to the guards and turnkeys at the Men's Reformatory at Anamosa, Iowa, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 46:

Augustine	Dean	Guernsey	Mighell
Baldwin	Dewey	Hart	Miller
Beardsley	Donohue	Hill	Millhone
Bell of Crawford	Doran	Hoeven	Murray
Bell of	Edwards	Hopkins	Parker
Des Moines	Ellis	Husted	Pelzer
Berg	Elthon	Irwin	Schadt
Billingsley	Evans	Kimberly	Shaw
Breen	Geske	Kirketeg	Stewart
Byers	Gillespie	Levis	Whitehill
Chrystal	Goetsch	Lundy	Zeigler
Corwin	Grunewald	Mason	

Nays, none.

Absent or not voting, 4:

Gillette	Moore	Smith	Stevens
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The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 509, a bill for an act to make an appropriation to Lydia Pearl Riesland, a committee bill, was taken up and considered.

President pro tem Byers took the chair.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 18:

Augustine	Geske	Husted	Mighell
Baldwin	Gillespie	Irwin	Miller
Bell of Crawford	Gillette	Kirketeg	Pelzer
Edwards	Hart	Mason	Schadt
Ellis	Hopkins		

Nays, 24:

Beardsley	Donohue	Hoeven	Parker
Berg	Evans	Kimberly	Shaw
Billingsley	Goetsch	Levis	Stevens
Breen	Grunewald	Lundy	Stewart
Byers	Guernsey	Millhone	Whitehill
Corwin	Hill	Murray	Zeigler

Present, 1:

Bell of
Des Moines

Absent or not voting, 7:

Chrystal	Dewey	Elthon	Smith
Dean	Doran	Moore	

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 510, a bill for an act to make an appropriation to Mills county, Iowa, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39:

Baldwin	Edwards	Hart	Miller
Beardsley	Ellis	Hill	Millhone
Bell of	Elthon	Hoeven	Murray
Des Moines	Evans	Hopkins	Parker
Billingsley	Geske	Irwin	Pelzer
Breen	Gillespie	Kimberly	Shaw
Byers	Gillette	Kirketeg	Stevens
Corwin	Goetsch	Levis	Stewart
Dewey	Grunewald	Mason	Whitehill
Donohue	Guernsey	Mighell	Ziegler

Nays, none.

Absent or not voting, 11:

Augustine	Chrystal	Husted	Schadt
Bell of Crawford	Dean	Lundy	Smith
Berg	Doran	Moore	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 511, a bill for an act to make an appropriation to Cleon A. Ferger, a committee bill, was taken up and considered.

Senator Mason offered the following amendment and moved its adoption:

Amend by striking from line 4, the word "tuberculosis" and inserting in lieu thereof the words "asthma as a result of pneumonia".

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Edwards	Hart	Millhone
Baldwin	Ellis	Hopkins	Murray
Beardsley	Elthon	Husted	Pelzer
Bell of Crawford	Evans	Irwin	Schadt
Berg	Geske	Kimberly	Shaw
Breen	Gillespie	Kirketeg	Stevens
Byers	Gillette	Mason	Whitehill
Chrystal	Goetsch	Mighell	Zeigler
Dewey	Guernsey	Miller	

Nays, 6:

Billingsley	Donohue	Parker	Stewart
Corwin	Grunewald		

Absent or not voting, 9:

Bell of	Doran	Levis	Moore
Des Moines	Hill	Lundy	Smith
Dean	Hoeven		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 512, a bill for an act to make an appropriation to Key City Refrigerator Line, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Dewey	Guernsey	Miller
Baldwin	Doran	Hart	Millhone
Beardsley	Edwards	Hill	Murray
Bell of Crawford	Ellis	Hoeven	Parker
Bell of	Elthon	Hopkins	Pelzer
Des Moines	Evans	Husted	Schadt
Berg	Geske	Irwin	Shaw
Billingsley	Gillespie	Kimberly	Stevens
Byers	Gillette	Kirketeg	Stewart
Chrystal	Goetsch	Mason	Whitehill
Corwin	Grunewald	Mighell	Zeigler

Nays, none.

Absent or not voting, 7:

Breen	Donohue	Lundy	Smith
Dean	Levis	Moore	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 513, a bill for an act to make an appropriation to Grace Kountz, a committee bill, was taken up and considered.

President Valentine returned to the chair.

Senator Beardsley moved the previous question, which motion prevailed.

Senator Hart moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29:

Augustine	Doran	Goetsch	Mighell
Baldwin	Edwards	Guernsey	Miller
Bell of Crawford	Ellis	Hart	Pelzer
Bell of	Elthon	Hopkins	Schadt
Des Moines	Geske	Husted	Shaw
Billingsley	Gillespie	Irwin	Stevens
Chrystal	Gillette	Kirketeg	Zeigler
Dean		Mason	

Nays, 18:

Beardsley	Corwin	Hill	Millhone
Berg	Dewey	Hoeven	Murray
Breen	Donohue	Kimberly	Parker
Byers	Evans	Levis	Stewart
		Lundy	Whitehill

Absent or not voting, 3:

Grunewald	Moore	Smith
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The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 514, a bill for an act to make an appropriation to Mrs. Estella Abernathy, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Dewey	Goetsch	Miller
Baldwin	Doran	Guernsey	Parker
Bell of Crawford	Edwards	Hopkins	Pelzer
Bell of	Ellis	Irwin	Shaw
Des Moines	Elthon	Kimberly	Stevens
Billingsley	Evans	Kirketeg	Stewart
Byers	Geske	Lundy	Whitehill
Chrystal	Gillespie	Mighell	Zeigler
Corwin	Gillette		

Nays, 9:

Beardsley	Donohue	Husted	Millhone
Berg	Hoeven	Levis	Murray
Breen			

Present, 1:

Mason

Absent or not voting, 7:

Dean	Hart	Moore	Smith
Grunewald	Hill	Schadt	

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 516, a bill for an act to make an appropriation to James E. Ridsen, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Corwin	Elthon	Hill
Baldwin	Dewey	Geske	Hoeven
Beardsley	Donohue	Goetsch	Hopkins
Berg	Doran	Grunewald	Kimberly
Breen	Edwards	Guernsey	Kirketeg
Byers	Ellis	Hart	Levis

Lundy	Millhone	Pelzer	Stevens
Mason	Murray	Schadt	Stewart
Mighell	Parker	Shaw	Zeigler
Miller			

Nays, 8:

Bell of Crawford	Billingsley	Gillette	Irwin
Bell of Des Moines	Evans	Husted	Whitehill

Absent or not voting, 5:

Chrystal	Gillespie	Moore	Smith
Dean			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 517, a bill for an act to make an appropriation to Vergil E. Kepford, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 19:

Augustine	Billingsley	Gillette	Mighell
Baldwin	Edwards	Grunewald	Miller
Bell of Crawford	Ellis	Irwin	Shaw
Bell of Des Moines	Elthon	Kirketeg	Stevens
	Gillespie	Mason	Zeigler

Nays, 18:

Beardsley	Evans	Kimberly	Murray
Breen	Guernsey	Levis	Parker
Corwin	Hill	Lundy	Schadt
Dewey	Hoeven	Millhone	Stewart
Donohue	Husted		

Absent or not voting, 13:

Berg	Dean	Goetsch	Moore
Byers	Doran	Hart	Pelzer
Chrystal	Geske	Hopkins	Smith
			Whitehill

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

On motion of Senator Mason, Senate File 518, a bill for an act to make an appropriation to the Avoca State Bank, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 44:

Augustine	Donohue	Guernsey	Miller
Beardsley	Doran	Hart	Millhone
Bell of Crawford	Edwards	Hill	Murray
Bell of	Ellis	Hoeven	Parker
Des Moines	Elthon	Husted	Pelzer
Berg	Evans	Irwin	Schadt
Billingsley	Geske	Kimberly	Shaw
Breen	Gillespie	Kirketeg	Stevens
Byers	Gillette	Levis	Stewart
Chrystal	Goetsch	Lundy	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dewey			

Nays, none.

Absent or not voting, 6:

Baldwin	Hopkins	Moore	Smith
Dean	Mason		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 515, a bill for an act to make an appropriation to the Citizens Savings Bank, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Ellis	Hoeven	Millhone
Beardsley	Elthon	Hopkins	Murray
Bell of Crawford	Evans	Husted	Parker
Berg	Geske	Irwin	Pelzer
Billingsley	Gillespie	Kimberly	Schadt
Byers	Gillette	Kirketeg	Shaw
Corwin	Goetsch	Levis	Stevens
Dewey	Grunewald	Lundy	Stewart
Donohue	Guernsey	Mason	Whitehill
Doran	Hart	Miller	Zeigler
Edwards	Hill		

Nays, none.

Absent or not voting, 8:

Baldwin	Breen	Dean	Moore
Bell of	Chrystal	Mighell	Smith
Des Moines			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 519, a bill for an act to make an appropriation to Bezer Lodge number one hundred and thirty-five (135), a committee bill, was taken up and considered.

Senator Mason offered the following amendment and moved its adoption:

Amend by inserting in line 4, immediately following the word "Lodge" the following: "No. 135".

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Edwards	Hill	Murray
Baldwin	Ellis	Husted	Pelzer
Beardsley	Elthon	Kimberly	Schadt
Bell of Crawford	Evans	Kirketeg	Shaw
Berg	Gillette	Lundy	Stevens
Billingsley	Goetsch	Mason	Stewart
Byers	Grunewald	Mighell	Whitehill
Dewey	Guernsey	Miller	Zeigler
Doran	Hart	Millhone	

Nays, 2:

Corwin	Donohue
--------	---------

Absent or not voting, 13:

Bell of	Dean	Hoeven	Levis
Des Moines	Geske	Hopkins	Moore
Breen	Gillespie	Irwin	Parker
Chrystal			Smith

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Mason, Senate File 526, a bill for an act to make an appropriation to C. O. Melvin, a committee bill, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Augustine	Billingsley	Edwards	Gillespie
Baldwin	Corwin	Ellis	Goetsch
Bell of Crawford	Dewey	Elthon	Guernsey
Berg	Doran	Evans	Hart

Hopkins	Lundy	Millhone	Shaw
Husted	Mason	Murray	Stewart
Kimberly	Mighell	Parker	Zeigler
Kirketeg	Miller	Pelzer	

Nays, 12:

Beardsley	Donohue	Hill	Schadt
Breen	Gillette	Hoeven	Stevens
Byers	Grunewald	Levis	Whitehill

Absent or not voting, 7:

Bell of	Chrystal	Geske	Moore
Des Moines	Dean	Irwin	Smith

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

Senator Lundy called up his motion to reconsider the vote by which Senate File 481 failed to pass the Senate.

On the question, "Shall the Senate reconsider?" the vote was:

Ayes, 37:

Augustine	Edwards	Hoeven	Murray
Baldwin	Ellis	Hopkins	Parker
Beardsley	Elthon	Kimberly	Pelzer
Bell of Crawford	Gillespie	Kirketeg	Schadt
Berg	Gillette	Lundy	Shaw
Breen	Grunewald	Mason	Stevens
Chrystal	Guernsey	Mighell	Stewart
Corwin	Hart	Miller	Whitehill
Dewey	Hill	Millhone	Zeigler
Doran			

Nays, none.

Absent or not voting, 13:

Bell of	Dean	Geske	Irwin
Des Moines	Donohue	Goetsch	Levis
Billingsley	Evans	Husted	Moore
Byers			Smith

The motion prevailed and the Senate reconsidered the vote by which Senate File 481 failed to pass the Senate.

On motion of Senator Mason, Senate File 481, a bill for an act to make an appropriation to John W. Abel, on which the vote was reconsidered, was placed on its passage.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Edwards	Hopkins	Parker
Baldwin	Ellis	Husted	Pelzer
Beardsley	Elthon	Kimberly	Schadt
Bell of Crawford	Gillespie	Kirketeg	Shaw
Berg	Gillette	Mason	Stevens
Billingsley	Goetsch	Mighell	Stewart
Corwin	Grunewald	Miller	Whitehill
Dewey	Guernsey	Millhone	Zeigler
Doran	Hill	Murray	

Nays, none.

Absent or not voting, 15:

Bell of	Chrystal	Geske	Levis
Des Moines	Dean	Hart	Lundy
Breen	Donohue	Hoeven	Moore
Byers	Evans	Irwin	Smith

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Elthon, Senate File 101, a bill for an act to provide for the distribution of special funds to the public school districts of the state, in part as a direct grant based upon average daily attendance and in part as an equalization fund, and for the purpose of carrying out the provisions of this act during the biennium beginning July 1, 1937, to appropriate the sum of twelve million dollars (\$12,000,000.00) for each year of said biennium, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Levis offered the following amendment and moved its adoption:

Amend Senate File 101 as follows:

1. Strike the title and insert in lieu thereof the following:

"An Act to provide for the distribution, to the several public school corporations of the state on a teacher unit basis, of certain federal funds now or hereafter made available by act of Congress to assist the states and territories in providing more effective programs of public education; to prescribe the powers and duties of the superintendent of public instruction, the treasurer of state, the state comptroller, and other officials with reference thereto; to require certain refunds to be made by school corporations receiving tuition; and to provide for the administration of this act."

2. Strike all after the enacting clause and insert in lieu thereof the following:

"Section 1. The following terms shall, for the purpose of this act, have the following meanings:

1. "Aggregate attendance" means the sum determined by adding together the total number of school days during which each pupil in the grades in question attended a regular day school conducted by the particular public school corporation during the regular school year, excluding summer school.

2. "Average daily attendance" means the quotient arising from dividing aggregate attendance by the total number of days school was in session during the regular school year, excluding summer school. Said quotient shall be carried to such number of decimal places, fixed by the superintendent, as is reasonably necessary to secure equitable distribution.

3. "Superintendent" means the superintendent of public instruction of the state of Iowa.

Sec. 2. It shall be the duty of the superintendent to keep such records and accounts, to cause such audits to be made, and to make such applications and reports to the United States Commissioner of Education, or other authorized federal officer, as shall be necessary to qualify this state to receive, and to continue to receive, such federal funds as may be allotted to this state under and by virtue of an act of the Seventy-fifth Congress of the United States, first session, now or hereafter enacted, entitled "A bill to promote the general welfare through the appropriation of funds to assist the states and territories in providing more effective programs of public education", and such other acts of Congress, now or hereafter enacted, as may make federal funds available to this state for the purpose of providing more effective programs of general public education. For such purposes, the superintendent is hereby designated as the "chief educational authority" to represent this state.

Sec. 3. There is hereby created in the treasury of the state of Iowa a special fund, to which shall be credited such federal funds as are received pursuant to the acts of Congress designated in Section two hereof. The treasurer of state shall keep such accounts and records of the expenditure of such funds as may be prescribed by the United States Commissioner of Education, or other federal officer, pursuant to the law authorizing such distribution of federal funds.

Sec. 4. The funds credited to such special fund shall be distributed each school year, in October and April, to the several public school corporations of the state in the proportion which the total number of teacher units for each such school corporation for the preceding school year bears to the total number of teacher units for the state for such school year. Such teacher units shall be determined for each public school corporation in the following manner:

1. Teacher units in grades one to eight inclusive, and kindergarten, shall be fixed as follows: (a) For each school in which only one teacher is employed, one teacher unit; and (b) if the total average daily attendance does not exceed forty in all schools in which more than one teacher is employed, two additional teacher units; or (c) if the total average daily attendance exceeds forty in all such schools, one additional teacher unit for the first fifteen and one additional teacher unit for each additional twenty-seven, or major fraction thereof, in average daily attendance; provided that the teacher units so determined for each school corporation

shall not exceed the actual number of teachers employed in grades of one to eight inclusive, and kindergarten.

2. Teacher units in grades nine to twelve inclusive shall be determined by allowing one and one-half teacher units for each high school unit, determined as follows: (a) If the total average daily attendance in grades nine to twelve in all schools is less than sixteen, one high school unit; or (b) if such total average daily attendance is more than fifteen and less than twenty-six, two high school units; or (c) if such total average daily attendance is more than twenty-five and less than forty-one, three high school units; or (d) if such total average daily attendance is more than forty, three high school units for the first forty and one additional high school unit for each additional twenty-two, or major fraction thereof, in average daily attendance; provided that the high school units so determined for each school corporation shall not exceed the actual number of teachers employed in teaching grades nine to twelve inclusive.

3. Both resident and nonresident pupils shall be included in determining the number of teacher units allowed to each school corporation.

Sec. 5. The treasurer shall, upon request, certify to the superintendent at any time the amount in the special fund created in Section three hereof. On the first day of October and the first day of April of each year, or as soon thereafter as possible, the superintendent shall determine the amount due each of the several school corporations in the state under the provisions of this act, and shall file with the state comptroller a requisition on which shall appear the amounts due each of such school corporations.

Sec. 6. Warrants Drawn. The state comptroller, upon receipt of such requisition from the superintendent of public instruction, shall draw a warrant or warrants on the treasurer of state, payable to the school corporations entitled thereto in accordance with said requisition, and shall deliver said warrant or warrants to the superintendent of public instruction, who shall make a record thereof and transmit the same to the secretary of each of said school corporations.

Sec. 7. Deposit of Funds. Upon receipt of any such warrant, the secretary of the school corporation shall cause it to be deposited to the credit of the general fund of the said school corporation.

Sec. 8. Each public school corporation in the state which, pursuant to statutory requirements, receives tuition from another public school corporation for nonresident pupils shall, within thirty days after receiving such warrant on the treasurer of state, refund to the public school corporation paying such tuition an amount for each such nonresident pupil determined as follows:

a. The amount so received from the treasurer of state for teacher units in grades one to eight inclusive, and kindergarten, shall be divided by the total average daily attendance in such grades for the school year for which such teacher units were fixed. The result so obtained shall constitute the amount of refund for each pupil in such grades for whom tuition was received for such school year.

b. The amount so received from the treasurer of state for teacher units in grades nine to twelve inclusive shall be divided by the total average

daily attendance in such grades for the school year for which such teacher units were fixed. The result so obtained shall constitute the amount of refund for each pupil in such grades for whom tuition was received for such school year.

c. Provided that if tuition was paid for any such pupil for less than the full school year the amount of refund shall bear the same proportion to the amount so determined as the period for which tuition was paid bears to the full school year.

Sec. 9. The superintendent of public instruction is hereby authorized to adopt such rules and regulations, consistent with the provisions of this act, as are necessary and proper for the administration thereof.

Sec. 10. Constitutionality. If any section, subsection, clause, sentence, or phrase of this act is for any reason held to be unconstitutional or 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 or invalid.

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 Herald-Patriot, a newspaper published at Chariton, Iowa, and in the Humeston New Era, a newspaper published at Humeston, Iowa.

The amendment was adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40:

Augustine	Dewey	Hart	Miller
Baldwin	Donohue	Hill	Millhone
Beardsley	Doran	Hoeven	Murray
Bell of Crawford	Edwards	Hopkins	Parker
Berg	Ellis	Husted	Pelzer
Billingsley	Elthon	Kimberly	Schadt
Breen	Evans	Kirketeg	Shaw
Byers	Gillespie	Levis	Stevens
Chrystal	Goetsch	Lundy	Whitehill
Corwin	Grunewald	Mason	Zeigler

• Nays, none.

Absent or not voting, 10:

Bell of	Geske	Irwin	Smith
Des Moines	Gillette	Mighell	Stewart
Dean	Guernsey	Moore	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On request of Senator Hopkins, the bill was engrossed.

On motion of Senator Mason, Senate File 531, a bill for an act to make an appropriation to O. F. Shadle, a committee bill, was taken up and considered.

Senator Byers moved the previous question, which motion prevailed.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Donohue	Hart	Millhone
Baldwin	Doran	Hill	Murray
Beardsley	Edwards	Hopkins	Parker
Bell of Crawford	Ellis	Husted	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Gillespie	Kirketeg	Shaw
Byers	Goetsch	Lundy	Stevens
Corwin	Grunewald	Mighell	Stewart
Dewey	Guernsey	Miller	Whitehill
			Zeigler

Nays, 1:

Chrystal

Absent or not voting, 12:

Bell of	Elthon	Hoeven	Mason
Des Moines	Geske	Irwin	Moore
Breen	Gillette	Levis	Smith
Dean			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Mason, the rules were suspended and Senate Files 466 and 534 were withdrawn from the committee on appropriations and placed on the calendar.

On motion of Senator Mason, Senate File 534, a bill for an act to make an appropriation to George Clancy, a committee bill, was taken up and considered.

Senators Baldwin, Shaw and Doran offered the following amendment, and Senator Baldwin moved its adoption:

Amend the title by changing the period to a comma and adding the following: "and to Mrs. Oran Pape."

Further amend by adding the following sections:

Sec 4. There is hereby appropriated out of the general fund to Mrs. Oran Pape the sum of two thousand five hundred dollars (\$2,500.00) as a contribution to her because of the loss of her husband, Oran Pape, who died in the line of duty as a member of the State Highway patrol, as the result of a gunshot wound.

Sec. 5. The state comptroller is hereby directed to issue his warrant to Mrs. Oran Pape in the amount stated, and the state treasurer is hereby directed to pay the same upon presentation, out of said fund.

Sec. 6. The acceptance of said sum by the said Mrs. Oran Pape shall be in full settlement of all claims against the state of Iowa growing out of said incident.

The amendment was adopted.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Donohue	Hill	Millhone
Baldwin	Doran	Hoeven	Murray
Beardsley	Edwards	Hopkins	Parker
Bell of Crawford	Ellis	Husted	Pelzer
Berg	Elthon	Kimberly	Schadt
Billingsley	Evans	Kirketeg	Shaw
Breen	Gillespie	Lundy	Stevens
Byers	Goetsch	Mason	Stewart
Chrystal	Grunewald	Mighell	Whitehill
Corwin	Guernsey	Miller	Zeigler
Dewey	Hart		

Nays, none.

Absent or not voting, 8:

Bell of	Geske	Irwin	Moore
Des Moines	Gillette	Levis	Smith
Dean			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gillespie, Senate File 466, a bill for an act to make an appropriation to the Johnston Consolidated School District of Johnston, Polk county, Iowa, to reimburse said school district for educating children residing in what is known as Camp Dodge and on land owned by the State of Iowa during the years nineteen hundred and nineteen to nineteen hundred and thirty-three inclusive, the reimbursement to be for the amount of taxes which would have been paid by the State of Iowa into the treasury of the Johnston Consolidated School District had Chapter one hundred twenty-five (125), Acts of the forty-fifth General Assembly been in effect during the years nineteen hundred and nineteen to nineteen hundred and thirty-three, inclusive, a committee bill, was taken up and considered.

Senator Gillespie moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 25:

Augustine	Gillespie	Kirketeg	Murray
Baldwin	Guernsey	Levis	Pelzer
Bell of Crawford	Hill	Lundy	Schadt
Berg	Hopkins	Mason	Shaw
Chrystal	Husted	Mighell	Stewart
Doran	Kimberly	Miller	Whitehill
Edwards			

Nays, 15:

Billingsley	Dewey	Goetsch	Parker
Breen	Ellis	Grunewald	Stevens
Byers	Elthon	Hoeven	Zeigler
Corwin	Evans	Millhone	

Absent or not voting, 10:

Beardsley	Dean	Gillette	Moore
Bell of	Donohue	Hart	Smith
Des Moines	Geske	Irwin	

The bill having failed to receive a constitutional two-thirds majority was declared to have failed to pass the Senate.

Senator Mason called up his motion to reconsider the vote by which Senate File 470 failed to pass the Senate.

On the question, "Shall the Senate reconsider the vote by which Senate File 470 failed to pass the Senate?" the vote was:

Ayes, 28:

Augustine	Elthon	Hoeven	Miller
Baldwin	Evans	Hopkins	Murray
Bell of Crawford	Gillespie	Husted	Schadt
Byers	Goetsch	Kimberly	Shaw
Dewey	Grunewald	Kirketeg	Stevens
Doran	Guernsey	Mason	Whitehill
Edwards	Hart	Mighell	Zeigler

Nays, none.

Absent or not voting, 22:

Beardsley	Chrystal	Gillette	Moore
Bell of	Corwin	Hill	Parker
Des Moines	Dean	Irwin	Pelzer
Berg	Donohue	Levis	Smith
Billingsley	Ellis	Lundy	Stewart
Breen	Geske	Millhone	

The motion prevailed and the Senate reconsidered the vote.

On motion of Senator Mason, Senate File 470, a bill for an act

to make an appropriation to Emery Brownfield, on which the vote of the Senate was reconsidered, was placed on its passage.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Edwards	Hill	Mighell
Baldwin	Ellis	Hoeven	Miller
Bell of Crawford	Elthon	Hopkins	Murray
Berg	Evans	Husted	Pelzer
Billingsley	Gillespie	Kimberly	Schadt
Byers	Goetsch	Kirketeg	Shaw
Corwin	Grunewald	Levis	Stevens
Dewey	Guernsey	Lundy	Whitehill
Doran	Hart	Mason	Zeigler

Nays, 1:

Donohue

Absent or not voting, 13:

Beardsley	Chrystal	Gillette	Parker
Bell of	Dean	Irwin	Smith
Des Moines	Geske	Millhone	Stewart
Breen		Moore	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES CONSIDERED

House File 550, a bill for an act to appropriate to the state board of education, and to the state board of control for repairs and replacements of buildings at the various state institutions the sum of five hundred two thousand seven hundred dollars (\$502,700.00), for each year of the biennium beginning July 1, 1937, and ending June 30, 1939.

Read first and second times.

House File 545, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-seventh General Assembly, and other expenses that are payable from the general fund of the state.

Read first and second times.

Senator Berg moved that the Senate consider no bills other than unfinished business at this time, appropriation bills, the omnibus bill, the millage bill and conference reports.

Senator Beardsley moved the previous question, which motion prevailed.

The motion by Senator Berg prevailed.

Senator Elthon moved that the rules be suspended and that House Files 545 and 550 be placed on the calendar and not referred to the appropriation committee, which motion prevailed and House Files 545 and 550 were placed on the calendar.

Senator Elthon moved that the rules be suspended and that House Files 30 and 549 be withdrawn from the committee on appropriations and placed on the calendar. The motion prevailed and House Files 30 and 549 were placed on the calendar.

Senator Evans asked and received unanimous consent to exchange seat No. 40 for seat No. 24, by agreement with Senator Billingsley.

HARDING MEMORIAL RESOLUTION

Senator Murray offered the following resolution and moved its adoption:

Whereas, The Honorable William L. Harding, who was a member of the House in the thirty-second, thirty-second extra, thirty-third and thirty-fourth general assemblies, and Lieutenant Governor and President of the Senate in the thirty-fifth and thirty-sixth general assemblies, and Governor from 1917 to 1921, died at his home in Des Moines, therefore

Be It Resolved by the Senate of the Forty-seventh General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the state.

The resolution was adopted and the President appointed as such committee Senators Murray, Hoeven and Kimberly.

Senator Baldwin introduced the following resolution:

SENATE RESOLUTION 8

Be It Resolved by the Senate of the Forty-seventh General Assembly:

That such members as desire to purchase the chairs occupied by them during the session be permitted to purchase said chairs from the secretary of the executive council at the price to be fixed by the comptroller, and that the custodian of the state house be instructed to crate said chairs and deliver them to the express office at Des Moines, addressed to said purchaser.

AMENDMENTS FILED

MR. PRESIDENT: Amend House File 545 by adding thereto the following section:

The Comptroller is hereby authorized to transfer \$26,000.00 or so much thereof as may be necessary from the Iowa Liquor Control Act Fund to the Department of Justice for the purpose of law enforcement and for the salaries, support and maintenance of said Department.

EDWARD BREEN

MR. PRESIDENT: Amend House File 545 by adding the following sections:

"Sec. 24. To Mrs. Henry Lewis, the sum of thirty-nine dollars and sixty cents (\$39.60) for services as matron in Senate cloak room for eleven days."

"Sec. 25. To J. E. Snedden, the sum of twelve dollars (\$12.00) for care and transportation of flowers for the funeral of Senator T. F. Driscoll."

LEO ELTHON.

MR. PRESIDENT: I move to amend House File 545 by adding as Sec. 26 the following: "To Charles Royer for reporting and transcript of H. C. White investigation.....\$202.50."

LEO ELTHON.

MR. PRESIDENT: I move to amend House File 545 by adding as Sec. 27 the following: "To Dr. W. R. Arthur, for services as investigator and interviewing witnesses to be called or used in the investigation of H. C. White, under Senate Resolution 7, for twenty-two days' service between March 26, 1937, and April 22, 1937, at \$10.00 per day.....\$220.00
Use of Automobile, 488 miles @ 5c..... 24.40

\$244.40"

LEO ELTHON.

MR. PRESIDENT: I move to amend House File 545 by adding as Sec. 28 the following: "To Charles Royer for transcript of Investigation of Harry White under Senate Resolution 7\$92.40"

LEO ELTHON.

MR. PRESIDENT: I move to amend House File 545 by adding as Sec. 29 the following: "To Dr. C. E. Walters for preparing the defense and appearing as counsel before the Investigating committee appointed by the Senate of the 47th G. A. under Senate Resolution 7\$950.00"

LEO ELTHON.

MR. PRESIDENT: I move to amend House File 549 as follows:

Insert after the word "appropriated" in line 1 of Section 1 the words "to the Board of Control of state institutions".

Insert after the word "with" in line 4 of Section 1 the word "such".

Strike from lines 4, 5 and 6 of Section 1 the words "heretofore drawn including four stories above the basement, for appurtenances and con-

nections thereto, for" and insert in lieu thereof the words "as are approved by the committee on retrenchment and reform and the said Board of Control, including".

L. H. DORAN.

MR. PRESIDENT: I move to amend House File 550 by adding Section 3 thereto.

Sec. 3. There is hereby appropriated out of any funds not otherwise appropriated, to the Iowa State Fair Board for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, the sum of thirty-five thousand dollars (\$35,000.00) or so much thereof as may be necessary, to be used in the following manner:

For the construction of a poultry industries building on the Iowa State Fair Grounds.

PAUL P. STEWART.

On motion of Senator Baldwin, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President Valentine presiding.

MEMORIAL RESOLUTIONS

Memorial resolutions were read for former Governors George W. Clarke, William L. Harding, N. E. Kendall, and John Hammill, and former Senators Albert C. Hotchkiss, John W. Foster, Fred L. Maytag, D. Myron Tripp, L. T. Shangle, Otto F. Lange, Thomas H. Smith, Aaron V. Proudfoot, Charles M. Dutcher and T. F. Driscoll.

The resolutions were unanimously adopted, and ordered printed in the Journal of the Senate. They appear immediately following the Journal of April 20th.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House requests the return of Senate Concurrent Resolution 13, relating to the appointment of a committee for the Iowa Centennial Anniversary.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 17, relating to the issuance of a stamp commemorating the one hundredth anniversary of the day Iowa gained its territorial status.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 28, a bill for an act relating to taxation.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 101, a bill for an act to provide for the distribution of special funds to the public school districts of the state.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 241, a bill for an act relating to bands.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 441, a bill for an act to make appropriations to Joe H. Smith; Earl, Leonard and Mrs. Bonnie Frish.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 444, a bill for an act to make an appropriation to the city of Des Moines.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 446, a bill for an act to make an appropriation to Ella Talbott.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 470, a bill for an act to make an appropriation to Emery Brownfield.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 473, a bill for an act to make an appropriation to Emmett F. Ivory.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 474, a bill for an act to make an appropriation to Luella Sherling.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 475, a bill for an act to make an appropriation to Ira Dalton.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 476, a bill for an act to make an appropriation to Mrs. Emily A. Nicoll.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 477, a bill for an act to make appropriations to E. R. Wald, F. D. Cox, D. H. Anderson and B. L. Basinger, M. D.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 478, a bill for an act to make an appropriation to William M. Schneider.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 479, a bill for an act to make an appropriation to Willie Claussen.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 481, a bill for an act to make an appropriation to John W. Abel.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 501, a bill for an act to make an appropriation to Hazel A. Todd.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 507, a bill for an act to make appropriations to the guards and turnkeys at Fort Madison.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 508, a bill for an act to make an appropriation to the guards and turnkeys at Anamosa, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 510, a bill for an act to make an appropriation to Mills county, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 511, a bill for an act to make an appropriation to Cleon A. Ferger.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 512, a bill for an act to make an appropriation to Key City Refrigerator Line.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 515, a bill for an act to make an appropriation to the Citizens Savings Bank.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 516, a bill for an act to make an appropriation to James E. Risdén.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 518, a bill for an act to make an appropriation to Avoca State Bank.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 519, a bill for an act to make an appropriation to Bezer Lodge No. 135.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 523, a bill for an act to legalize warrants issued by independent school district of Elkader, Iowa.

Also: That the House has refused to concur in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File 528, a bill for an act to make an appropriation for expenses incurred in election contests.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 531, a bill for an act to make an appropriation to O. F. Shadle.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 533, a bill for an act to make an appropriation to the Unemployment Compensation Commission.

Also: That the House requests the return of House File 186, a bill for an act relating to embalming.

Also: That the House has concurred in the Senate amendments to and passed the following bill in which the concurrence of the House was asked:

House File 480, a bill for an act relating to imitation ice cream.

Also: That the House has concurred in the Senate amendments to, and passed the following bill in which the concurrence of the House was asked:

House File 484, a bill for an act relating to the reorganization of state banks.

Also: That the House has concurred in the Senate amendments to and passed the following bill in which the concurrence of the House was asked:

House File 533, a bill for an act relating to petitions for road assessment districts.

A. C. GUSTAFSON, *Chief Clerk.*

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FORTY-SEVENTH GENERAL ASSEMBLY:

By the authority granted us through the adoption of the conference committee report on Substitute for House File 477, a bill for an act to establish the general fund for the State of Iowa for the biennium beginning July 1, 1937, and ending June 30, 1939, we have made the following corrections of totals:

Section 2:	\$ 318,065.00 to \$ 321,815.00.
Section 8:	\$ 73,186.00 to \$ 73,236.00.
Section 47:	\$3,559,147.00 to \$3,615,081.00.
Section 48:	\$6,423,960.00 to \$6,206,000.00.

Respectfully submitted,

WALTER H. BEAM, *Secretary of the Senate.*

A. C. GUSTAFSON, *Chief Clerk of the House.*

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 534 passed the Senate.

HOWARD C. BALDWIN.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend the amendment to Senate File 534 by striking Section 6.

HOWARD C. BALDWIN.

MR. PRESIDENT: I move to amend House File 545 by adding the following section:

"Sec. 31. To the American Laundry, the sum of eighty-seven dollars and one cent (\$87.01) for laundering towels."

LEO ELTHON.

MR. PRESIDENT: I move to amend House File 550, Section one (1) by inserting between the lines eleven (11) and twelve (12) the words and figures, "the remodeling of buildings for library, books and shelving..... \$25,000.00".

Also: I move to amend House File 550, Section one (1) by inserting before line twelve (12) the words and figures, "for heat, water and light services.....\$25,000.00".

Also: I move to amend House File 550, Section one (1) by striking in line thirteen (13) the figures, "\$50,000.00" and inserting in lieu thereof the figures, "\$100,000.00".

EDWARD BREEN.

MR. PRESIDENT: I move to amend House File 550, Section one (1) by inserting between the lines eight (8) and nine (9) the words and figures, "for campus improvements, etc.....\$25,000.00".

EDWARD BREEN.

MR. PRESIDENT: We move to amend House File 550 as follows:

1. Strike all of the title and insert in lieu thereof the following:

"An act to appropriate to the State Board of Control for repairs, buildings, and equipment at the various state institutions the sum of dollars, and to appropriate to the State Board of Education for repairs, buildings, and equipment at the various state schools the sum of dollars, all for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, providing for the manner of expenditure thereof, and amending Section 1921-f50, Code of Iowa, 1935, relating to the Iowa Liquor Control Act, and to provide for the transfer by the comptroller of any excess balance in the liquor control act fund to a fund to be known as the capital improvement and repair fund.

2. Strike all after the enacting clause and insert in lieu thereof the following:

"Section 1. All funds appropriated hereunder shall be expended only in the following manner: The plans and contracts for the repairs, buildings, and equipment for which funds are herein appropriated shall first, before any work is done or contract let, have the express approval of the state executive council and the joint legislative committee on retrenchment and reform, and any claims arising under any such plans or contracts shall be paid only after said claims are expressly approved by

the state executive council and the joint legislative committee on retrenchment and reform. Said committee on retrenchment and reform may, if it deems it necessary and advisable, appoint from its membership a sub-committee, and may delegate to such sub-committee such power and authority as said committee on retrenchment and reform deems necessary.

Sec. 2. Section 1921-f50 of the Code of 1935 is hereby amended by adding thereto the following:

"From and after July 1, 1937, the state comptroller in lieu of transferring any excess balances from the said liquor control act fund to the general fund of the state treasury and using the same for the purpose of reducing the general state tax levy against real estate shall transfer all excess balances thereafter accruing in said liquor control act fund to a special fund which shall be designated the capital improvement and repair fund. The transfer by the state comptroller to the said capital improvement and repair fund shall be discontinued when the state comptroller has transferred to the said fund a sum aggregating dollars for each year of the biennium, and thereafter all balances accruing shall be transferred by the state comptroller to the general fund of the state treasury and used to reduce the general state tax levy against real estate.

Sec. 3. There is hereby appropriated from the capital improvement and repair fund to the state board of control for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, the sum of dollars, or so much thereof as may be necessary, to be used in the following manner:

- (a) For the Hospital for the Insane, Mt. Pleasant:
For building, furniture, fixtures, and furnishings to take the place of the building, furniture, fixtures and furnishings destroyed by fire August 10, 1936.....\$215,000.00
- (b) For the Hospital for the Insane, Independence:
For repairs and equipment.....\$ 18,000.00
- (c) For the Hospital for the Insane, Clarinda:
For repairs and equipment.....\$ 14,700.00
- (d) For the Hospital for the Insane, Mt. Pleasant:
For repairs and equipment.....\$ 36,000.00
- (e) For the Hospital for the Insane, Cherokee:
For repairs, building and equipment.....\$ 64,750.00
- (f) For the Boys' Training School, Eldora:
For repairs and equipment\$ 9,000.00
- (g) For the Juvenile Home, Toledo:
For repairs and equipment.....\$ 1,000.00
- (h) For the Hospital for the Feeble Minded, Glenwood:
For repairs and equipment.....\$ 4,000.00
- (i) For the Hospital for Epileptics, Woodward:
For repairs, buildings and equipment.....\$ 28,750.00
- (j) For the State Sanitarium, Oakdale:
For repairs and equipment\$ 18,000.00
- (k) For the Penitentiary, Fort Madison:
For repairs, buildings, and equipment.....\$ 68,000.00
- (l) For the Reformatory, Anamosa:

For equipment and repairs.....\$ 25,000.00

Sec. 4. There is hereby appropriated out of the capital improvement and repair fund to the State Board of Education for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, the sum of dollars, or so much thereof as may be necessary, to be used in the following manner:

- (a) For the State University of Iowa:
For buildings and equipment.....\$ 25,000.00
- (b) For the State College at Ames:
For repairs, buildings, and equipment.....\$110,000.00
- (c) For the State Teachers College, Cedar Falls:
For repairs, buildings and equipment.....\$ 50,000.00
- (d) For the School for the Deaf, Council Bluffs:
For repairs and equipment\$ 8,000.00
- (e) For the School for the Blind, Vinton:
For buildings and equipment\$ 27,500.00

J. BERG.

F. C. SCHADT.

ED. BREEN.

JAS. M. BELL.

STANLEY L. HART.

MR. PRESIDENT: We move to amend the pending amendment to House File 550 as follows:

1. Insert, following the comma, following the word "dollars" in line five (5) of the amendment to the title, the following: "and to appropriate the sum of \$600,000.00 for the purpose of purchasing or constructing a building for the housing of state departments,".

2. Further amend by adding as Section 3 of said amendment, the following:

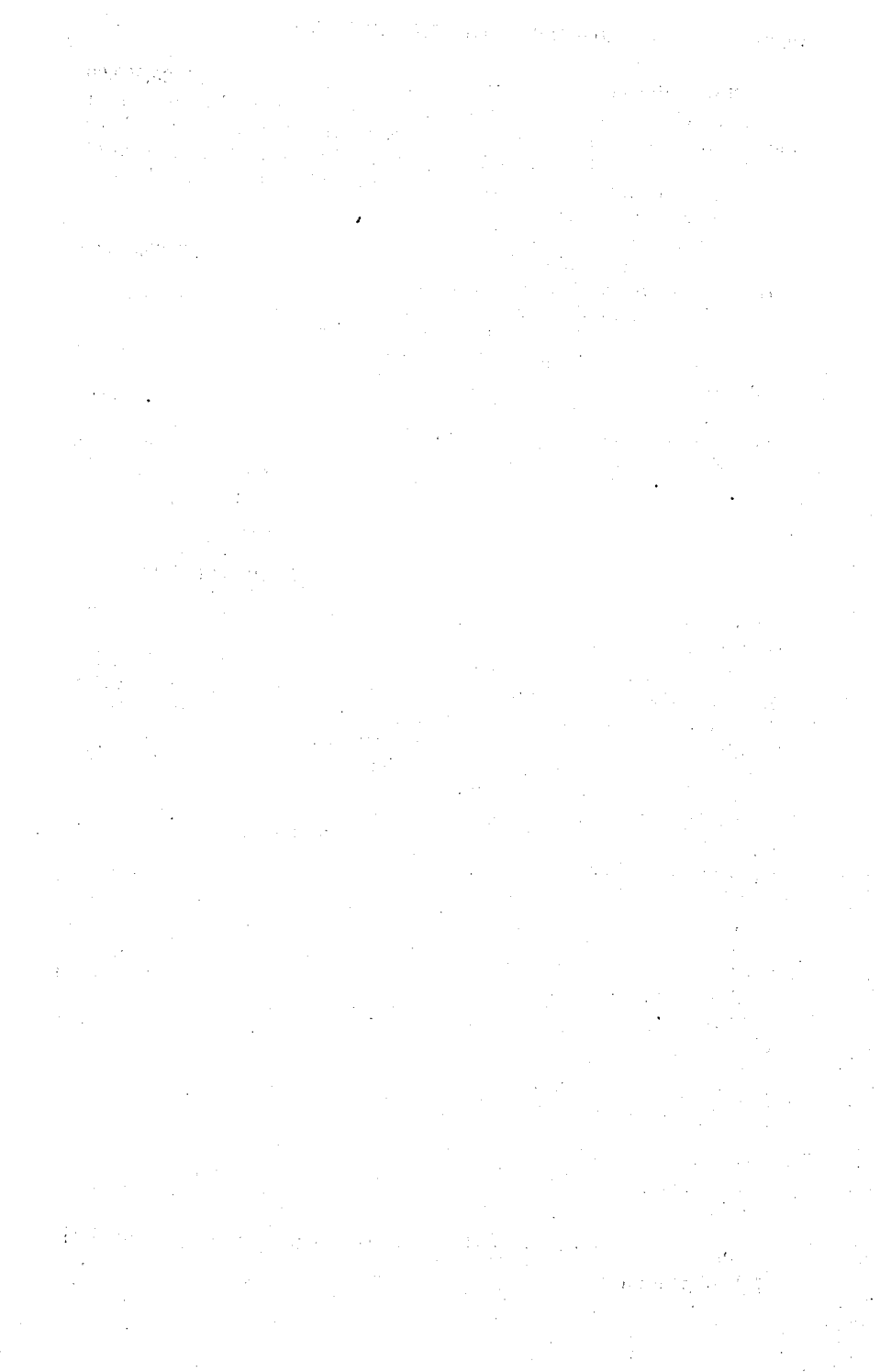
"Sec. 3. The executive council and the joint legislative committee on retrenchment and reform are hereby authorized to consider the advisability of consolidating the housing of all state departments located in Des Moines and now housed in buildings rented or leased by the state and, if deemed advisable, to purchase or construct a suitable building adequate for present housing requirements and all future requirements which may be reasonably anticipated, and there is hereby appropriated not to exceed \$600,000.00 for each year of the biennium from the capital improvement and repair fund for the purchase or construction of a suitable building, but the state comptroller shall not make such transfer to the capital improvement and repair fund from the liquor control act fund except upon the written order of the state executive council and the joint legislative committee on retrenchment and reform made on or before August 1, 1937, and on or before August 1, 1938.

3. Further amend by renumbering the following sections.

E. P. DONOHUE.

ED. BREEN.

On motion of Senator Hopkins, the Senate recessed until the fall of the gavel.



* * * * *

The Senate reconvened at the fall of the gavel, President Valentine presiding.

PETITIONS AND MEMORIALS

By Senator Hopkins, from citizens of Woodward, favoring enactment of Senate File 369.

INTRODUCTION OF BILLS

Senate File 535, by committee on appropriations, a bill for an act to provide for the certification of the amount of money for the annual state levy of general state taxes.

Read first and second times and placed on calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 123, 340, 426, 433, 464, and 530.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 123, 340, 426, 433, 464, and 530.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of April, 1937, sent to the Governor for his approval, Senate Files 123, 340, 426, 433, 464 and 530.

FRANK PELZER, *Chairman.*

Passed on file.

Senator Edwards called up the request of the House for the return of House File 186, and moved that House File 186 be returned to the House.

The motion prevailed and House File 186 was returned to the House.

Senator Dean moved that the Senate comply with the request of the House for the return of Senate Concurrent Resolution 13, and return the resolution to the House.

The motion prevailed and Senate Concurrent Resolution 13 was returned to the House.

SENATE CONCURRENT RESOLUTION 19

Senator Berg asked and received unanimous consent to consider the following resolution at this time:

Be It Resolved by the Senate, the House Concurring: That the President of the Senate and the Speaker of the House be presented with the chairs occupied by them during the session, and that the custodian of the state house be instructed to crate such chairs and deliver them to the express office in Des Moines, Iowa, addressed to the persons mentioned herein.

J. BERG.

SANFORD ZEIGLER, JR.

Senator Berg moved the adoption of the resolution, which motion prevailed, and the resolution was adopted.

SENATE RECEDES FROM AMENDMENT

Senator Elthon called up for consideration House File 528, amended by the Senate, and moved that the Senate recede from the following amendment:

Amend House File 528 by adding at the end of Section 1 the following: "L. P. Maloy, Attorney at Law, \$95.00" and by changing the numbers and total to correspond therewith.

On the question, "Shall the Senate recede?" the vote was:

Ayes, 36:

Augustine	Donohue	Hart	Miller
Beardsley	Doran	Hill	Millhone
Bell of	Edwards	Hopkins	Murray
Des Moines	Elthon	Husted	Pelzer
Berg	Evans	Kimberly	Schadt
Billingsley	Gillespie	Kirketeg	Shaw
Breen	Goetsch	Levis	Stevens
Byers	Grunewald	Lundy	Stewart
Corwin	Guernsey	Mighell	Zeigler
Dewey			

Nays, none.

Absent or not voting, 14:

Baldwin	Ellis	Irwin	Parker
Bell of Crawford	Geske	Mason	Smith
Chrystal	Gillette	Moore	Whitehill
Dean	Hoeven		

The motion prevailed and the Senate recessed from its amendment.

THIRD READING OF BILLS

On motion of Senator Elthon, House File 528, a bill for an act to make an appropriation for the expenses incurred in the election contests of Peaco vs. Judd and Bulow; of Campbell vs. Woods; of McLean vs. Latchaw; of Hadley vs. Peisen; of Oehmke vs. Dykhouse; of Aldrich vs. Blue; of Peel vs. O'Neill; of Harnagel vs. Brown; of Peyton vs. Moore, on which the Senate recessed from its amendment, was taken up and considered.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33:

Augustine	Donohue	Hart	Miller
Beardsley	Doran	Hill	Millhone
Bell of Des Moines	Edwards	Hopkins	Murray
Billingsley	Elthon	Husted	Pelzer
Breen	Evans	Kimberly	Schadt
Byers	Gillespie	Kirketeg	Stevens
Corwin	Goetsch	Lundy	Stewart
Dewey	Grunewald	Mighell	Zeigler
	Guernsey		

Nays, none.

Absent or not voting, 17:

Baldwin	Ellis	Irwin	Parker
Bell of Crawford	Geske	Levis	Shaw
Berg	Gillette	Mason	Smith
Chrystal	Hoeven	Moore	Whitehill
Dean			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

By unanimous consent on request of Senator Elthon, the rules were suspended and House File 550 was taken up at this time.

On motion of Senator Elthon, House File 550, a bill for an act to appropriate to the state board of education, and to the state board of control for repairs and replacements of buildings at the various state institutions the sum of five hundred fifty-nine thou-

sand seven hundred dollars (\$559,700.00), for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, was taken up and considered.

Senator Berg called up the following amendment filed by Senators Berg, Schadt, Breen, Bell of Des Moines and Hart, and moved its adoption:

1. Strike all of the title and insert in lieu thereof the following:

"An act to appropriate to the State Board of Control for repairs, buildings, and equipment at the various state institutions the sum of dollars, and to appropriate to the State Board of Education for repairs, buildings, and equipment at the various state schools the sum of dollars, all for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, providing for the manner of expenditure thereof, and amending Section 1921-f50, Code of Iowa, 1935, relating to the Iowa Liquor Control Act, and to provide for the transfer by the comptroller of any excess balance in the liquor control act fund to a fund to be known as the capital improvement and repair fund.

2. Strike all after the enacting clause and insert in lieu thereof the following:

"Section 1. All funds appropriated hereunder shall be expended only in the following manner: The plans and contracts for the repairs, buildings, and equipment for which funds are herein appropriated shall first, before any work is done or contract let, have the express approval of the state executive council and the joint legislative committee on retrenchment and reform, and any claims arising under any such plans or contracts shall be paid only after said claims are expressly approved by the state executive council and the joint legislative committee on retrenchment and reform. Said committee on retrenchment and reform may, if it deems it necessary and advisable, appoint from its membership a sub-committee, and may delegate to such sub-committee such power and authority as said committee on retrenchment and reform deems necessary.

Sec. 2. Section 1921-f50 of the Code of 1935 is hereby amended by adding thereto the following:

"From and after July 1, 1937, the state comptroller in lieu of transferring any excess balances from the said liquor control act fund to the general fund of the state treasury and using the same for the purpose of reducing the general state tax levy against real estate shall transfer all excess balances thereafter accruing in said liquor control act fund to a special fund which shall be designated the capital improvement and repair fund. The transfer by the state comptroller to the said capital improvement and repair fund shall be discontinued when the state comptroller has transferred to the said fund a sum aggregating dollars for each year of the biennium, and thereafter all balances accruing shall be transferred by the state comptroller to the general fund of the state treasury and used to reduce the general state tax levy against real estate.

Sec. 3. There is hereby appropriated from the capital improvement

and repair fund to the state board of control for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, the sum ofdollars or so much thereof as may be necessary, to be used in the following manner:

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| (a) For the Hospital for the Insane, Mt. Pleasant:
For building, furniture, fixtures, and furnishings to take the place of the building, furniture, fixtures and furnishings destroyed by fire August 10, 1936..... | \$215,000.00 |
| (b) For the Hospital for the Insane, Independence:
For repairs and equipment..... | \$ 18,000.00 |
| (c) For the Hospital for the Insane, Clarinda:
For repairs and equipment..... | \$ 14,700.00 |
| (d) For the Hospital for the Insane, Mt. Pleasant:
For repairs and equipment..... | \$ 36,000.00 |
| (e) For the Hospital for the Insane, Cherokee:
For repairs, building and equipment..... | \$ 64,750.00 |
| (f) For the Boys' Training School, Eldora:
For repairs and equipment..... | \$ 9,000.00 |
| (g) For the Juvenile Home, Toledo:
For repairs and equipment..... | \$ 1,000.00 |
| (h) For the Hospital for the Feeble Minded, Glenwood:
For repairs and equipment..... | \$ 4,000.00 |
| (i) For the Hospital for Epileptics, Woodward:
For repairs, buildings and equipment..... | \$ 28,750.00 |
| (j) For the State Sanitarium, Oakdale:
For repairs and equipment..... | \$ 18,000.00 |
| (k) For the Penitentiary, Fort Madison:
For repairs, building, and equipment..... | \$ 68,000.00 |
| (l) For the Reformatory, Anamosa:
For equipment and repairs..... | \$ 25,000.00 |

Sec. 4. There is hereby appropriated out of the capital improvement and repair fund to the State Board of Education for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, the sum of dollars, or so much thereof as may be necessary, to be used in the following manner:

- | | |
|-----------------------------------------------------------------------------------------------|--------------|
| (a) For the State University of Iowa:
For buildings and equipment..... | \$ 25,000.00 |
| (b) For the State College at Ames:
For repairs, buildings and equipment..... | \$110,000.00 |
| (c) For the State Teachers College, Cedar Falls:
For repairs, buildings and equipment..... | \$ 50,000.00 |
| (d) For the School for the Deaf, Council Bluffs:
For repairs and equipment..... | \$ 8,000.00 |
| (e) For the School for the Blind, Vinton:
For buildings and equipment..... | \$ 27,500.00 |

Senators Breen and Donohue offered the following amendment to the amendment:

Amend the pending amendment as follows:

1. Insert, following the comma, following the word "dollars" in line five (5) of the amendment to the title, the following: "and to appropriate the sum of \$600,000.00 for the purpose of purchasing or constructing a building for the housing of state departments."

2. Further amend by adding as Section 3 of said amendment, the following:

"Sec. 3. The executive council and the joint legislative committee on retrenchment and reform are hereby authorized to consider the advisability of consolidating the housing of all state departments located in Des Moines and now housed in buildings rented or leased by the state and, if deemed advisable, to purchase or construct a suitable building adequate for present housing requirements and all future requirements which may be reasonably anticipated, and there is hereby appropriated not to exceed \$600,000.00 for each year of the biennium from the capital improvement and repair fund for the purchase or construction of a suitable building, but the state comptroller shall not make such transfer to the capital improvement and repair fund from the liquor control act fund except upon the written order of the state executive council and the joint legislative committee on retrenchment and reform made on or before August 1, 1937, and on or before August 1, 1938.

3. Further amend by renumbering the following sections.

Senator Breen moved the adoption of the foregoing amendment to the amendment.

The amendment to the amendment was adopted.

By unanimous consent, Senator Stewart withdrew his amendment which appears on page 1352 of the Senate Journal.

Senators Stewart and Miller offered the following amendment to the amendment and moved its adoption:

Amend the amendment to House File 550, as filed by Senators Berg, Schadt, Breen, Bell of Des Moines and Hart, by adding thereto, following section 4, a new section as follows:

"Sec. 5. There is hereby appropriated out of the capital improvement and repair fund to the State Fair Board for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, thirty-five thousand dollars (\$35,000) or so much thereof as may be necessary to be used in the following manner:

For construction of a poultry industries building on the state fair grounds; provided, however, that the said appropriation shall only be available when and if a contribution of approximately fifty-five thousand dollars (\$55,000) is made available as a contribution from the Federal Government to aid in the cost of such construction.

The amendment to the amendment was adopted.

Senator Breen offered the following amendment to the pending amendment and moved its adoption:

Amend Section 5 by striking from line 2 of sub-paragraph a the word "and" and inserting in lieu thereof a comma, and by adding after the word "equipment" the following: "and campus improvements".

Further amend by striking the figures "\$25,000.00" and inserting in lieu thereof the figures "\$100,000.00".

The amendment to the amendment was adopted.

Senator Doran offered the following amendments to the amendment and moved their adoption:

1. Amend by striking from line 5 of Section 3 the words "purchase or".
2. Further amend by inserting after the word "suitable" in line 5 the words "state or office".
3. Amend by striking from line nine the words "purchase or".

Roll call was requested.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 19:

Bell of	Doran	Levis	Murray
Des Moines	Edwards	Lundy	Parker
Breen	Grunewald	Mighell	Schadt
Corwin	Guernsey	Miller	Stevens
Dean	Irwin	Moore	Zeigler

Nays, 21:

Augustine	Dewey	Hill	Mason
Beardsley	Donohue	Hopkins	Millhone
Bell of Crawford	Elthon	Husted	Shaw
Berg	Goetsch	Kimberly	Stewart
Billingsley	Hart	Kirketeg	Whitehill
Byers			

Absent or not voting, 10:

Baldwin	Evans	Gillette	Pelzer
Chrystal	Geske	Hoeven	Smith
Ellis	Gillespie		

The amendment to the amendment was not adopted.

Senator Doran offered the following amendment to the amendment and moved its adoption:

4. Amend by adding as a new section the following:

"Sec. 7. The executive council, the joint committee on retrenchment and reform, the state fair board, the state board of control, and the state board of education are hereby authorized to obtain federal grants to the state to be used in connection with funds above appropriated or diverted for such construction purpose."

The amendment to the amendment was adopted.

Senator Donohue moved that the proper corrections be made to the figures in the pending amendments, which motion prevailed.

The amendment by Senators Berg, Schadt, Breen, Bell of Des Moines and Hart, as amended, was adopted.

Senator Stewart offered the following amendment and moved its adoption:

Amend the title as amended by inserting after the comma following the word "dollars": "and to appropriate to the State Fair Board for the construction of a poultry industries building the sum of \$35,000.00,".

The amendment to the title was adopted.

Senator Doran moved to amend the title as follows:

Strike the period in the last line and insert the following: "and authorizing the obtaining of federal grants to be used in connection with said appropriated funds."

The amendment to the title was adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Dean	Hart	Millhone
Baldwin	Dewey	Hopkins	Murray
Bell of Crawford	Donohue	Kimberly	Parker
Bell of	Doran	Kirketeg	Schadt
Des Moines	Edwards	Levis	Shaw
Berg	Elthon	Lundy	Stevens
Billingsley	Evans	Mason	Stewart
Breen	Gillespie	Mighell	Whitehill
Byers	Grunewald	Miller	Zeigler
Corwin	Guernsey		

Nays, 3:

Goetsch	Husted	Moore
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Present, 3:

Hill	Irwin	Pelzer
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Absent or not voting, 7:

Beardsley	Ellis	Gillette	Smith
Chrystal	Geske	Hoeven	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has reconsidered the vote by which it failed to adopt, and has adopted, Senate Concurrent Resolution 13, relating to the appointment of a committee for the Iowa Centennial Anniversary.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 373, a bill for an act to create a state department of social welfare.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 374, a bill for an act to establish a division of child welfare in the state department of social welfare.

A. C. GUSTAFSON, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate File 536, by Senator Breen, a bill for an act to amend, by correcting an error therein, House File three hundred ninety-eight, as passed by the Forty-seventh General Assembly of the state of Iowa, relating to the width of newspaper columns and the duties of the state printing board.

By unanimous consent on request of Senator Breen, the rules were suspended and Senate File 536 was read the first and second times.

Senator Breen asked unanimous consent that Senate File 536 be placed on the calendar and be not referred to the sifting committee.

There were objections, and Senate File 536 was referred to the sifting committee.

Senator Stevens asked that the rules be suspended and that Senate File 202 be withdrawn from the sifting committee.

There were objections.

Senator Stevens moved that the rules be suspended and that Senate File 202 be withdrawn from the sifting committee and placed on the calendar.

Roll call was requested.

On the question, "Shall the rules be suspended and Senate File 202 be withdrawn from the sifting committee?" the vote was:

Ayes, 18:

Augustine	Elthon	Levis	Murray
Bell of	Gillespie	Lundy	Schadt
Des Moines	Grunewald	Mason	Shaw
Breen	Guernsey	Miller	Stevens
Dean	Irwin	Moore	

Nays, 19:

Beardsley	Dewey	Hopkins	Pelzer
Berg	Edwards	Husted	Stewart
Billingsley	Evans	Kimberly	Whitehill
Byers	Goetsch	Mighell	Zeigler
Corwin	Hart	Parker	

Absent or not voting, 13:

Baldwin	Doran	Gillette	Kirketeg
Bell of Crawford	Ellis	Hill	Millhone
Chrystal	Geske	Hoeven	Smith
Donohue			

The motion failed and Senate File 202 was not withdrawn from the sifting committee.

On motion of Senator Elthon, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Valentine presiding.

THIRD READING OF BILLS

On motion of Senator Elthon, Senate File 535, a bill for an act to provide for the certification of the amount of money for the annual state levy of general state taxes, a committee bill, was taken up and considered.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36:

Augustine	Dean	Guernsey	Mighell
Beardsley	Dewey	Hart	Miller
Bell of Crawford	Donohue	Hill	Murray
Bell of	Doran	Irwin	Pelzer
Des Moines	Edwards	Kimberly	Schadt
Berg	Elthon	Kirketeg	Shaw
Billingsley	Evans	Levis	Stevens
Byers	Goetsch	Lundy	Whitehill
Chrystal	Grunewald	Mason	Zeigler
Corwin			

Nays, none.

Absent or not voting, 14:

Baldwin	Gillespie	Husted	Parker
Breen	Gillette	Millhone	Smith
Ellis	Hoeven	Moore	Stewart
Geske	Hopkins		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Elthon, House File 545, a bill for an act making an appropriation for the payment of typewriter rental, miscellaneous expenses of the Forty-seventh General Assembly, and other expenses that are payable from the general fund of the state, a committee bill, was taken up and considered.

Senator Elthon, chairman of the appropriations committee, offered the following amendments and moved their adoption:

Amend by adding the following sections:

"Sec. 24. To Mrs. Henry Lewis, the sum of thirty-nine dollars and sixty cents (\$39.60) for services as matron in Senate cloak room for eleven days."

"Sec. 25. To J. E. Snedden, the sum of twelve dollars (\$12.00) for care and transportation of flowers for the funeral of Senator T. F. Driscoll."

Amend House File 545 by adding as Sec. 26 the following:

"To Charles Royer for reporting and transcript of H. C. White investigation \$202.50."

The amendments were adopted.

Senator Elthon, chairman of the appropriations committee, offered the following amendment and moved its adoption:

Amend by adding as Section 27 the following: "To Dr. W. R. Arthur, for services as investigator and interviewing witnesses to be called or used in the investigation of H. C. White, under Senate Resolution 7, for twenty-two days' service between March 26, 1937, and April 22, 1937, at \$10.00 per day.....\$220.00
Use of Automobile, 488 miles at 5c..... 24.40

\$244.40"

The amendment was not adopted.

Senator Elthon, chairman of the appropriations committee, offered the following amendment and moved its adoption:

Amend by adding as Sec. 28 the following: "To Charles Royer for transcript of Investigation of Harry White under Senate Resolution 7 \$92.40"

The amendment was not adopted.

Senator Elthon, chairman of the appropriations committee, offered the following amendment and moved its adoption:

Amend by adding as Sec. 29 the following: "To Dr. C. E. Walters for preparing the defense and appearing as counsel before the Investigating committee appointed by the Senate of the 47th G. A. under Senate Resolution 7\$950.00"

The amendment was not adopted.

Senator Breen offered the following amendment and moved its adoption:

Amend by adding the following section:

The Comptroller is hereby authorized to transfer \$26,000.00 or so much thereof as may be necessary from the Iowa Liquor Control Act fund to the Department of Justice for the purpose of law enforcement and for the salaries, support and maintenance of said department.

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend by adding the following section:

"Sec. 31. To the American Laundry, the sum of eighty-seven dollars and one cent (\$87.01) for laundering towels."

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 6, lines 2 and 3, by striking the word and figures "fifty (50)" and inserting in lieu thereof the word and figures "sixty (60)".

The amendment was adopted.

Senator Mason offered the following amendments and moved their adoption:

Amend Section 17 by striking from line 1 thereof the words and figures "fifty dollars (\$50.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)".

Amend Section 17 by striking from line 3 thereof the words and figures "fifty dollars (\$50.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)".

The amendments were adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Corwin	Hopkins	Millhone
Baldwin	Dean	Husted	Murray
Beardsley	Dewey	Irwin	Pelzer
Bell of Crawford	Doran	Kimberly	Schadt
Bell of	Edwards	Kirketeg	Shaw
Des Moines	Elthon	Levis	Stevens
Berg	Evans	Lundy	Stewart
Billingsley	Goetsch	Mason	Whitehill
Breen	Grunewald	Mighell	Zeigler
Byers	Guernsey	Miller	

Nays, none.

Absent or not voting, 12:

Chrystal	Geske	Hart	Moore
Donohue	Gillespie	Hill	Parker
Ellis	Gillette	Hoeven	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments to and passed the following bill in which the concurrence of the House was asked:

House File 186, a bill for an act relating to the practice of embalming.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 19, relating to presentation of chairs to the President of the Senate and Speaker of the House.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 18, relating to establishment of committees on interstate cooperation, and the Speaker of the House has appointed as members of the committee provided by Section two (2) thereof: Representatives Mercer of Johnson, Peisen of Hardin, Currie of Pottawattamie, Knudson of Marshall and Elliott of Woodbury.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 139, a bill for an act relating to the punishment for contempts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 140, a bill for an act relating to sales contracts and leases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 148, a bill for an act relating to the eradication and control of weeds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 214, a bill for an act to legalize the corporate acts and the renewal of the Farmers Lumber Company.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 375, a bill for an act to provide for unified supervision of aid to the blind.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 528, a bill for an act relating to payment of the sales tax on motor vehicles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 552, a bill for an act to authorize the issuance of a patent to certain lands in Marshall county, Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 447, a bill for an act to create a system of unemployment compensation.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 375

Amend Section 5 by striking all of line 7 after the word "act" and also lines 8 and 9.

Amend by striking Section 27.

HOUSE AMENDMENTS TO SENATE FILE 447

Amend by inserting following Section 3 (e) the following:

"Sec. 3 (e-1). If the commission finds in determining the duration of benefits with respect to any individual as provided in Section 3 (e) that the duration of such individual's benefits, beginning with the first day of his benefit year, is not sufficient to pay him benefits up to and including the first day of the calendar quarter next following the first day of his benefit year, the earnings, if any, of such individual in employment by an employer in the period between the last day of his base period, as first determined, and the first day of his benefit year, shall be credited and used in determining his duration of benefits."

Amend Section 4 (e) by striking the period at the end of line 4 and inserting in lieu thereof a comma, and adding the following: "provided, however, if the commission finds that he is not eligible under the above provision they may find him eligible if he has within the four calendar quarters, including the incompleting current calendar quarter immedi-

ately preceding the first day of his benefit year, earned wages in employment by employers equal to not less than fifteen times his weekly benefit amount."

Amend Section 11 (d) by adding after the comma following the word "year" in line 3 (d) of said section the following: "provided, however, that the above scale of compensation shall not apply to the Iowa State Employment Service Division provided for in Section 12 (a) of this act."

HOUSE AMENDMENTS CONSIDERED

By unanimous consent, Senator Stevens called up for consideration Senate File 447, amended by the House, and moved that the Senate concur in the foregoing amendments.

By unanimous consent on request of Senator Stevens, the Honorable Claude Stanley was asked to explain the amendments to the Senate.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 33:

Augustine	Dean	Hart	Mighell
Beardsley	Dewey	Hill	Miller
Bell of	Donohue	Hopkins	Millhone
Des Moines	Doran	Irwin	Murray
Berg	Edwards	Kimberly	Schadt
Billingsley	Gillespie	Levis	Stevens
Breen	Goetsch	Lundy	Whitehill
Byers	Grunewald	Mason	Zeigler
Corwin	Guernsey		

Nays, none.

Absent or not voting, 17:

Baldwin	Evans	Husted	Pelzer
Bell of Crawford	Geske	Kirketeg	Shaw
Chrystal	Gillette	Moore	Smith
Ellis	Hoeven	Parker	Stewart
Elthon			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 447, 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; 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; to amend and re-enact all of the provisions of Senate File 1 enacted by the 46th General Assembly of Iowa in Extraordinary Session, as amended by Senate File 191 of the Acts of the 47th General Assembly of Iowa, to conform to the provisions of this Act; and to repeal Acts in conflict herewith, and for other purposes, as amended, was taken up and considered.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Corwin	Hart	Mighell
Beardsley	Dean	Hill	Miller
Bell of Crawford	Dewey	Hopkins	Millhone
Bell of	Donohue	Irwin	Murray
Des Moines	Doran	Kimberly	Parker
Berg	Edwards	Kirketeg	Schadt
Billingsley	Evans	Levis	Stevens
Breen	Grunewald	Lundy	Whitehill
Byers	Guernsey	Mason	Zeigler

Nays, none.

Absent or not voting, 15:

Baldwin	Geske	Hoeven	Shaw
Chrystal	Gillespie	Husted	Smith
Ellis	Gillette	Moore	Stewart
Elthon	Goetsch	Pelzer	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Schadt, House File 30, by Mercer, a bill for an act to make an appropriation to the city of Iowa City, Iowa,

to compensate the city for expenses incurred in improving and extending its sewage system and constructing and equipping a sewage disposal plant, in proportion to the use of such system and plant by state-owned property, which was withdrawn from the committee on appropriations, was taken up and considered.

Senator Schadt moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31:

Augustine	Byers	Gillespie	Levis
Baldwin	Chrystal	Grunewald	Lundy
Beardsley	Corwin	Guernsey	Miller
Bell of Crawford	Dean	Hart	Murray
Bell of	Dewey	Hopkins	Parker
Des Moines	Donohue	Husted	Pelzer
Billingsley	Edwards	Kimberly	Schadt
Breen	Evans	Kirketeg	Zeigler

Nays, 8:

Doran	Goetsch	Mighell	Stewart
Elthon	Hill	Shaw	Whitehill

Absent or not voting, 11:

Berg	Gillette	Mason	Smith
Ellis	Hoeven	Millhone	Stevens
Geske	Irwin	Moore	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Beardsley moved to reconsider the vote by which Senate File 514 failed to pass the Senate.

On the question, "Shall the Senate reconsider?" the vote was:

Ayes, 37:

Augustine	Corwin	Guernsey	Millhone
Baldwin	Dean	Hart	Murray
Beardsley	Dewey	Hill	Pelzer
Bell of Crawford	Doran	Husted	Schadt
Bell of	Edwards	Kimberly	Shaw
Des Moines	Elthon	Kirketeg	Stevens
Berg	Evans	Lundy	Stewart
Billingsley	Gillespie	Mighell	Whitehill
Byers	Goetsch	Miller	Zeigler
Chrystal	Grunewald		

Nays, 1:

Breen

Absent or not voting, 12:

Donohue	Gillette	Irwin	Moore
Ellis	Hoeven	Levis	Parker
Geske	Hopkins	Mason	Smith

The motion prevailed and the vote by which Senate File 514 failed to pass the Senate was reconsidered.

On motion of Senator Mason, Senate File 514, a bill for an act to make an appropriation to Mrs. Estella Abernathy, on which the vote was reconsidered, was placed on its passage.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Dean	Hart	Murray
Beardsley	Dewey	Hill	Parker
Bell of Crawford	Doran	Hopkins	Pelzer
Bell of	Edwards	Husted	Schadt
Des Moines	Elthon	Kimberly	Shaw
Berg	Evans	Kirketeg	Stevens
Billingsley	Gillespie	Lundy	Stewart
Byers	Goetsch	Mighell	Whitehill
Chrystal	Grunewald	Miller	Zeigler
Corwin	Guernsey	Millhone	

Nays, 1:

Breen

Present, 1:

Mason

Absent or not voting, 10:

Baldwin	Geske	Irwin	Moore
Donohue	Gillette	Levis	Smith
Ellis	Hoeven		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baldwin moved to reconsider the vote by which Senate File 534 passed the Senate.

On the question, "Shall the Senate reconsider?" the vote was:

Ayes, 38:

Augustine	Donohue	Hill	Miller
Baldwin	Doran	Hopkins	Millhone
Beardsley	Edwards	Husted	Murray
Bell of Crawford	Elthon	Irwin	Parker
Billingsley	Evans	Kimberly	Pelzer
Breen	Gillespie	Kirketeg	Schadt
Byers	Goetsch	Levis	Stevens
Corwin	Grunewald	Lundy	Whitehill
Dean	Guernsey	Mighell	Zeigler
Dewey	Hart		

Nays, none.

Absent or not voting, 12:

Bell of	Ellis	Hoeven	Shaw
Des Moines	Geske	Mason	Smith
Berg	Gillette	Moore	Stewart
Chrystal			

The motion prevailed and the vote was reconsidered.

Senator Baldwin moved to reconsider the vote by which Senate File 534 went to its third reading, which motion prevailed.

On motion of Senator Baldwin, Senate File 534, a bill for an act to make an appropriation to George Clancy, and to Mrs. Oran Pape, which had been reconsidered, was taken up and considered.

Senator Baldwin offered the following amendment and moved its adoption:

Amend by striking Section 6.

The amendment was adopted.

Senator Baldwin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37:

Augustine	Dewey	Hart	Miller
Baldwin	Doran	Hill	Millhone
Beardsley	Edwards	Hopkins	Murray
Bell of Crawford	Elthon	Husted	Parker
Berg	Evans	Kimberly	Pelzer
Billingsley	Gillespie	Kirketeg	Schadt
Breen	Goetsch	Levis	Stevens
Byers	Grunewald	Mason	Whitehill
Corwin	Guernsey	Mighell	Zeigler
Dean			

Nays, none.

Absent or not voting, 13:

Bell of	Ellis	Irwin	Shaw
Des Moines	Geske	Lundy	Smith
Chrystal	Gillette	Moore	Stewart
Donohue	Hoeven		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which Senate File 526 failed to pass the Senate be reconsidered.

On the question, "Shall the Senate reconsider?" the vote was:

Ayes, 35:

Augustine	Dewey	Hill	Millhone
Beardsley	Doran	Hopkins	Murray
Bell of Crawford	Edwards	Husted	Parker
Berg	Elthon	Kimberly	Pelzer
Billingsley	Evans	Kirketeg	Schadt
Byers	Gillespie	Lundy	Shaw
Chrystal	Goetsch	Mason	Whitehill
Corwin	Grunewald	Mighell	Zeigler
Dean	Hart	Miller	

Nays, none.

Absent or not voting, 15:

Baldwin	Donohue	Guernsey	Moore
Bell of	Ellis	Hoeven	Smith
Des Moines	Geske	Irwin	Stevens
Breen	Gillette	Levis	Stewart

The motion prevailed and the vote by which Senate File 526 failed to pass the Senate was reconsidered.

On motion of Senator Mason, Senate File 526, a bill for an act to make an appropriation to C. O. Melvin, on which the vote was reconsidered, was placed on its passage.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Doran	Hopkins	Parker
Beardsley	Edwards	Husted	Pelzer
Bell of Crawford	Elthon	Kirketeg	Schadt
Berg	Evans	Lundy	Shaw
Billingsley	Gillespie	Mason	Stevens
Byers	Goetsch	Mighell	Stewart
Chrystal	Grunewald	Miller	Whitehill
Corwin	Hart	Millhone	Zeigler
Dean	Hill	Murray	

Nays, 4:

Breen	Dewey	Donohue	Kimberly
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Present, 1:

Bell of
Des Moines

Absent or not voting, 10:

Baldwin	Gillette	Irwin	Moore
Ellis	Guernsey	Levis	Smith
Geske	Hoeven		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens called up for consideration Senate File 375, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 5 by striking lines 6, 7 and 8.

Amend by striking the publication clause.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 38:

Augustine	Corwin	Guernsey	Mighell
Baldwin	Dewey	Hart	Miller
Beardsley	Donohue	Hill	Millhone
Bell of Crawford	Doran	Hopkins	Murray
Bell of	Edwards	Irwin	Parker
Des Moines	Elthon	Kimberly	Schadt
Berg	Evans	Kirketeg	Stevens
Billingsley	Gillespie	Levis	Whitehill
Breen	Goetsch	Lundy	Zeigler
Byers	Grunewald	Mason	

Nays, none.

Absent or not voting, 12:

Chrystal	Geske	Husted	Shaw
Dean	Gillette	Moore	Smith
Ellis	Hoeven	Pelzer	Stewart

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 375, a bill for an act to repeal Section fifty-three hundred seventy-nine (5379) to fifty-three hundred eighty-four-a1 (5384-a1) inclusive, Code of Iowa, 1935, and to enact a substitute therefor, relating to aid for the blind; providing who shall receive such aid, the amount thereof, and the terms and conditions on which such aid and benefits shall be granted, as amended, was taken up and considered.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38:

Augustine	Bell of	Breen	Dewey
Baldwin	Des Moines	Byers	Donohue
Beardsley	Berg	Corwin	Doran
Bell of Crawford	Billingsley	Dean	Edwards

Elthon	Hart	Levis	Parker
Evans	Hill	Lundy	Schadt
Gillespie	Hopkins	Mighell	Stevens
Goetsch	Irwin	Miller	Whitehill
Grunewald	Kimberly	Millhone	Zeigler
Guernsey	Kirketeg	Murray	

Nays, none.

Absent or not voting, 12:

Chrystal	Gillette	Mason	Smith
Ellis	Hoeven	Moore	Shaw
Geske	Husted	Pelzer	Stewart

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens called up for consideration Senate File 376, amended by the House, and moved to amend the amendments, which appear on pages 1265 to 1271 inclusive of the Senate Journal, as follows:

Strike amendments numbered one (1), two (2), three (3), four (4), twenty-one (21), twenty-two (22), twenty-three (23), and twenty-four (24).

Further amend by striking the title amendment as found on pages 1269, 1270 and 1271 of the Senate Journal for April 20, 1937.

By unanimous consent on request of Senator Stevens, Mr. Allen was asked to explain the effect of the proposed amendments.

The amendments to the amendments were adopted.

Senator Donohue offered the following amendment to the amendments and moved its adoption:

Strike from amendment 5 all commencing with line 3 thereof.

The amendment to the amendments was adopted.

Senator Stevens moved that the Senate concur in the amendments as amended.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 34:

Augustine	Chrystal	Edwards	Hart
Beardsley	Corwin	Evans	Hill
Berg	Dean	Gillespie	Hopkins
Billingsley	Dewey	Goetsch	Kimberly
Breen	Donohue	Grunewald	Kirketeg
Byers	Doran	Guernsey	Levis

Lundy
Mighell
Miller

Moore
Murray
Schadt

Shaw
Stevens

Whitehill
Zeigler

Nays, none.

Absent or not voting, 16:

Baldwin
Bell of Crawford
Bell of
Des Moines
Ellis

Elthon
Geske
Gillette
Hoeven

Husted
Irwin
Mason
Millhone

Parker
Pelzer
Smith
Stewart

The House amendments, as amended, having received a constitutional majority, were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 376, a bill for an act to amend and revise Chapter two hundred sixty-six-F one (266-F1) of the 1935 Code of Iowa relating to the protection, welfare and assistance of aged persons in need and having residence or domicile in the state of Iowa, and to amend Sections five thousand three hundred and two (5302) and six thousand nine hundred and fifty-one (6950-g1) of the 1935 Code of Iowa; creating a division of old age assistance under the administrative jurisdiction of the state department of social welfare; coordinating the provisions of Chapter two hundred sixty-six-F one (266-F1) of the 1935 Code of Iowa with the welfare organization act of 1937; relating to the manner and method, terms and conditions providing the protection, welfare and assistance to the said aged persons; providing for the appointment of a legal guardian for any recipient of old age assistance who shall be found incompetent; providing for the recovery by the state board and division from any person, municipality, association, society, or corporation responsible for and reasonably able to pay for the support of any recipient of double the amount of assistance furnished to said recipient; providing a penalty for violation of the old age assistance statutes; providing for payments to the United States as required by Title I of the Federal Social Security Act; and providing legal procedure to enforce compliance with the act by certain public officers, as amended, was taken up and considered.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Dewey	Hart	Miller
Beardsley	Donohue	Hill	Moore
Berg	Doran	Hopkins	Murray
Billingsley	Edwards	Kimberly	Schadt
Breen	Evans	Kirketeg	Shaw
Byers	Gillespie	Levis	Stevens
Chrystal	Goetsch	Lundy	Whitehill
Corwin	Grunewald	Mason	Zeigler
Dean	Guernsey	Mighell	

Nays, none.

Absent or not voting, 15:

Baldwin	Ellis	Hoeven	Parker
Bell of Crawford	Elthon	Husted	Pelzer
Bell of	Geske	Irwin	Smith
Des Moines	Gillette	Millhone.	Stewart

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Doran moved that Senate File 87 be withdrawn from the sifting committee and placed on the calendar.

Roll call was requested.

On the question, "Shall Senate File 87 be withdrawn from the sifting committee?" the vote was:

Ayes, 13:

Augustine	Breen	Gillespie	Lundy
Bell of Crawford	Chrystal	Hill	Mighell
Bell of	Dean	Hopkins	Miller
Des Moines	Doran		

Nays, 24:

Berg	Edwards	Hart	Parker
Billingsley	Elthon	Husted	Pelzer
Byers	Evans	Kimberly	Schadt
Corwin	Goetsch	Mason	Stewart
Dewey	Grunewald	Millhone	Whitehill
Donohue	Guernsey	Murray	Zeigler

Absent or not voting, 13:

Baldwin	Gillette	Kirketeg	Shaw
Beardsley	Hoeven	Levis	Smith
Ellis	Irwin	Moore	Stevens
Geske			

The motion did not prevail.

Senator Mighell moved that Senate File 303 be withdrawn from the sifting committee and placed on the calendar.

On the question, "Shall Senate File 303 be withdrawn from the sifting committee?" the vote was:

Ayes, 11:

Augustine	Breen	Doran	Miller
Bell of Crawford	Chrystal	Mason	Shaw
Bell of Des Moines	Dean	Mighell	

Nays, 28:

Berg	Elthon	Hopkins	Parker
Billingsley	Evans	Husted	Pelzer
Byers	Goetsch	Kimberly	Schadt
Corwin	Grunewald	Levis	Stevens
Dewey	Guernsey	Lundy	Stewart
Donohue	Hart	Millhone	Whitehill
Edwards	Hill	Murray	Zeigler

Absent or not voting, 11:

Baldwin	Geske	Hoeven	Moore
Beardsley	Gillespie	Irwin	Smith
Ellis	Gillette	Kirketeg	

The motion did not prevail.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 379, a bill for an act to make an appropriation for the State Department of Social Welfare.

Also: That the House requests the return of Senate File 481, a bill for an act to make an appropriation to John W. Abel.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 379

Amend Section 1 by striking from lines four and five the words and figures "One million four hundred fifty-three thousand (\$1,453,000) dollars" and inserting in lieu thereof the words and figures "One hundred fifty-five thousand (\$155,000) dollars".

Further amend Section 1 by striking all of lines 13, 14 and 15.

Further amend Section 1 by striking from line 18 the figures "\$3,000", and by inserting a comma following the word "purpose" and adding the following: "the comptroller and the Governor are hereby authorized to transfer \$5,000 from the funds of the Board of Control to the Child Welfare Division, a sub-division of the Board of Social Welfare as provided in Senate File 373, Acts of the Forty-seventh General Assembly."

HOUSE AMENDMENTS CONSIDERED

Senator Stevens called up for consideration Senate File 379,

amended by the House, and moved that the Senate concur in the foregoing amendments.

Further consideration was temporarily deferred.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files 28, 241, 441, 446, 470, 473, 474, 475, 476, 477, 478, 479, 501, 507, 508, 510, 511, 512, 515, 516, 518, 519, 523, 531, and 533; and House Files 477, 538, 307, 483, 389, 487, 114, 352, 131, 484, 543, 496, 480, 533, 548, 518, 167, 365, 544, 165, 454, 258, 181, 319, and 146.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 28, 241, 441, 446, 470, 473, 474, 475, 476, 477, 478, 479, 501, 507, 508, 510, 511, 512, 515, 516, 518, 519, 523, 531, and 533; House Files 477, 538, 307, 483, 389, 487, 114, 352, 131, 484, 543, 496, 480, 533, 548, 518, 167, 365, 544, 165, 454, 258, 181, 319, and 146.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 20th day of April, 1937, sent to the Governor for his approval, Senate Files 28, 241, 441, 446, 470, 473, 474, 475, 476, 477, 478, 479, 501, 507, 508, 510, 511, 512, 515, 516, 518, 519, 523, 531, and 533.

FRANK PELZER, *Chairman.*

Passed on file.

Senator Corwin moved that the Senate withdraw no further bills from the sifting committee, and consider hereafter only such bills as have been favorably acted upon by the Senate.

The motion prevailed.

SENATE RESOLUTION 8 ADOPTED

Senator Baldwin called up Senate Resolution 8 which appears on page 1350 of the Senate Journal and moved its adoption. The motion prevailed and the resolution was adopted.

REPORT OF COMMITTEE ON COMMITTEES

Senate Chamber, April 20, 1937.

We, the Committee on Committees, name the following Senators as members of Senate Committee on Interstate Cooperation: Evans, Chairman, Augustine, Doran, Hoeven, Murray.

Committee on Committees—GEO. M. HOPKINS.

WM. S. BEARDSLEY.

SAM D. GOETSCH.

FRANK C. BYERS.

ROY E. STEVENS.

Senator Hopkins moved the adoption of the foregoing report of the committee on committees, which motion prevailed, and the report was adopted.

HOUSE MESSAGES CONSIDERED

House File 552, a bill for an act to authorize the issuance of a patent to certain land in Marshall county, Iowa.

Read first and second times and referred to sifting committee.

On motion of Senator Lundy, the Senate recessed until the fall of the gavel.



The Senate reconvened at the fall of the gavel, President Valentine presiding.

By unanimous consent on request of Senator Mason, the request of the House for the return of Senate File 481 was ordered complied with, and Senate File 481 was returned to the House.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 74, a bill for an act relating to the management of municipally owned water plants.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 183, a bill for an act relating to original notices.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 217, a bill for an act to legalize the corporate acts and renewal of the Farmers' Mutual Fire and Lightning Insurance Association.

Also: That the House has concurred in the Senate amendments to the House amendments to the following bill in which the concurrence of the House was asked:

Senate File 376, a bill for an act relating to assistance of aged persons.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 481, a bill for an act to make an appropriation to John W. Abel.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 506, a bill for an act to make appropriations to Willis & Moore, et al.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 514, a bill for an act to make an appropriation to Mrs. Estella Abernathy.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 526, a bill for an act to make an appropriation to C. O. Melvin.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 534, a bill for an act to make an appropriation to George Clancy.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 535, a bill for an act relating to the annual state levy.

Also: That the House has concurred in the following bill in which the concurrence of the House was asked:

House File 545, a bill for an act to make an appropriation for miscellaneous expenses.

Also: That the House has amended and refused to concur in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File 550, a bill for an act to make an appropriation to the state board of education and the board of control.

Also: That the Speaker of the House has appointed as members of the conference committee on the part of the House on House File 550, a bill for an act making appropriations for the board of education and board of control, Representatives Alesch, Knudson, Latchaw and Bruene.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 534

Amend Senate File 534 by striking Sections 4 and 5.

Amend the title by striking the following: “, and to Mrs. Oran Pape”.

HOUSE AMENDMENTS TO SENATE AMENDMENTS TO HOUSE FILE 550

Amend by striking Section 2.

Amend by striking Section 3.

Amend Section 4 by striking from lines 1 and 2 the words “capital improvement and repair fund” and inserting in lieu thereof the words “general fund of the state”.

Amend Section 5 by striking from lines 1 and 2 the words “capital improvement and repair fund” and inserting in lieu thereof the words “general fund of the state”.

Further amend Section 5 by striking lines 8 and 9 and substituting in lieu thereof the following:

“For pasteurizing plant.....	\$15,000.00
For storehouse	10,000.00”.

Amend by striking Section 6.

CONSIDERATION OF SENATE FILE 379 RESUMED

By unanimous consent Senator Stevens withdrew his motion that the Senate concur in House amendments to Senate File 379.

HOUSE AMENDMENTS CONSIDERED

Senator Mason called up for consideration Senate File 534,

amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 534 by striking Sections 4 and 5.

Amend the title by striking the following: ", and to Mrs. Oran Pape".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 25:

Augustine	Edwards	Hopkins	Moore
Beardsley	Evans	Husted	Murray
Bell of Crawford	Geske	Kimberly	Pelzer
Bell of	Gillespie	Kirketeg	Schadt
Des Moines	Goetsch	Mason	Shaw
Dean	Grunewald	Millhone	Stevens
Dewey	Hill		

Nays, 17:

Baldwin	Chrystal	Elthon	Mighell
Berg	Corwin	Hart	Parker
Billingsley	Donohue	Hoeven	Whitehill
Breen	Doran	Lundy	Zeigler
Byers			

Absent or not voting, 8:

Ellis	Guernsey	Levis	Smith
Gillette	Irwin	Miller	Stewart

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Mason, Senate File 534, a bill for an act to make an appropriation to George Clancy, was taken up and considered.

Senator Mason moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 43:

Augustine	Corwin	Grunewald	Miller
Baldwin	Dean	Hart	Millhone
Beardsley	Dewey	Hill	Moore
Bell of Crawford	Donohue	Hoeven	Murray
Bell of	Doran	Hopkins	Parker
Des Moines	Edwards	Husted	Pelzer
Berg	Elthon	Kimberly	Schadt
Billingsley	Evans	Kirketeg	Shaw
Breen	Geske	Lundy	Stevens
Byers	Gillespie	Mason	Whitehill
Chrystal	Goetsch	Mighell	Zeigler

Nays, none.

Absent or not voting, 7:

Ellis	Guernsey	Levis	Stewart
Gillette	Irwin	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE FILE 550 TO CONFERENCE COMMITTEE

Senator Elthon called up House File 550, relating to capital improvements, and moved that the Senate insist on its amendments and refuse to concur in the House amendments to the Senate amendments to House File 550.

On the question, "Shall the Senate insist on its amendments and refuse to concur in the House amendments to the Senate amendments?" the vote was:

Ayes, 32:

Augustine	Dewey	Hopkins	Murray
Beardsley	Doran	Kimberley	Parker
Bell of	Edwards	Kirketeg	Pelzer
Des Moines	Elthon	Lundy	Schadt
Berg	Evans	Mason	Shaw
Billingsley	Grunewald	Miller	Stevens
Breen	Hill	Milhone	Whitehill
Corwin	Hoeven	Moore	Zeigler
Dean			

Nays, 1:

Husted

Absent or not voting, 17:

Baldwin	Ellis	Goetsch	Levis
Bell of Crawford	Geske	Guernsey	Mighell
Byers	Gillespie	Hart	Smith
Chrystal	Gillette	Irwin	Stewart
Donohue			

The motion prevailed and the Senate insisted on its amendments to House File 550 and refused to concur in the House amendments to the Senate amendments.

Senator Hopkins moved that the rules be suspended and that the President appoint the conference committee on House File 550.

The motion prevailed and the President named as the conference committee on the part of the Senate, Senators Elthon, Donohue, Breen and Dean.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had approved the following:

Senate File 450, relating to powers, duties and jurisdiction of the state conservation commission.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 550

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, your conference committee appointed to consider the differences between the Senate and the House on House File 550, beg leave to report that we had the same under consideration and desire to report as follows:

We recommend that the Senate amendments to House File 550 when amended as follows be adopted:

1. Strike from the Senate amendments to House File 550 all of Section 2 and insert in lieu thereof the following:

"The executive council and the joint legislative committee on retrenchment and reform are hereby authorized to consider the advisability of consolidating the housing of all state departments located in Des Moines and now housed in buildings rented or leased by the state and the said executive council and joint legislative committee on retrenchment and reform are further authorized and directed to investigate as to repairs and improvements on all state property and shall report their findings with reference to the housing of the various state departments now housed in leased buildings, and shall further make such recommendations as they consider advisable to the next session of the General Assembly of the state of Iowa as to the manner of providing for necessary office space and shall also make recommendations as to the improvements and the amount thereof that are necessary on the various buildings under the control of the state of Iowa. All leases leasing any buildings or office space for state purposes hereafter executed or leased shall be subject to the approval of the state executive council and the joint legislative committee on retrenchment and reform.

2. Strike all of Section 3 of the Senate amendments to House File 550.

3. Amend Section 4 of the said Senate amendments by striking from lines 1 and 2 the words "capitol improvement and repair fund" and inserting in lieu thereof the words "general fund of the state treasury".

4. Amend Section 5 of the said Senate amendments by striking from lines 1 and 2 the words "capitol improvement and repair fund" and inserting in lieu thereof the words "general fund of the state treasury".

(a) Further amend Section 5 by striking from lines 4 and 5 the words and figures "two hundred ninety-five thousand five hundred dollars (\$295,500.00)" and inserting in lieu thereof "two hundred fifty-eight thousand dollars (\$258,000.00)".

(b) Further amend subsection a of Section 5 of the said Senate amendments by striking the figures "100,000.00" and inserting in lieu thereof the figures "\$62,500.00".

Amend the title to House File 550 as amended by the Senate as follows:

Strike the words and figures "two hundred ninety-five thousand five

hundred dollars (\$295,500.00)" in line 8 and insert in lieu thereof the words and figures "two hundred fifty-eight thousand dollars (\$258,000.00)".

Also commencing with the word "and" in line 9 strike the following words: "and to appropriate the sum of six hundred thousand dollars (\$600,000.00) for the purpose of purchasing or constructing a building for the housing of state departments".

Also strike the comma following the word "thereof" in line 16 and insert in lieu thereof a period. Further amend by striking the balance of the title.

GUSTAVE ALESCH.

FRED K. BRUENE.

F. A. LATCHAW.

JOHN KNUDSON.

LEO ELTHON.

E. P. DONOHUE.

ED BREEN.

EARL DEAN.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report, adopted the amendments recommended therein, and passed House File 550, a bill for an act to make an appropriation to the state board of education and the board of control.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 550 CONSIDERED

Senator Elthon called up the conference committee report on House File 550.

By unanimous consent on request of Senator Elthon, the conference committee report was corrected by adding the following publication clause:

"This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Forest City Summit, a newspaper published at Forest City, Iowa, and in the LeMars Globe-Post, a newspaper published at LeMars, Iowa."

Senator Elthon moved that the Senate adopt the conference committee report on House File 550, and concur in the amendments therein proposed.

On the question, "Shall the Senate adopt the conference committee report and concur in the amendments?" the vote was:

Ayes, 41:

Augustine	Bell of	Breen	Dean
Baldwin	Des Moines	Byers	Dewey
Beardsley	Berg	Chrystal	Donohue
Bell of Crawford	Billingsley	Corwin	Doran

Edwards	Grunewald	Kimberly	Parker
Elthon	Hart	Kirketeg	Pelzer
Evans	Hill	Lundy	Schadt
Geske	Hoeven	Mason	Shaw
Gillespie	Hopkins	Millhone	Stevens
Goetsch	Husted	Moore	Whitehill
		Murray	Zeigler

Nays, none.

Absent or not voting, 9:

Ellis	Guernsey	Levis	Miller
Gillette	Irwin	Mighell	Smith
			Stewart

The conference committee amendments and report having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Elthon, House File 550, a bill for an act to appropriate to the state board of education, and to the state board of control for repairs and replacements of buildings at the various state institutions the sum of five hundred fifty-nine thousand seven hundred dollars (\$559,700.00), for each year of the biennium beginning July 1, 1937, and ending June 30, 1939, as amended by the conference committee, was taken up and considered.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42:

Augustine	Corwin	Hart	Millhone
Baldwin	Dean	Hill	Moore
Beardsley	Dewey	Hoeven	Murray
Bell of Crawford	Donohue	Hopkins	Parker
Bell of	Doran	Husted	Pelzer
Des Moines	Edwards	Kimberly	Schadt
Berg	Elthon	Kirketeg	Shaw
Billingsley	Evans	Lundy	Stevens
Breen	Gillespie	Mason	Whitehill
Byers	Goetsch	Mighell	Zeigler
Chrystal	Grunewald	Miller	

Nays, none.

Absent or not voting, 8:

Ellis	Gillette	Irwin	Smith
Geske	Guernsey	Levis	Stewart

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens called up for consideration Senate File 379, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 1 by striking from lines four and five the words and figures "One million four hundred fifty-three thousand (\$1,453,000) dollars" and inserting in lieu thereof the words and figures "One hundred fifty-five thousand (\$155,000) dollars".

Further amend Section 1 by striking all of lines 13, 14 and 15.

Further amend Section 1 by striking from line 18 the figures "\$3,000", and by inserting a comma following the word "purpose" and adding the following: "the comptroller and the Governor are hereby authorized to transfer \$5,000 from the funds of the Board of Control to the Child Welfare Division, a sub-division of the Board of Social Welfare as provided in Senate File 373, Acts of the Forty-seventh General Assembly."

Further amend by striking from line 3 of the title the words: "Aid to Dependent Children".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 27:

Augustine	Chrystal	Grunewald	Mason
Beardsley	Dean	Guernsey	Mighell
Bell of Crawford	Doran	Hart	Miller
Bell of	Edwards	Hopkins	Murray
Des Moines	Elthon	Husted	Shaw
Billingsley	Geske	Kimberly	Stevens
Byers	Gillespie	Kirketeg	Whitehill

Nays, 12:

Berg	Donohue	Hoeven	Parker
Corwin	Evans	Lundy	Schadt
Dewey	Goetsch	Moore	Zeigler

Absent or not voting, 11:

Baldwin	Gillette	Levis	Smith
Breen	Hill	Millhone	Stewart
Ellis	Irwin	Pelzer	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Stevens, Senate File 379, a bill for an act to make an appropriation for the state department of social welfare for its expenses and for aid to the needy blind, and for the division of child welfare, was taken up and considered.

Senator Stevens moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35:

Augustine	Corwin	Grunewald	Mighell
Beardsley	Dean	Guernsey	Miller
Bell of Crawford	Dewey	Hart	Murray
Bell of	Doran	Hoeven	Parker
Des Moines	Edwards	Hopkins	Schadt
Berg	Elthon	Kimberly	Shaw
Billingsley	Geske	Kirketeg	Stevens
Byers	Gillespie	Lundy	Whitehill
Chrystal	Goetsch	Mason	Zeigler

Nays, 3:

Donohue	Evans	Moore
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Present, 1:

Pelzer

Absent or not voting, 11:

Baldwin	Gillette	Irwin	Smith
Breen	Hill	Levis	Stewart
Ellis	Husted	Millhone	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF COMMISSIONERS ON UNIFORM STATE LAWS TO THE FORTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF IOWA

To: Honorable Nels G. Kraschel, Governor, Honorable John K. Valentine, Lieut.-Gov., and the presiding officer of the Senate, and the Honorable LaMar Foster, Speaker of the House of Representatives, and the Forty-seventh General Assembly of the State of Iowa.

Gentlemen:

Pursuant to Chapter 5, Code of Iowa, 1935, the Iowa Commissioners on Uniform State Laws, submit the following report:

The present commissioners, each appointed July 1, 1933, are: Eugene A. Gilmore, President, University of Iowa, Iowa City, Iowa, Chairman; John C. Pryor, Burlington, Iowa, Secretary and Jesse E. Marshall, Sioux City, Iowa.

Each of the commissioners attended and participated in the Forty-sixth annual meeting of the National Conference at Boston, Massachusetts, held August 17 to 22, 1936, inclusive. At this meeting, forty states were represented with eighty-five commissioners in attendance. The conference approved an enlargement of the scope and purposes through amendment to its Constitution, so that its work may cover the subject matter of interstate compacts and the attempt to secure uniform judicial interpretation of uniform acts and to include cooperation with the American Law Institute in its work concerning the restatement of the law.

During the meeting of the conference, many proposed uniform acts were discussed and tentative drafts of the following acts were considered:

1. Trusts Act.
2. Trustees Accounting Act.
3. Absentees Property Act.
4. Death in Common Disaster Act.
5. Acknowledgment Act.
6. Criminal Extradition Act.
7. Act to secure the attendance of witnesses from without the state in criminal cases.
8. Model State Department of Justice Act.
9. Business Records as Evidence Act.
10. Composite Reports as Evidence Act.
11. Judicial Notice of Foreign Laws Act.
12. Official Reports as Evidence Act.
13. Criminal Statistics Act.
14. Aeronautical Code.
15. Liquidation of Insurance Companies Act.
16. Rehabilitation, Reorganization of Liquidation of Insurers Doing Business in More than One State.
17. Agricultural Cooperative Association Act.
18. Expert Testimony Act.
19. Act to establish wills before death of testator.

Final drafts of the following Acts were approved and their adoption recommended to the several states:

1. Uniform Trustees Accounting Act.
2. Uniform Extradition Act for Criminals.
3. Uniform Act for securing the attendance of foreign witnesses.
4. Uniform Agricultural Cooperative Marketing Act.
5. Uniform Evidence Act providing for introduction of business records.
6. Uniform Composite Reports Act providing for their introduction in evidence.
8. Uniform Act covering the judicial notice to be taken of foreign law.

The State of Iowa has enacted ten uniform acts drafted by the National Conference of Commissioners on Uniform State Laws, as follows:

1. Acknowledgments Act. (1911)
2. Bills of Lading Act. (1911)
3. Illegitimacy Act. (1925)
4. Limited Partnership Act. (1924)
5. Motor Vehicle Operators' and Chauffeurs' License Act. (1931)
6. Negotiable Instruments Act. (1902)
7. Reciprocal Transfer Tax Act. (1929)
8. Sales Act. (1919)
9. Veterans' Guardianship Act. (1929)
10. Warehouse Receipts Act. (1909)

Your commissioners urged upon the Forty-sixth General Assembly the enactment of the Uniform Criminal Procedure Acts, Uniform Firearms Act and the Declaratory Judgments Act adopted by the conference. The Uniform Declaratory Judgments Act was reported favorably

by the House judiciary committee, as House File 367. The Criminal Procedure Acts were reported favorably by the House judiciary committee as House Files 417 and 299. The Uniform Firearms Act was introduced as Senate File 179.

We enclose herewith copies of the Uniform Declaratory Judgments Act as drafted by the National Conference. This is identical with House File 367, Forty-sixth General Assembly. We also enclose drafts and preliminary statements of Uniform Criminal Procedure Acts. These have been changed slightly from the Acts introduced at the last General Assembly, House Files 417 and 299. These drafts were prepared by the Interstate Commission on Crime in cooperation with the National Conference of Uniform Law Commissioners.

With reference to the Uniform Declaratory Judgments Act, the Committee on Law Reform of the State Bar Association has agreed to assist in sponsorship. We attach copies of these drafted acts for your information. Your commissioners are prepared to furnish any possible assistance and any information available to secure the passage of these acts.

We respectfully call your attention to the fact that your commissioners serve without compensation but that their actual expenses are paid from an appropriation by the Legislature. The expenses of the commissioners in the performance of their duties amount to approximately \$600.00 annually.

E. A. GILMORE, *President.*

J. C. PRYOR, *Secretary.*

JESSE E. MARSHALL, *Member.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files 186, 30, 528.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files 186, 30, 528.

Senator Kirketeg asked and received unanimous consent to exchange seat number 1 with Senator Stevens for seat number 16.

Senator Lundy asked unanimous consent that the lump of Iowa coal, which he has reposing under his desk emblematic of

the importance of Iowa's second industry, coal, be placed in the care and custody of the sergeant-at-arms, and that he be instructed to place the same under the supervision of the custodian of the Capitol building. He also requested that he be permitted to have the same returned to him, or another lump of Iowa coal placed at his desk for the next session of the General Assembly.

There being no objections, the President authorized the sergeant-at-arms to fulfill said request and granted the privilege to Senator Lundy to have a lump of Iowa coal again placed at his desk for the next session of the General Assembly.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Beardsley moved that the rules be suspended and that the President appoint a committee of three to wait on the Governor and notify him that the Senate was ready to adjourn sine die and to ascertain whether or not he had any further communication to lay before the Senate. The motion prevailed.

The President appointed as such committee, Senators Pelzer, Stevens and Chrystal.

COMMITTEE TO NOTIFY THE HOUSE

Senator Beardsley moved that the rules be suspended and that the President appoint a committee of three to notify the House that the Senate was ready to adjourn sine die. The motion prevailed.

The President appointed as such committee Senators Beardsley, Mason and Hopkins.

On motion of Senator Byers, the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President Valentine presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 236, a bill for an act relating to use of domestic animal fund.

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Pelzer, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files 74, 101, 139, 140, 148, 183, 214, 217, 236, 373, 374, 375, 376, 379, 444, 447, 481, 526, 528, 534, and 535, and House Files 545 and 550.

FRANK PELZER, *Chairman Senate Committee.*

JOHN R. IRWIN, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files 74, 101, 139, 140, 148, 183, 214, 217, 236, 373, 374, 375, 376, 379, 444, 447, 481, 526, 528, 534, and 535, and House Files 545 and 550.

BILLS SENT TO THE GOVERNOR

Senator Pelzer, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 20th day of April, 1937, sent to the Governor for his approval: Senate Files 74, 101, 139, 140, 148, 183, 214, 217, 236, 373, 374, 375, 376, 379, 444, 447, 481, 526, 528, 534, and 535.

FRANK PELZER, *Chairman.*

Passed on file.

EXPLANATION OF VOTE

In explanation of my motion and my vote in the Senate that the Senate concur in the House amendments to Senate File 379, I wish to state that when the House considered the social security measures, they amended the appropriation bill striking out the appropriation for the aid to dependent children; and in their consideration of Senate File 377, they amended it by putting on a \$420,000.00 appropriation and then sent it to the appropriations committee where it was killed. As a result of this action, in the last hours of the session of the Senate it was necessary for the Senate to concur in the House amendments to Senate File 379 in order to save the \$155,000.00 which was the appropriation made for aid for the blind and child welfare. We had no opportunity to force an issue with the House to get the aid for dependent children passed. As a member of the Senate I realize that the action of the House caused the taxpayers of the state of Iowa to lose \$420,000.00 federal aid which would have been available had the House passed Senate File 377 and appropriated the amount necessary to carry on this work. ROY E. STEVENS.

REPORT OF SPECIAL COMMITTEE

The committee appointed to wait upon the Governor reported that it had performed its duty and the following message from the Governor was read:

STATE OF IOWA
EXECUTIVE OFFICE
DES MOINES

April 20, 1937.

To the Honorable, the Members of the Senate of the Forty-seventh General Assembly of Iowa:

My compliments to your honorable body. You have been industrious and painstaking in your labor. You have acted with due deliberation, either favorably or unfavorably, upon every question before you.

As chief executive, I shall endeavor to put into operation the changes made in our law.

It has been a privilege for me to fraternize with you in the execution of our duties and many friendships have been formed that will endure until death. I wish you Godspeed and a full quota of life's pleasantries.

Respectfully yours,

NELSON G. KRASCHEL.

The report was accepted and the committee discharged.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn sine die.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the House that the Senate was ready to adjourn sine die returned and announced it had performed its duty.

The report was accepted and the committee was discharged.

FINAL ADJOURNMENT

The hour of five o'clock p. m. having arrived, President John K. Valentine declared the Senate of the Forty-seventh General Assembly adjourned sine die.

IN MEMORIAM

Senate

GEORGE W. CLARKE.....	October 24, 1852-November 28, 1936
W. L. HARDING.....	October 3, 1877-December 17, 1934
NATHAN E. KENDALL.....	March 17, 1868-November 4, 1936
JOHN HAMMILL.....	October 14, 1875-April 6, 1936
CHARLES M. DUTCHER.....	April 29, 1869-November 17, 1936
JOHN WASSON FOSTER.....	February 26, 1857-May 20, 1935
ALBERT C. HOTCHKISS.....	November 21, 1842-March 4, 1934
OTTO F. LANGE.....	February 16, 1869-February 21, 1937
FRED L. MAYTAG.....	July 14, 1857-March 26, 1937
AARON V. PROUDFOOT.....	June 13, 1862-June 7, 1936
E. W. ROMKEY.....	July 3, 1869-May 1, 1936
F. E. THOMPSON.....	December 13, 1873-September 19, 1932
THOMAS H. SMITH.....	September 30, 1854-September 17, 1936
L. T. SHANGLE.....	March 18, 1868-September 2, 1935
D. MYRON TRIPP.....	September 6, 1882-May 15, 1936
T. F. DRISCOLL.....	November 18, 1896-February 23, 1937

JOURNAL OF THE SENATE

MEMORIALS

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 20, 1937.

The Senate met in memorial session, President John K. Valentine presiding.

GEORGE W. CLARKE

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public services of the late Honorable George W. Clarke, Governor of Iowa, begs leave to submit the following:

George W. Clarke was born on a farm in Shelby county, Indiana, October 24, 1852, and died in his home in Adel, Iowa, November 28, 1936. Burial was in Oakdale Cemetery, Adel. His parents, John and Eliza J. Clarke, removed in October, 1856, to a farm a mile and a half southeast of Drakesville, Davis county, Iowa. There George grew to manhood, helped on the farm and attended local public school. He taught school for about a year in all, first in the country, then in Drakesville, and in Bloomfield.

In 1874 he entered Oskaloosa College, graduating therefrom in 1877. He read law for a brief time in the offices of Lafferty & Johnson at Oskaloosa, then entered the law school of the State University of Iowa, from which he graduated in 1878. The same year he began the practice of law in Adel. On June 25, 1878, he married Miss Arletta Greene of Adel and they established a home, in the maintenance of which, with the two sons, Fred G. and Charles F., and the two daughters, Portia and Frances, who joined their family circle, they found much real happiness. In 1882 he joined with John B. White of Adel in the firm of White & Clarke, which in the course of time came to be regarded as one of the leading law firms of central Iowa.

In 1899, as a Republican, George W. Clarke was elected representative of Dallas county. He was re-elected in 1901, in 1903, and in 1905. He served in the Twenty-eighth and Twenty-ninth General Assemblies, and was elected Speaker of the House in the Thirtieth and Thirty-first General Assemblies. In 1908 he was the successful Republican candidate for lieutenant governor. After serving two terms as lieutenant governor, he was elected governor.

During his first term as governor, he fathered the idea of capitol extension. He advocated condemning and buying all the property near the capitol—about one hundred acres in extent. This move brought upon him

the severe condemnation of angry taxpayers. In his campaign for re-election, from every public rostrum in the state of Iowa he defended his capitol extension program. Although his majority was greatly reduced, his sublime confidence in the wisdom of this proposition was sufficient reward. Today we wonder why any sane citizen of Iowa opposed his extension program.

During his four-year term as governor he pioneered in the development of permanent roads, and workmen's compensation; he gave new life to the library movement; he worked hard for enforcement of all laws against intemperance. The Blue Sky Bill which provided for licensing and state supervision of investment companies was another step of progressive legislation passed during the Clarke regime, the entire period of which was characterized by honesty and efficiency in state government.

Soon after retiring from the governorship he returned to Adel, seeking repose and rest among his old time friends, his books, and flowers. He was a man of strong convictions, high ideals, and a lover of his fellow man and of Nature. A clean, conscientious, Christian gentleman, the outstanding characteristic of George W. Clarke in all walks of life was his innate honesty. He served his community, his state, and his nation, and he served them well. Therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly in Regular Session: That in the passing of the Honorable George W. Clarke, Iowa has lost an honored, upright and beloved citizen, a man of great character and worth, a man of high ideals in brotherly living and useful citizenship, and the Senate by this resolution tenders its sincere sympathy to the surviving members of his family in their sorrow.

Be It Further Resolved, That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

GEO. M. HOPKINS,
ORA E. HUSTED,
I. G. CHRYSTAL,

Committee.

The resolution was unanimously adopted.

Senator Hopkins spoke as follows:

MR. PRESIDENT: My personal contact with Governor George W. Clarke would indicate that he was one of the cleanest men to occupy the high position of governor of the state of Iowa.

It was my privilege while campaigning for the first time for nomination as state senator from the seventeenth district, to visit him at his home in Adel. We had a very pleasant chat. Nothing was said about my candidacy. He seemed to have a satisfied feeling as to his administration as governor. While not boasting, he said that it required quite a bit of nerve force to promote capitol extension. In a few days after this visit I received a letter from Governor Clarke announcing his personal support of me for the office of state senator. I prize this letter the most highly of any letter I have in my files.

Everybody in the town of Adel knew Governor Clarke, and he likewise

knew the surname of every citizen. Many there are who have had those heart to heart talks with Governor Clarke.

He had known for a number of years that the next day might be the last day, but with this knowledge he always came up smiling. In his death Iowa lost one of its greatest citizens.

W. L. HARDING

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public services of the Honorable W. L. Harding, Governor of Iowa, begs leave to submit the following:

W. L. Harding, Governor of Iowa from 1917 to 1921, died at his home in Des Moines, Iowa, on Monday, December 17, 1934, at the age of fifty-seven. Death came unexpectedly following a heart attack, suffered after a campaign address at Crawfordsville, Indiana.

Governor Harding, the war-time governor, was born October 3, 1877, near Sibley, Iowa, and was the son of Mr. and Mrs. O. B. Harding who had come to Iowa from Pennsylvania. Governor Harding attended public schools in Iowa and graduated from Morningside College and the University of South Dakota.

Governor Harding was elected from Woodbury county to the House of Representatives where he served six years. He was elected lieutenant governor in 1912 and was re-elected in 1914. Two years later he became a candidate for governor and won the post in one of the hottest campaigns in recent Iowa history.

Governor Harding practiced law in Sioux City, Iowa, with the firm of Oliver, Harding & Oliver, and at one time was associated with James Kin-dig, later a justice of the Iowa Supreme Court. Governor Harding practiced law in Des Moines where he made his home after serving as governor.

He was a gifted public speaker and spent considerable time and took extended speaking trips in behalf of the Great Lakes-St. Lawrence waterways project.

Governor Harding's immediate family consists of Mrs. Harding and a daughter, Barbara.

The body of Governor Harding lay in state at the capitol on Thursday morning following his death and after services were held in Des Moines was then taken to Sioux City for burial.

Deep regret was expressed by every one who knew Governor Harding, because he was an able statesman, a congenial, loyal and sympathetic friend of the state and nation. He was a man of exceptional ability and high integrity. He was one of the most forceful speakers Iowa has ever known and an able and fearless executive.

In the passing of Governor Harding Iowa has lost an honored and upright beloved citizen. Therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly: That the state has lost a valuable citizen and we bear unanimous witness of his upright life, his wisdom, and his honorable service to his state.

In the years of his service as an official his conduct was exemplary in every respect. Therefore,

Be It Resolved, That a copy of these resolutions be spread upon the Journal of the Senate and that the Secretary of the Senate be directed to forward an enrolled copy to the widow of the deceased.

TOM E. MURRAY,
CHARLES B. HOEVEN,
D. W. KIMBERLY,

Committee.

The resolution was unanimously adopted.

Senator Murray spoke as follows:

MR. PRESIDENT: It is unfortunate for me at this time to have never personally known former Governor Harding. He had left his law practice in Sioux City to enter the field of public service several years before I located there. However, it is not difficult for me to say here that Governor Harding enjoyed the confidence and admiration of a host of friends in Sioux City, Woodbury County and northwestern Iowa. This was made apparent to me at his simple burial rites in Sioux City which were attended by persons in all walks of life from throughout western and northwestern Iowa.

I am sure that Governor Harding was a great and good man to have merited the many fine and admirable things that have been said about him by my friends and your friends who had the good fortune to have known and loved him.

NATHAN E. KENDALL

MR. PRESIDENT: Your committee which was appointed to draft resolutions commemorating the life, character and services of the late Nathan E. Kendall, begs leave to submit the following report:

Nathan E. Kendall was born in Greenville, Lucas county, Iowa, March 17, 1868, and died at his home in Des Moines, November 4, 1936.

As a boy he worked on his father's farm near Greenville, and attended rural school. Possessed of a keen and receptive mind, as a youth he read and reread eagerly such books as he could obtain. He entered the law office of T. B. Perry, then a leading attorney at Albia. There he studied and in 1887 was admitted to the Bar. He served one term as City Attorney of Albia, and was elected County Attorney of Monroe county in 1893, and served until 1897.

In 1896 he was united in marriage to Belle Wooden of Centerville, Iowa, who preceded him in death March 18, 1926, at Naples, Italy, while on a tour of Europe with her husband.

It was in her memory that Mr. Kendall gave what is known as the Belle Kendall Community Playhouse on 35th Street, Des Moines, to the Little Theatre Group of Des Moines.

In 1899 Mr. Kendall was elected to the House of Representatives, and served as a member of that body in the Twenty-eighth, Twenty-ninth,

Thirtieth, Thirty-first, Thirty-second and Thirty-second Extra sessions of the General Assembly, representing Monroe county, and was speaker of the House of Representatives for the Thirty-second and Thirty-second Extra Sessions.

In 1908 he was elected to Congress from the Sixth District of Iowa, where he promptly took rank as an orator and debater, and served as a member in the Sixty-first and Sixty-second Congress.

Mr. Kendall was elected Governor in 1920 and served two terms, from 1921 to 1925 inclusive. His record as Chief Executive of the State met with the hearty approval of the general citizenry. On completion of his second term, he retired from active participation in politics; however, he took an active interest in the affairs of State and Nation, at all times, up until the date of his death.

On June 28, 1928, he was married to the widow of William F. Bonnell of Cleveland, Ohio, the former Miss Mabel Fry.

Mr. Kendall was a man of generous impulses and made various gifts, notably his gift of over 7,000 volumes of his private library to the city of Albia, together with the funds for the enlargement of the library to twice its previous capacity. He likewise presented the Monroe County Bar Association with his law library when he closed his law office at Albia in 1925.

He was one of the most brilliant orators in the history of the state. His career was the fruit of a keen mind, a gift for oratory, ceaseless reading and study of history, and worthy ambition; therefore

Be It Resolved, That in the passing of the Honorable Nathan E. Kendall Iowa mourns the loss of an outstanding citizen, a brilliant orator, and one who served the state and nation with fidelity and marked distinction.

Be It Further Resolved, That a copy of this resolution be printed in the Journal of the Senate as a commemoration of the life of one of Iowa's most distinguished citizens, and that enrolled copies hereof be transmitted to the members of his family.

HUGH W. LUNDY,
H. V. LEVIS,
HUGH G. GUERNSEY,

Committee.

The resolution was unanimously adopted.

Senator Lundy spoke as follows:

MR. PRESIDENT, MEMBERS OF THE SENATE: May I add just a few words concerning the late Nathan E. Kendall, who was affectionately known as "Nate" by his friends of Monroe county.

The oft-time saying, "a man is not without honor save in his own country", is not apropos in this instance. Governor Kendall's friends and neighbors recognized his fine presence, genial personality, his ability as a statesman, as an orator, and as a splendid lawyer. Our "Nate" loved his home town, retaining his legal residence there until the time of his death. He was always interested in the doings of the "folks back home". It was only natural that he should request that his ashes be

buried on the lawn of his former home in Albia, now the property of the Albia Woman's Club, through the generosity of Governor and Mrs. Kendall.

Time does not permit me to present many of the intimate incidents of our lamented, distinguished citizen. Governor Kendall was interested in fundamentals. He believed in education from a practical standpoint. He often emphasized the importance of the three R's, and urged that good literature, history, and art should comprise an important part of the public school curriculum. While not unmindful of the many advantages of our schools today, yet he was loathe to depart from some of the great lessons presented in McGuffey's Readers.

He never claimed to be a politician, and pointed to the fact that some of his friends often criticized him for political blunders. He preferred a broad acquaintance, a sincerity of purpose, a desire to honestly serve his state and nation, to off-set such alleged political imperfections. His record reveals the correctness of his analysis.

Therefore, Mr. President, in behalf of his many friends and acquaintances back home, I commend his memory to the members of the Senate and to the citizens of our great state. His life is a challenge to the young manhood of our state—an illustration of preeminence that is possible to youth in America, who have the brains, the ambition, the character, the ability to work, out of which success Democracy is born.

JOHN HAMMILL

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life and services of the late Honorable John Hammill of Britt, Iowa, begs leave to submit the following:

John Hammill was born October 14, 1875, at Linden, Wisconsin, and died April 6, 1936, at Minneapolis, Minnesota. He came to Iowa with his parents, John and Mary Hammill, and they located at Britt in Hancock county in 1889. Being only a youth of tender years when he first set foot on Iowa soil, the parents did not in their fondest dreams realize that they were bringing to this state a boy who would be one of Iowa's most illustrious sons.

John Hammill spent all of his life after moving to Britt in that community except during the time that he was in Des Moines as a public servant.

He graduated from the Britt High School and later from the law department of the State University of Iowa and entered the practice of his chosen profession at Britt in 1897. In June, 1899, he was united in marriage to Miss Fannie Richards of Garner, Iowa.

John Hammill was always deeply interested in public affairs and was elected to the office of County Attorney in 1902 and held that office for a period of four years. In 1908 he was elected as State Senator from the 43rd Senatorial District, holding that office for one term. He was elected as Lieutenant Governor in 1920 and re-elected in 1922, serving with credit and distinction as President of the Senate. During his

second term he served as acting governor during the absence of the late N. E. Kendall, then Governor. Mr. Hammill was elected Governor of Iowa in 1924 and was re-elected twice, thus holding this important office for a period of six years.

Governor Hammill's record as a public servant was outstanding in the progress and achievements of the State.

The private and public life of Governor Hammill was always above reproach. He was well known and active in fraternal circles. He was a 32nd degree Mason, and a member of the Order of Eastern Star. In these organizations he held many high offices of honor and trust.

Governor Hammill was a capable lawyer, a worthy citizen, and a valued public servant. He possessed a genial personality and was respected and admired by those who knew him. His counsel and advice were sought by those in public life.

Be It Therefore Resolved, That the State of Iowa has, in the death of Governor John Hammill, lost one of its most admired and respected citizens, and that we tender to his beloved wife our sincere sympathy.

Be It Further Resolved, That a copy of this resolution be spread upon the Journal of the Senate, and that the Clerk be instructed to send an enrolled copy to the wife of the deceased.

EARL DEAN,
PAUL STEWART,
G. R. HILL,

Committee.

The resolution was unanimously adopted.

Senator Dean spoke as follows:

MR. PRESIDENT AND MEMBERS OF THE SENATE: I wish to take this opportunity to say a few words in behalf of my friend now departed, former Governor John Hammill.

We in northern Iowa feel that in the loss of John Hammill the common people in Iowa lost a real friend. He was courageous and stood firmly by his convictions. As a member of the Senate, the 43rd Senatorial District was never better represented. As Governor he promoted some of Iowa's most worthwhile improvements and Iowa can look back with pride on his administration as Governor of this state. In his passing Iowa has lost one of its foremost citizens.

CHARLES M. DUTCHER

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and services of the late Charles M. Dutcher, begs leave to submit the following report:

Charles M. Dutcher was born at Humboldt, Kansas, on April 29, 1869, and came to Iowa City with his parents in 1877, when he was nine years old.

He attended public school in Iowa City where he graduated in 1889,

and later attended the State University where he graduated in liberal arts and law in 1894. He was admitted to the Iowa Bar in 1894. After admission to the Bar, he practiced law in Iowa City, continuously to the day of his death, which occurred in Des Moines on Tuesday, November 17, 1936, while he was presenting an argument before the Supreme Court. He was County Attorney of Johnson county in 1897 and 1898.

In 1921 he was elected President of the Iowa State Bar Association. He represented Johnson and Iowa counties in the Iowa State Senate in the Thirty-ninth, Fortieth and Fortieth Extra General Assemblies.

In 1925 Governor John Hammill offered him an appointment to the Iowa Supreme Bench, which he declined.

He was able, honest and courageous. He left a host of admiring friends who sincerely sympathize with the widow and three surviving children.

F. C. SCHADT,
FRANK BYERS,
H. J. GRUNEWALD,

Committee.

The resolution was unanimously adopted.

Senator Schadt spoke as follows:

MR. PRESIDENT AND MEMBERS OF THE SENATE: Since the late Honorable Charles M. Dutcher has been one of my predecessors, and since I was quite well acquainted with him, I would like to make a few remarks.

We got together occasionally on medico legal matters, and allied subjects, which added to my close knowledge of the deceased. As you know, he was graduated from the Law College of the University of Iowa in 1894, and practiced law at Iowa City until the time of his death. He was a member of the State Bar Association and the American Bar Association.

While he was largely engaged in general practice, he got to do quite a little corporation work and could as well be called a corporation attorney. For a number of years he was lecturer in medical jurisprudence at the State University of Iowa, and for years he represented the American Medical Association in matters of litigation.

He took an active part in church, civic, social, and lodge affairs. He exercised the higher principles of the ethical practice of the profession of law. Professionally and socially, he set up a standard whereby he is a loss to his many colleagues, and which standard young practitioners might well follow.

JOHN W. FOSTER

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public services of the late Honorable John Wasson Foster, a former member of the General Assembly of Iowa, begs leave to submit the following:

John Wasson Foster was born in Cass township, Guthrie county, Iowa, February 26, 1857, and died in a hospital in Des Moines, May 20, 1935.

Burial was in Union Cemetery at Guthrie Center. His parents were James W. and Louisa A. Foster. When less than a year old, he was stricken with infantile paralysis which prevented him from walking except with crutches. His brother and sister either carried or pulled him in a homemade wagon to school. As a scholar he was unusually quick and talented. He attended country public school, became a teacher early in his life, attended State College of Agriculture and Mechanic Arts at Ames, and was graduated from the law department of the State University of Iowa in 1879, having largely earned his own way when attending those institutions. In the fall of 1879 he was elected auditor of Guthrie county, and was twice re-elected, serving six years.

On April 25, 1882, he was united in marriage to Miss Rira E. Johnson of Guthrie Center. They had one son, Carl S., now located at Harlan.

In 1886 Mr. Foster purchased a set of abstracts of titles to real estate records, which with real estate loans added greatly to his business. He became known as one of the most clever abstracters in central Iowa. In 1886 he was associated with James H. Applegate in the practice of law. This partnership continued until 1891. In 1895 he entered the banking business and during the following thirty years became president of the First National Bank of Guthrie Center, and owned a controlling interest in it and in banks in several nearby towns: Stuart, Montieth, and at one time in Bagley and Yale.

During these busy years he had time to do his duty as a public citizen, aiding in enterprises for the good of the community. He was one of the greatest Republican convention organizers of his time in the State. He with a few others was instrumental in organizing the River-to-River Road Association, the first attempt at an improved automobile road across Iowa. On August 17, 1915, Governor Clarke appointed J. W. Foster and others as a Better Roads Commission to investigate road building in Iowa and other states, and make report. Their work and report led the way to Iowa's present Highway Commission and system of improved roads.

In 1914 Mr. Foster was elected state senator to fill the unexpired term of Senator A. M. McColl; was re-elected in 1916 and served in the Thirty-sixth, Thirty-seventh and Thirty-eighth General Assemblies, as chairman of the committee on banks in the Thirty-seventh and Thirty-eighth. When the financial crisis came in the late 1920's, he gradually closed out his banking and farming interests and by 1930 retired, his personal fortune going to liquidate depositors' accounts.

The state of Iowa owes a great debt or gratitude to John W. Foster for laying the real foundation, by his careful planning, of the set-up of the Board of Assessment and Review, newly created in July, 1929, when he was by Governor Hammill appointed a member thereof for a term of four years. He was reappointed by Governor Herring on July 1, 1933, to fill the vacancy occasioned by the resignation of Louis H. Cook.

Mr. Foster, working under physical handicaps all his life, showed wonderful courage and always came up smiling. Courteous and industrious, capable and resourceful, his greatest equipment was his integrity and character. He was an honor to his community as a business

man, and an example of high and devoted purpose as a servant of the state.

In the passing of the Honorable John Wasson Foster, the State has lost a valued and honored citizen, a man of great character and worth, and the Senate by this resolution tenders its sincere sympathy to the surviving members of his family in their sorrow. Therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly in Regular Session: That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

GEO. M. HOPKINS,
ORA E. HUSTED,
I. G. CHRYS TAL,

Committee.

The resolution was unanimously adopted.

ALBERT C. HOTCHKISS

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character, and public services of the late Honorable Albert C. Hotchkiss, a former member of the General Assembly of Iowa, begs leave to submit the following:

Albert C. Hotchkiss was born in Binghamton, New York, November 21, 1842, and died in his home in Adel, Iowa, March 4, 1934. Burial was in Oakdale Cemetery, Adel. His parents, William and Sarah (Gilbert) Hotchkiss, were natives of Connecticut. He was reared on a farm and aided in farm work until fourteen years of age, when he became a clerk in a dry goods store, which vocation he followed until his enlistment, in 1862, in Company H, One Hundred Sixty-eighth New York Volunteers, with which company he remained fourteen months, the full term of his enlistment. In September, 1864, he re-enlisted in Company M, First New York Veteran Cavalry, with which he remained at the front until the cessation of hostilities. He was always faithful to his duty, whether on the picket line or the firing line, in camp or on the field of battle.

Following his discharge from the army, and a short visit to Iowa, he entered in the shoemaking business in Binghamton. He was married on September 12, 1867, at Binghamton, to Miss Lucy Fairchild, a native of said place and a daughter of Stephen B. Fairchild. Shortly thereafter, with his bride and his parents, he came to Iowa, settling and remaining for seven years on a farm in Dallas county, near Adel.

His abilities and interest in public matters attracted the public so that in 1873 the Republican party nominated him for clerk of the District Court. He was elected and continued to serve in that position six years. Having become interested in the Dallas County News, published at Adel, in 1879 he purchased an interest in it, and became its editor, a position he continued to hold until his retirement in 1925, making it one of the leading country papers of the state.

He was elected state senator in 1895, and served the seventeenth senatorial district comprising the counties of Dallas, Guthrie, and Audubon in the Twenty-sixth, Twenty-sixth Extra, and Twenty-seventh General Assemblies. He served as postmaster at Adel two terms: from 1889 to 1894 under President Benjamin Harrison, and from 1904 to 1913 under President Theodore Roosevelt.

Unto Mr. and Mrs. Hotchkiss were born a son and two daughters: Louis J., Jessie G., and Nellie, all of whom survive him. Mr. Hotchkiss was a member of the Presbyterian church at Adel from its organization to its disbanding, serving for many years as Elder, Clerk of Sessions, Superintendent of the Sunday School, and teacher of adult classes, and was, with his family, prominently known socially. He was a member of the Hobby Club, the Rotary Club, the Colonel Mills Post, and the G. A. R. He was always kind and loving in his family relations, and fair and just in business matters.

Mr. Hotchkiss was one of a group of Adel citizens active in bringing a railroad to Adel, and had part in settling, through legislation, the question of the location of the county seat of Dallas county. He displayed rare ability as a public speaker, as a newspaper editor, and as a legislator, and was held in high regard in his own community and in the state.

He served well his community, his state, and his nation, and in the passing of Mr. Hotchkiss, Iowa has lost an upright and honored citizen, a man of high ideals in brotherly living and useful citizenship; therefore,

Be It Resolved by the Senate of the Forty-seventh General Assembly in Regular Session: That the Senate by this resolution tenders its sincere sympathy to the surviving members of his family in their sorrow, and that a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

GEO. M. HOPKINS,
ORA E. HUSTED,
I. G. CHRYSAL,

Committee.

The resolution was unanimously adopted.

OTTO F. LANGE

MR. PRESIDENT: Your committee appointed to prepare a suitable memorial commemorating the life and service of Otto F. Lange of Dubuque, Iowa, submits the following brief memorial:

Otto F. Lange, son of Robert W. and Otilie Lange, was born in Dubuque county, February 16, 1869, where he resided until the time of his death.

Mr. Lange began as a commercial traveler at the age of eighteen, and he followed that occupation until 1907, at which time he became general agent for the Royal Union Life Insurance Company at Dubuque. He was married to Lyde Brendel of Galena, Illinois, August 29, 1892. Three children, Harvey, Philo, and Neva, were born to this union.

Senator Lange was elected to the Iowa State Senate from Dubuque county in 1926. He served in the Forty-second General Assembly and in the Special Session of said assembly, and in the Forty-third General Assembly. He is remembered by those who served with him as a conscientious, dependable and outstanding member of the Senate. His duties as a citizen and statesman were always well and ably carried out. In the passing of Otto F. Lange, the state lost a valuable and honored citizen, a man of strong character, and the Senate of Iowa by this memorial extends its sympathy to his wife and immediate family.

The committee directs that a copy of this memorial be spread on the Journal of the Senate, and that the Secretary be directed to send an enrolled copy to the family of the deceased.

H. C. BALDWIN,
D. W. KIMBERLY,
M. X. GESKE,

Committee.

The resolution was unanimously adopted.

FRED L. MAYTAG

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character, and services of the late Fred L. Maytag, begs leave to submit the following report:

Fred L. Maytag was born at Elgin, Illinois, July 14, 1857, and died March 26, 1937, at Los Angeles, California.

He was the son of Daniel W. and Amelia (Tonebohn) Maytag, and moved with his parents to Iowa in 1866 in a prairie schooner, settling on a farm just about half way between Marshalltown and Newton. He received his early education in the rural schools, and in 1926 Parsons College conferred upon him an honorary degree of Doctor of Laws.

In 1882 he was united in marriage to Dena Bergman of Newton, Iowa, who preceded him in death in 1934. To this union were born four children, Lulu (Mrs. William H. Smith), Freda Louise (Mrs. H. I. Sparey), Elmer Henry, and Lewis Bergman, all of whom survive him.

He was engaged in farming until 1880, and then in various other lines of business until 1907. At this time he founded the Maytag Company and began the manufacture of washing machines. As chairman of the board of the Maytag Company he has seen it attain a position of world leadership in its field.

Even though his time was fully occupied in creating this amazing business success, yet he found time to serve his community and his state as a public servant. He served six years on the Newton city council, and was mayor for two years. In 1901, as a Republican, he was elected State Senator and served five sessions. In 1924, he was appointed Iowa's first budget director by the late Governor Kendall.

He was a great philanthropist, having given \$4,000 to the Skiff Hospital in Newton; \$75,000 to the Salvation Army citadel; \$7,000 to Sacred

Heart Church; \$10,000 each to Coe, Monmouth, and Parsons Colleges. He created a \$50,000 perpetual endowment fund for students at Grinnell College; a \$500,000 construction and endowment fund for Maytag Park, Newton; as well as giving thousands of unlisted dollars to Newton churches each Christmas. In 1931 he donated \$150,000 for the Maytag research laboratory for tuberculosis at Southwestern Presbyterian Sanitarium in Albuquerque, New Mexico.

Therefore, Be It Resolved, That in the passing of the Honorable Fred L. Maytag the State of Iowa mourns the loss of one of its most honored and distinguished citizens.

Be It Further Resolved, That a copy of this resolution be printed in the Journal of the Senate as a commemoration of the life and worth of the deceased, and that enrolled copies hereof be transmitted to the sons and daughters.

JOHN W. BILLINGSLEY,
A. J. SHAW,
EDWARD BREEN,

Committee.

The resolution was unanimously adopted.

AARON V. PROUDFOOT

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life and services of the late Honorable Aaron V. Proudfoot of Indianola, Iowa, begs leave to submit the following report:

Honorable Aaron V. Proudfoot was born at Liberty in Clarke county, Iowa, June 13, 1862, and departed from this life June 7, 1936. Senator Proudfoot was an example of a farm boy who through his own efforts rose to a place of prominence and influence. He served his county, district, and state with distinction, having served three terms as Clerk of the District Court of Warren county; and represented the Eleventh Senatorial District in the Iowa State Senate during the sessions of the Thirty-third, Thirty-fourth, Thirty-seventh, and Thirty-eighth General Assemblies. He was an active participant in all the activities of the Methodist Episcopal Church and had served for years on the World Service Commission, of which he was the oldest member in point of service. For years he was a member of the board of trustees of Simpson College, of which he was a graduate, and was President of the board at the time of his death.

Senator Proudfoot was an orator of national renown and a man who was respected by all who knew him, for his honor, his ability, and his integrity, and he contributed much to the progress, development and advancement of humankind.

Therefore, Be It Resolved by the Senate of the Forty-Seventh General Assembly of Iowa, That in the passing of Honorable Aaron V. Proudfoot the state has lost an honorable and valuable citizen, a Christian gentleman of the highest type, and a useful citizen of the first order.

Be It Further Resolved, That a copy of these resolutions be printed in the Journal and copies sent to the members of the family.

WM S. BEARDSLEY,
H. W. EDWARDS,
ORA E. HUSTED,

Committee.

The resolution was unanimously adopted.

E. W. ROMKEY

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public services of the late E. W. Romkey, begs leave to submit the following:

E. W. Romkey was born July 3, 1869, on a farm near Burlington, Iowa, and died May 1, 1936, at Burlington.

Mr. Romkey's early life was spent on a farm, during which time he attended rural school; later he graduated from business college. His character and ability are reflected by the fact that his life was spent in public service from 1900 on. In 1908 he was married to Nellie Lloyd and to them were born two children, Helen and Donald.

He was elected to the General Assembly in 1922 and served during the Fortieth, Fortieth Extra, and Forty-first Sessions. His service as a member of the Senate was such as to mark him as one of the outstanding members of this body; therefore,

Be It Resolved, That in the passing of the Honorable E. W. Romkey the state of Iowa has lost a faithful servant and a man of quality and worth.

Be It Further Resolved, That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

JAMES M. BELL,
A. CLAIRE DEWEY,
SANFORD ZEIGLER, JR.,

Committee.

The resolution was unanimously adopted.

FRANK E. THOMPSON

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public services of the late Frank E. Thompson, begs leave to submit the following:

Frank E. Thompson was born in Grandview, Louisa county, Iowa, December 13, 1873, and died in Burlington, September 19, 1932. His parents were John W. and Mary (See) Thompson. He attended public school, high school at Winfield and at Muscatine, and was graduated from the law department of the State University of Iowa in 1896. The same year he began the practice of law in Burlington, continuing it until failing health caused his retirement from active work some three years before

his death. He was prominent in his profession, especially in the trial of criminal cases.

He gave his allegiance to the Republican party and was the chairman of his county committee for some time. In 1904 he was elected county attorney for Des Moines county and served two years. In 1914 he was elected senator, and was re-elected in 1918, and served inclusively from the Thirty-sixth to the Thirty-ninth General Assemblies; therefore,

Be It Resolved by the Senate: That in the passing of the Honorable Frank E. Thompson the state has lost a faithful servant and an honorable citizen.

Be It Further Resolved, That a copy of this resolution be spread upon the Journal of the Senate, and that the Secretary of the Senate be directed to forward an enrolled copy to the family of the deceased.

JAMES M. BELL,
A. CLAIRE DEWEY,
SANFORD ZEIGLER, JR.,

Committee.

The resolution was unanimously adopted.

THOMAS H. SMITH

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life, character and public service of Honorable Thomas H. Smith of Harlan, Iowa, begs leave to submit the following report:

Thomas H. Smith, son of Paris S. and Nancy Jane Smith, was born September 30, 1854, in Appanoose county, Iowa, on the banks of a rather famous stream known as "Soap Creek". Mr. Smith's father was a native of Ohio, his mother a native of West Virginia. His great grandfather was a soldier in the Revolutionary War.

Mr. Smith was raised on a farm in Davis county and his elementary education was received in the country schools, supplemented by a course in the Southern Iowa Normal School in Bloomfield, one of Mr. Smith's instructors being Hon. George W. Cullison, later his partner in the practice of law at Harlan. Mr. Smith at the age of 18 years began teaching country school, putting in his spare time reading law with Attorney M. H. Jones of Bloomfield. At the age of 23 Mr. Smith was admitted to the bar. He moved to Harlan where he began practicing law.

On the afternoon of May 31, 1878, he rode into Harlan on horseback, having borrowed a horse from an uncle of his residing in Davis county. In after years, Mr. Smith made no secret of the fact that at the time of coming to Shelby county he was exceedingly short of money. He first rented one small room which served as his bedroom as well as his office, his furniture consisting of one rude cot, two rickety chairs, a table, a hand-made bench and a hand-made bookcase of two shelves. His law library consisted of four books, and his office equipment a bottle of ink and one pen. His total means, so his biography recites, consisted of \$150.

For a time he took the agency of an insurance company as a means of taking in some money until he could build up his law practice.

In 1880 he was united in marriage with Josephine Wonn. To this union were born three daughters.

In 1886, Mr. Smith became county attorney of Shelby county, holding this office for two years and subsequently serving as city attorney for Harlan for two terms.

He was president and member of the Harlan School board for one term. He always took an active part in politics and served as chairman of the Republican county central committee for two years.

Later, in 1910, he was elected state senator, and for one term represented the senatorial district of Shelby and Cass counties in the Thirty-fourth and Thirty-fifth General Assemblies, introducing and backing a number of measures of importance and taking a high rank as a hard working and able member of the state legislature.

Mr. Smith will long be remembered for his physical and mental strength, for his untiring energy in the services of his clients and the best interests of the community in which he lived for more than fifty years. He believed strongly in the moral and spiritual elements in mankind, and, believing in them, he was, in his life and conduct, an example to others in his community. His thoroughly democratic attitude toward his fellowmen and his kindly good humor greatly helped to make for him an enduring place in the history of Shelby county and in the State of Iowa.

Mr. Smith passed away at his home in Harlan, Iowa, on the seventeenth day of September, 1936.

Mr. Smith's passing should not be one of unreasoning sorrow but rather an occasion of pride and consolation in the contemplation of a well-rounded life and a successful career.

Therefore, Be It Resolved, That, in the passing of Honorable Thomas H. Smith, the State has lost a worthy and esteemed citizen, and that we extend to his relatives and friends our sincere sympathy; and

Be It Further Resolved, That a copy of these resolutions be printed in the records of this body and a copy of the same be forwarded to his family.

FRANK PELZER,
GEORGE M. HOPKINS,
M. MOORE,

Committee.

The resolution was unanimously adopted.

L. T. SHANGLE

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and services of the late L. T. Shangle, begs leave to submit the following report:

Louis Tuttle Shangle, son of Amos L. and Mary W. Shangle, was born on a farm in Prairie township, Mahaska county, Iowa, March 18, 1862,

and died at his home in Oskaloosa, Iowa, September 2, 1935, at the age of seventy-three years. His entire life was spent in Mahaska county with the exception of five years.

Mr. Shangle received his education in the country schools and graduated from Penn College, Oskaloosa, in 1883. He taught school for a number of years; studied law and was admitted to the bar in 1889.

He was united in marriage to Mattie Fauquier at Oskaloosa, June 4, 1902. His wife survives him.

Mr. Shangle was always interested in the affairs of his home town, county and state. For eighteen years he was secretary of the city school board, and had been identified as trustee, member of the executive committee, and treasurer of William Penn College. For years he was secretary of Mahaska County Fair Association, was active in the Ioway Tribe No. 4 of Red Men. He took a great interest in his farm property, and in political activities.

Mr. Shangle was elected to the state senate in 1932 and left the term unfinished. As a Democrat he took an active part in all the deliberations of his party.

Be It Resolved, That in the passing of the Honorable L. T. Shangle, the State of Iowa mourns the loss of one of its honored and distinguished citizens.

Be It Further Resolved, That a copy of this resolution be printed in the Journal of the Senate as a commemoration of the life and worth of the deceased, and that an enrolled copy hereof be transmitted to the widow.

A. E. AUGUSTINE,
ROY E. STEVENS,
E. I. MASON,

Committee.

The resolution was unanimously adopted.

D. MYRON TRIPP

MR. PRESIDENT: Your committee, which was appointed to report resolutions commemorating the life, character, and services of the late D. Myron Tripp, begs leave to submit the following report:

D. Myron Tripp was born on a farm in Clear Creek township, Jasper county, Iowa, September 6, 1882, and died May 15, 1936, at Webster City, Iowa.

He received his education in the Colfax public schools, Des Moines University, and Drake University, graduating from Drake University College of Law in June, 1906. Following graduation he practiced law with his father, the late Garner M. Tripp, at Colfax, until 1920 when he moved to Newton. He served as city attorney of Colfax, and as attorney and member of the Newton city council.

In 1906 he was united in marriage with Miss Vera B. Stouffer, who, with one son, Myron D. Tripp, survive him.

In 1933, as a democrat, he was elected state senator from the twenty-

ninth district, Jasper county, to fill a vacancy caused by the death of Senator O. P. Myers.

In 1934 he returned to his private practice of law and in February of that year was appointed by Attorney General Edward L. O'Connor as an assistant attorney general for the highway commission, with headquarters at Ames, and was serving in this capacity at the time of his death.

Therefore, Be It Resolved, That in the death of the Honorable D. Myron Tripp the state has lost a valuable and honored citizen, and that we extend to his widow and son our sincere sympathy.

Be It Further Resolved, That a copy of this resolution be printed in the Journal of the Senate as a commemoration of the life and worth of the deceased, and that enrolled copies hereof be transmitted to the widow and son.

JOHN W. BILLINGSLEY,

L. H. DORAN,

A. E. AUGUSTINE,

Committee.

The resolution was unanimously adopted.

T. F. DRISCOLL

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life and services of the late Honorable T. F. Driscoll, Senator from the First District, Lee county, Iowa, begs leave to submit the following report:

Timothy Francis Driscoll was born November 18, 1896, of Irish parentage, at Belfast, Iowa, and passed away in Des Moines on February 23, 1937, while a member of the Senate of the Forty-seventh General Assembly.

Mr. Driscoll was educated in the grade schools, and graduated from the High School of Farmington, Iowa. Spending his entire life in Lee county, he was highly successful in farming and stock raising, and was active in banking, and the production of stone products.

On February 22, 1922, he was united in marriage with Margaret Rita Burke of Argyle, Iowa, and to this union were born nine children, six daughters and three sons, all of whom survive him. Mr. Driscoll was a World War Veteran, a member of St. Boniface Catholic Church, Knights of Columbus, American Legion, the Elks Lodge, and the Moose.

He was elected to the Iowa Senate in 1934, and was completing his first term when death overtook this highly esteemed and dearly beloved public servant.

Now, Therefore, Be It Resolved by the Senate of the Forty-seventh General Assembly: That in the passing of the late Honorable T. F. Driscoll, the state has lost an honorable and valuable citizen, a man of high ideals in Christian living and faithful, useful citizenship.

Be It Further Resolved, That a copy of these resolutions be spread

upon the Journal of the Senate and an enrolled copy sent to the surviving members of his family.

STANLEY L. HART,
WM. S. BEARDSLEY,
H. L. IRWIN,
E. I. MASON,

Committee.

The resolution was unanimously adopted.

Lieutenant Governor Valentine spoke as follows:

I particularly want to speak briefly of Senators T. F. Driscoll, L. T. Shangle, and D. Myron Tripp, with whom I have had the privilege and pleasure of serving as a member of the Iowa State Senate. Not only was our association of the pleasantest, but these Senators, at all times, exhibited marked ability, consideration for the best interests of their constituents and a broad understanding of the problems of this state.

Their passing is to be mourned not only by their own constituents, but also by the entire state, which they so ably served.

On motion of Senator Hopkins, the memorial session adjourned.

HISTORY OF SENATE BILLS IN SENATE

SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED—174

J. R. 1, 2, 4.

2, 6, 7, 8, 10, 11, 12, 15, 16, 21, 24, 25, 28, 34, 40,
 50, 51, 52, 54, 60, 67, 71, 74, 76, 77, 78, 79, 80, 86, 88,
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 478, 479, 481, 501, 507, 508, 510, 511, 512, 515, 516, 518, 519, 523, 526,
 528, 530, 531, 533, 534, 535.

Passed both Houses, vetoed by Governor, 49, 143.

RECORD OF EACH SENATE BILL

S. F.	Page	S. F.	Page
1 By Shaw, Dewey, Bell of Crawford, Driscoll, Berg, Mason, Zeigler, Goetsch. Relating to homestead exemption.		Recommended for passage.....	277
Introduced, passed on file.....	49	Passed; ayes 45, nays none.....	303
Referred	90	4 By Hopkins. Relating to official ballots.	
Amendments filed	146	Introduced, passed on file.....	50
Amendment filed	183	Referred	90
Recommended for amendment and passage	200	Recommended for passage.....	152
Special order	211	Postponed	178
Amendments filed	237	Amendments filed	184
Amendments filed	248	Amendments adopted	188-189
Deferred; advisory committee appointed	258	Deferred	189
Deferred	292	Amendment filed	199
Deferred	297	Rereferred to committee.....	205
Amendments filed	306	Recommended for amendment and passage	487
Considered by committee of the whole	315	5 By Doran. Prohibiting attendance of minors at movies; provide penalty.	
Report deferred	328	Introduced, passed on file.....	50
S. F. 184, substituted.....	350	Referred	90
2 By Shaw, Dewey. Relating to repeal of \$2.00 old age assistance tax and to taxes erroneously paid.		6 By Doran. Relating to divorce; penalty for disobedience of court decree.	
Introduced, passed on file.....	49	Introduced, passed on file.....	51
Referred	90	Referred	90
Recommended for passage.....	371	Recommended for passage.....	222
Amendments adopted	717, 718	Passed; ayes 39, nays 2.....	244
Passed; ayes 40, nays none.....	718	Returned from House.....	602
Messaged to House.....	718	Reported enrolled	629
Returned from House.....	825	Signed by President.....	629
Amendment filed	861	Sent to Governor.....	629
Concurred	867	Signed by Governor	647
Passed; ayes 36, nays none.....	868	7 By Donohue. Legalizing of execution sales by officers who have failed to make required entries, endorsements.	
Messaged to House.....	868	Introduced, passed on file.....	51
Reported enrolled	880	Referred	90
Signed by President.....	880	Recommended for passage.....	128
Sent to Governor.....	894	Passed; ayes 39, nays none.....	137
Signed by Governor.....	957	Messaged to House.....	137
3 By Gillette. Relating to general land office of state of Iowa.		Returned from House.....	217
Introduced, passed on file.....	50	Reported enrolled	230
Referred	90	Signed by President	230
		Sent to Governor.....	246
		Signed by Governor.....	287

S. F.	Page
8 By Donohue. Contributions for political purposes; prohibiting use of state owned vehicles; prohibiting officers, employees in engaging in campaign work.	
Introduced	55
Referred	90
Recommended for passage.....	183
Deferred	193
Amendment filed	199
Amended	205
Passed; ayes 37, nays 9.....	206
Returned from House.....	1190
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.....	
9 By Billingsley. Costs of contesting elections.	
Introduced, passed on file.....	55
Referred	90
10 By Murray. Levies for general fund by cities of between 75,000 and 90,000 population.	
Introduced, passed on file.....	55
Amendment offered	73
Passed; ayes 37, nays none.....	73
Returned from House.....	76
Reported enrolled	76
Signed by President.....	76
Sent to Governor.....	76
Signed by Governor.....	142
11 By Murray. Legalizing action of city council of Slouss City, Iowa.	
Introduced, passed on file.....	56
Referred	90
Recommended for passage.....	128
Deferred, retained on calendar	138
Deferred	151
Deferred	176
Proof of publication.....	187
Passed; ayes 42, nays none.....	188
Returned from House.....	603
Reported enrolled	629
Signed by President.....	629
Sent to Governor.....	629
Signed by Governor.....	647
12 By Doran. Absent voters ballots.	
Introduced, passed on file.....	56
Referred	90
Recommended for amendment and passage	211
Deferred	221
Amendment adopted	231
Passed; ayes 39, nays 4.....	231
Returned from House.....	859
Reported enrolled	859
Signed by President.....	859
Sent to Governor.....	859
Signed by Governor.....	957
13 By Doran. Prohibiting disturbance of any religious assembly; provide penalty.	
Introduced, passed on file.....	56
Referred	90
Recommended for amendment and passage	143
Deferred	151
Withdrawn, rereferred	174
Amendment filed	359
Recommended for amendment and passage	580

S. F.	Page
14 By Guernsey. Nominations by primary elections.	
Introduced, passed on file.....	77
Referred	90
Reported without recommendation	623
Amendment filed	681
15 By Hill. Foreclosure of real estate mortgages and deeds of trust; providing for continuances of; rights of owners of mortgages, real estate.	
Introduced, passed on file.....	78
Referred	90
Recommended for amendment and passage	143
Passed on file.....	144
Special order	150
Amendment filed	153
Amendments adopted.....	156, 159
Amended	160
Motion to reconsider.....	161
Special order	161
Vote reconsidered	166
Amendments adopted	166
Passed; ayes 47, nays 1.....	166
Messaged to House.....	167
Returned from House.....	194
Refused to concur.....	197
Conference committee appointed	210
Failed to agree.....	236
New conference committee appointed	248
Amendments filed	249
Conference report adopted, amendments concurred in; ayes 40, nays 8.....	273
Passed; ayes 46, nays 2.....	274
Messaged to House.....	274
Returned from House.....	278
Reported enrolled	286
Signed by President.....	287
Sent to Governor.....	287
Signed by Governor.....	297
16 By Hill. Extension of redemption period on real estate from sale under foreclosure.	
Introduced, passed on file.....	78
Referred	90
Recommended for amendment and passage	144
Special order	150
Amendment filed	153
Amendment filed	164
Amendments adopted.....	167-168, 169
Passed; ayes 46, nays none.....	169
Consideration of amendments deferred	256
Refused to concur.....	277
Conference committee appointed	278
Conference report adopted, amendments concurred in; ayes 34, nays 11.....	290
Passed; ayes 41, nays 3.....	291
Returned from House.....	226
Reported enrolled	315
Signed by President.....	315
Sent to Governor.....	316
Signed by Governor.....	327
17 By Mason. Relating to aid to farm bureau.	
Introduced, passed on file.....	78
Referred	90
Withdrawn, placed on calendar	340
Amendments filed	597
Special order	608
Amendments filed	658
Referred	670

S. F.	Page
18 By Hoeven. Relating to divorce.	
Introduced, passed on file.....	79
Referred	90
Recommended for passage.....	369
Amendment adopted	633
Passed; ayes 43, nays none.....	633
Returned from House.....	1316
19 By Hoeven. Bond of treasurer of municipal hospitals.	
Introduced, passed on file.....	79
Referred	90
20 By Gillespie. Liability for costs where judgments rendered.	
Introduced, passed on file.....	79
Referred	90
Recommended for amendment and passage	448
Amendment adopted	777
Passed; ayes 37, nays 1.....	778
21 By Dean. Levy of road poll tax.	
Introduced, passed on file.....	79
Referred	90
Recommended for passage.....	238
Deferred	302
Deferred	342
Report adopted	345
Passed; ayes 44, nays none.....	346
Returned from House.....	700
Concurred; ayes 40, nays 1.....	746
Passed; ayes 41, nays none.....	747
Reported enrolled	772
Signed by President.....	773
Sent to Governor.....	773
Signed by Governor.....	828
22 By Dean. Construction of county buildings.	
Introduced, passed on file.....	80
Referred	90
23 By Dean. Annual compensation of members Old Age Assistance Commission.	
Introduced, passed on file.....	80
Referred	90
24 By Breen, Doran. Medical aid; other relief for employees under Workmen's Compensation Act.	
Introduced, passed on file.....	80
Referred	90
Withdrawn, placed on calendar	444
Amendments adopted... 787, 788,	791
Passed; ayes 42, nays none.....	791
Returned from House.....	1008
Reported enrolled	1076
Signed by President.....	1077
Sent to Governor.....	1077
Signed by Governor.....	1120
25 By Baldwin. Prohibiting the sale of fireworks; penalty.	
Introduced, passed on file.....	80
Referred	90
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27 By Levis. Manufacture, sale, distribution of commodities of commerce; providing telephone service be included in meaning.	
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28 By Irwin, Driscoll. Relating to taxation; to amend acts 45th General Extra Session.	
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30 By Hill. Prohibiting abandonment of railway stations without authority.	
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33 By Augustin. Transportation of pupils.	
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35 By Breen. To prohibit precluding charges in excess of rates prescribed in franchise; provide for hearing.	
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37 By Mighell, Hoeven, Chrystal, Murray, Bell of Crawford, Millhone. To create an emergency feed loan fund.	
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39 By Edwards. Possession of gambling devices.	
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43 By Breen, Shaw, Murray, Hoeven, Millhone, Bell of Crawford. Relating to manner of commencing civil actions.	
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46 By Breen, Shaw, Murray, Hoeven. Relating to insanity and alibi defense in criminal cases.	
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49 By Billingsley. Costs of contesting elections of county officers.	
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53 By Corwin, Smith. Public school facilities for children in institutions. Introduced, referred	109
54 By Moore. Designation of primary road extensions. Introduced, referred	109
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60 By Donohue, Irwin, Stevens. Relating to issuance of stock of state building and loan associations. Introduced, referred	111
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78 By Chrystal. Appropriation for expense of inaugural ceremonies.	
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83 By Doran. Appointment of officers by city or town councils.	
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88 By Berg. River front improvement commissions. Introduced, referred	162
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Concurred	774
Passed; ayes 37, nays 1	775
Reported enrolled	798
Signed by President	799
Sent to Governor	799
Signed by Governor	828
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122 By Dewey. Option on a replevin bond.	
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123 By Lundy. Relating to annual levies.	
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129 By Kimberly. Applicable to certain special charter cities.	
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130 By Committee on Military Affairs. To provide for a naval militia.	
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133 By Levis. Allowing court in discretion to submit issues of fact in civil cases.	
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134 By Breen. Drainage districts; relinquishment by supervisors of authority within corporate limits of cities and towns.	
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135 By Breen. Relating to eligibles for free passes by carriers.	
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136 By Committee on Military Affairs. To reimburse National Guard of Iowa for funds expended.	
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144 By Levis. Appeals from assessment of damages made by condemnation of commissioners.	
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145 By Berg. Fees for permits issued by Liquor Control Commission.	
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146 By Elthon. Authorizing creation of corporations to furnish hospital service at non-profit rates.	
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147 By Dean. Licensing of public shows.	
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Amendments as amended adopted	1247
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Passed; ayes 42, nays none.....	1248
Returned from House.....	1374
Reported enrolled	1401
Signed by President.....	1401
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Signed by Governor.	
149 By Elthon. An act to regulate lobbying.	
Introduced, referred	241
Withdrawn, placed on calendar	434
Amendments adopted	534, 535
Failed to pass.....	535
150 By Husted. To regulate sale of substitutes for lard.	
Introduced, referred	241
Amendment filed	306
Recommended for amendment and passage	386
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151 By Committee on Mines and Mining. Relating to preference for domestic products and labor.	
Introduced, placed on calendar.	251
Deferred	302
Amendment filed	305
Amendment filed	324
Amendments adopted	341
Passed; ayes 45, nays none.....	342
Returned from House.....	700
Concurred	745
Passed; ayes 37, nays none.....	745
Reported enrolled	772
Signed by President.....	773
Sent to Governor.....	773
Signed by Governor.....	828
152 By Hill, Shaw. Extension of redemption on homesteads.	
Introduced, referred	251
153 By Byers, Breen, Geske, Berg. Building and loan associations and investments therein.	
Introduced, referred	252
Recommended for passage.....	419
H. F. 155 substituted.....	775
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154 By Gillespie. Possession, sale, distribution of narcotic drugs.	
Introduced, referred	253
Recommended for passage.....	402
Amendments adopted	749
Passed; ayes 39, nays none.....	750
Returned from House.....	1190
Reported enrolled	1315
Signed by President.....	1316
Sent to Governor.....	1316
Signed by Governor.	
155 By Gillette, Shaw. Rights of cities to purchase, operate telephone plants.	
Introduced, referred	253

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156 By Gillette, Shaw. Regulation of rates and service for gas, heat, water, light or power.	
Introduced, referred	253
157 By Irwin, Corwin. Relating to income tax returns.	
Introduced, referred	253
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158 By Murray. Exemptions of certain corporations.	
Introduced, referred	268
Recommended for passage	448
Passed; ayes 37, nays none.....	779
Returned from House.....	1190
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	
159 By Stevens. Electric transmission lines; to empower railroad commissioners.	
Introduced, referred	269
Amendment filed	334
Sifting recommended calendar.....	1053
160 By Breen, Driscoll. Powers of state board of assessment and review.	
Introduced, referred	269
Amendments filed	434
Sifting recommended calendar..	860
Amendment adopted	926
Passed; ayes 30, nays none.....	927
Returned from House.....	1021
Concurred	1085
Passed; ayes 41, nays none.....	1086
Reported enrolled	1132
Signed by President.....	1132
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161 By Berg, Corwin. Relating to powers of cities and towns.	
Introduced, referred	269
Recommended for passage.....	499
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H. F. 184 substituted.....	1141
Withdrawn	1142
162 By Dewey, Elthon. Directing county treasurers to collect retail sales tax on motor vehicles.	
Introduced, referred	270
Recommended for amendment and passage	693
163 By Gillespie. To permit income taxpayer to deduct for medical service.	
Introduced, referred	281
Recommended for passage.....	693
164 By Committee on Pharmacy. Relating to sale of certain poisons.	
Introduced, placed on calendar..	281
Deferred	344
Amendments filed	387
Amendments adopted	491-492
Passed; ayes 40, nays none.....	498
Returned from House.....	1009
Concurred	1016
Passed; ayes 40, nays none.....	1017
Reported enrolled	1042
Signed by President.....	1042
Sent to Governor.....	1042
Signed by Governor.....	1137

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165 By Augustine. Providing for dissolution of drainage districts.	
Introduced, referred	281
166 By Corwin, Bell of Des Moines. Authorizing levee and drainage districts to collect damages.	
Introduced, referred	281
Amendment filed	860
Sifting recommended calendar..	1010
Amendments adopted	1059
Passed; ayes 36, nays none.....	1059
Returned from House.....	1164
Reported enrolled	1181
Signed by President.....	1182
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Signed by Governor.	
167 By Breen, Baldwin. Delinquent taxes; to provide for payment of certain taxes in installments.	
Introduced, referred	281
Amendments filed	449, 450, 451
Recommended for amendment and passage	500
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Amendments adopted	895-896
Passed; ayes 33, nays 1.....	896
Returned from House.....	1030
Reported enrolled	1099
Signed by President.....	1099
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168 By Dewey. Relating to old age assistance, property exclusion thereunder.	
Introduced, referred	282
Recommended for indefinite postponement	402
Report rejected; placed on calendar	490
Amendment filed	523
169 By Mason. Forbidding acceptance of any sum for building for any state institution unless accompanied by sum for upkeep.	
Introduced, referred	282
Amendment filed	697
170 By Committee on Mines and Mining. Relating to opening of coal mines.	
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H. F. 173 substituted.....	379
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171 By Augustine. Registration and use of bicycles.	
Introduced, referred	294
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172 By Kimberly. Applicability of civil service of certain officials in cities under special charter.	
Introduced, referred	313
Recommended for passage.....	579
Passed; ayes 36, nays none.....	737
Returned from House.....	1164
Reported enrolled	1181
Signed by President.....	1182
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Signed by Governor.	

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173 By Stevens. To establish an Iowa commission on interstate cooperation.	
Introduced, referred	313
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174 By Committee on Highways. Construction of primary roads.	
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Amendment filed	413
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Passed; ayes 41, nays none	594
Concurred	1207
Passed; ayes 37, nays none	1208
Reported enrolled	1263
Signed by President	1263
Sent to Governor	1283
Signed by Governor	
175 By Chrystal. Licensing and regulation of practice of embalming.	
Introduced, referred	314
176 By Gillespie. To authorize executive council to deed certain real estate.	
Introduced, referred	314
177 By Gillespie, Berg. Making unlawful certain discriminations in price in connection with sale of commodities.	
Introduced, referred	314
Reported without recommendation	582
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178 By Berg. Requiring certificate of health by applicants for license to marry.	
Introduced, referred	315
179 By Byers. Authorizing cities to lease city property.	
Introduced, referred	315
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Reported enrolled	1132
Signed by President	1132
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Signed by Governor	1189
180 By Gillespie, Shaw. Enabling cities and towns to establish and operate transportation systems.	
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181 By Committee on Motor Vehicles. Vehicles and traffic; to provide state department for administration, enforcement thereof.	
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Report adopted; concurred	997
Passed; ayes 37, nays 3	998
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Signed by President	1161
Sent to Governor	1162
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182 By Corwin, Bell of Des Moines. Exemption to county from loss of school funds.	
Introduced, referred	331
183 By Kirketeg. "An Emergency Act relating to foreclosure of real estate mortgages and deeds of trust; providing for continuances of such action."	
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Recommended for passage	542
Passed; ayes 30, nays none	740
Returned from House	1289
Reported enrolled	1401
Signed by President	1401
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Signed by Governor	
184 By Shaw, Dewey, Bell of Crawford, Driscoll, Berg, Mason, Zeigler, Goetsch, Levis, Breen, Donohue, Augustine. (Substitute for S. F. 1.) Relating to taxation, income and retail sales; the allocation and distribution therefrom; homestead exemption.	
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Refused to concur; ayes 38, nays none	592
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Amendments filed	656, 657, 658
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Signed by President	720
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Signed by Governor	720

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185 By Committee on Livestock and Dairying. To recognize Iowa Swine Producers' Assn.; provide information relating to production and marketing.		193 By Baldwin. Legalizing actions of city council, auditor of Dubuque, Iowa.	
Introduced, placed on calendar..	337	Introduced, referred	347
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Passed; ayes 34, nays 1.....	424	Recommended for passage.....	526
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186 By Husted. Creation and enforcement of sanitary safeguards in food establishments.		194 By Doran. Landlord's lien; providing for suspension, continuance.	
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187 By Committee on Judiciary No. 2. Relating to separation of jury.		Introduced, referred	348
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188 By Mason, Elthon, Breen, Dean. Relating to practice of chiropractic.		H. F. 308 substituted.....	735
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189 By Baldwin. Advertising of intoxicating liquor and regulation thereof.		Action deferred	632
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190 By Gillespie. Garbage disposal and street cleaning fund.		S. F. 316 substituted.....	685
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Recommended for passage.....	579	197 By Husted, Hopkins. Local self government for cities and towns; to provide for local option.	
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191 By Committee on Social Security. Administration of the Unemployment Insurance Law.		Reported without recommendation	641
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Amendment adopted	349	Introduced, referred	361
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192 By Baldwin. Authorizing cities under Manager Plan to incur indebtedness; permitting such cities to make levy for General Fund.		201 By Committee on Judiciary No. 1. Declaratory judgments and decrees.	
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Recommended for passage.....	579	Passed; ayes 34, nays 4.....	748
Passed; ayes 40, nays none.....	615	202 By Chrystal. Acquisition of land for conservation purposes.	
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Signed by President.....	799		
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203 By Breen, Hill, Mason, Lundy. Relating to business conducted by certain itinerant merchants.	
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204 By Gillespie, Hill. Relating to chain store tax.	
Introduced, referred	376
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205 By Husted. Relating to limitation of tax.	
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206 By Husted. Relating to deposits.	
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207 By Miller. To legalize warrants issued by supervisors of Jones County, Iowa.	
Introduced, referred	392
Proof of publication	444
Recommended for passage	527
Passed; ayes 40, nays none	611
Returned from House	743
Reported enrolled	772
Signed by President	773
Sent to Governor	773
Signed by Governor	828
208 By Guernsey. Certification of nominees thirty days before general election.	
Introduced, referred	392
Recommended for passage	623
209 By Berg. To vest exclusive control in boards of trustees in waterworks, gas works, electric and power plants.	
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210 By Doran, Elthon, Berg. To grant additional powers to courts of equity.	
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211 By Mighell, Shaw, Pelzer, Bell of Crawford. To limit landlord's lien.	
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212 By Committee on State Planning. To create state planning board; prescribe powers, duties.	
Introduced, placed on calendar ..	393
Amendments adopted	754, 755, 756
Passed; ayes 35, nays 5	756
Returned from House	1021
Concurred	1036
Passed; ayes 28, nays 2	1037
Reported enrolled	1076
Signed by President	1077
Sent to Governor	1077
Signed by Governor	1137
213 By Committee on Printing. To appropriate sum for publication and distribution of publication compiled by Works Progress Administration.	
Introduced, referred	393

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214 By Committee on Judiciary No. 2. To legalize corporate acts and renewal of the Farmers Lumber Company.	
Introduced, placed on calendar ..	393
Passed; ayes 27, nays none	493
Returned from House	1374
Reported enrolled	1401
Signed by President	1401
Sent to Governor	1401
Signed by Governor	1120
215 By Committee on Judiciary No. 2. To legalize acts and renewal of the Greeley Mutual Fire Insurance Association.	
Introduced, placed on calendar ..	393
Passed; ayes 33, nays none	494
Returned from House	1030
Reported enrolled	1076
Signed by President	1077
Sent to Governor	1077
Signed by Governor	1120
216 By Committee on Judiciary No. 2. To legalize corporate acts and renewal of The Dukess-Law Company.	
Introduced, placed on calendar ..	393
Passed; ayes 36, nays none	494
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Reported enrolled	753
Signed by President	753
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Signed by Governor	828
217 By Committee on Judiciary No. 2. To legalize corporate acts and renewal of Farmers Mutual Fire and Lightning Association.	
Introduced, placed on calendar ..	393
Passed; ayes 36, nays none	495
Returned from House	1389
Report enrolled	1401
Signed by President	1401
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Signed by Governor	1401
218 By Committee on Public Libraries. Providing for use of unexpended library funds.	
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Passed; ayes 40, nays none	616
Returned from House	959
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Signed by President	969
Sent to Governor	969
Signed by Governor	1030
219 By Committee on Public Libraries. Relating to control of fines and rentals collected.	
Introduced, placed on calendar ..	394
Passed; ayes 37, nays none	497
Reported enrolled	969
Signed by President	969
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Signed by Governor	1030
220 By Levis. Relating to examinations and registration of architects; fees therefor.	
Introduced, referred	394
221 By Bell of Des Moines. Control of intoxicating liquor by liquor control commission.	
Introduced, referred	394

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222 By Bell of Des Moines. Chattel mortgages and conditional sales of personal property. Introduced, referred	394
223 By Shaw. Relating to park commissioners and tax for park purposes. Introduced, referred	395
224 By Hopkins. Contracts for public school facilities between school boards. Introduced, referred	395
Recommended for passage.....	468
225 By Gillespie. Compensation of inheritance tax appraisers. Introduced, referred	395
Recommended for amendment and passage	448
Amendment adopted	779
Passed; ayes 34, nays 4	780
Returned from House.....	846
Reported enrolled	859
Signed by President.....	859
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Signed by Governor.....	957
226 By Guernsey. To legalize actions of supervisors of Appanoose County, Iowa. Introduced, referred	395
Recommended for passage.....	581
Proof of publication.....	602
Passed; ayes 38, nays none.....	618
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Concurred	806
Passed; ayes 39, nays none.....	807
Reported enrolled	859
Signed by President.....	859
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227 By Levis. Relating to appropriation for inspection of state liquor stores expense of reporting fires. Introduced, referred	395
Recommended for passage.....	456
Passed; ayes 39, nays 1.....	810
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Signed by President.....	1099
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Signed by Governor.....	1120
228 By Elthon. Operation of funeral home by widow or heir. Introduced, referred	410
Recommended for passage.....	457
Amendment adopted	731
Passed; ayes 32, nays none.....	732
Returned from House.....	1164
Reported enrolled	1181
Signed by President.....	1182
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Signed by Governor.....	
229 By Stevens. To provide optional form of city government; create planning board. Introduced, referred	412
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Amendment adopted	1005
Passed; ayes 32, nays 2.....	1005
230 By Lundy. Service of notice on non-resident employers in workmen's compensation proceedings. Introduced, referred	413
Recommended for passage.....	542
Sifting recommended calendar..	1132
231 By Shaw. Contracts between consolidated school districts and drivers of school busses. Introduced, referred	417
Amendments filed	468
Sifting recommended calendar..	1132
232 By Shaw, Doran. Providing for notice to mortgagee before issuance of tax deed. Introduced, referred	432
233 By Breen, Elthon, Dean, Gillette. To promote community credit; provide for organization of community banks. Introduced, referred	432
234 By Corwin. To make appropriation to Muscatine County and Louisa County. Introduced, referred	433
Recommended for amendment and passage	525
Amendments adopted	809
Passed; ayes 44, nays none.....	809
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Signed by President.....	1077
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235 By Baldwin. Compensation of supervisors; maximum session pay. Introduced, referred	433
236 By Murray. Use of domestic animal fund. Introduced, referred	433
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237 By Committee on Printing. To provide for emergency appropriation to the State Printing Board. Introduced, referred	441
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Passed; ayes 43; nays none.....	811
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Signed by President.....	1132
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238 By Breen. Supervision, regulation of plumbing. Introduced, referred	441

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239 By Bell of Crawford. Relating to use of amusement and skill machines; licensing, regulation of.		250 By Committee on Public Health. Relating to licensing, examination of applicants to practice optometry; course necessary for approved school.	
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240 By Doran, Millhone, Mason. Obligation of county in deficiencies on school fund loans.		251 By Mason. Taxation of property of colleges, schools.	
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241 By Berg. To authorize tax levy for maintenance incorporated band for educational purposes.		252 By Committee on Agriculture. Exemption from sales tax of insecticides, fertilizers, agricultural limestone.	
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242 By Berg. To legalize proceedings of council of Cedar Falls, Iowa.		255 By Hopkins. Nominations of candidates for public offices by means other than primary elections.	
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243 By Kimberly. Granting to Davenport, Iowa, title to bed and banks of Mississippi river within stated boundaries.		257 By Doran. Compensation of assessors.	
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244 By Levis. Civil liability of broadcasting stations for radio defamation.		Introduced, referred	484
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245 By Murray. Deposit of bonds, securities with state auditor's office.		Introduced, referred	485
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246 By Millhone. Prescribing allowable deductions on gross incomes.		Introduced, referred	485
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247 By Gillespie. Compensation for civil service commissioners.			
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248 By Gillespie. To legalize certain indebtedness and expenditures of City of Des Moines, Iowa.			
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249 By Shaw. Relating to right of board to exclude pupils from school.			
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265 By Corwin. To legalize action of supervisors of Muscatine County, Iowa. Introduced, referred	485
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266 By Stevens, Millhone. Penalty for non-listing of property or false statements. Introduced, referred	485
267 By Bell of Crawford, Murray. To prohibit licensees from importation, sale or possession of liquor from any state; duties of attorney general, treasurer of state, with respect to. Introduced, referred	505
268 By Shaw. Income tax report; to empower court. Introduced, referred	505
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269 By Kimberly. Granting to city of Davenport all title and interest to certain tracts of land. Introduced, referred	506
270 By Shaw. Requiring insurance companies to file schedules of rates and rules; prohibiting rebating and discrimination. Introduced, referred	506
271 By Doran, Stevens, Shaw, Irwin. Providing for bounty on fox. Introduced, referred	506
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273 By Baldwin. To legalize establishment of swimming pool in Dubuque, Iowa. Introduced, referred	506
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274 By Doran. Disbarment proceeding against attorneys and counselors at law. Introduced, referred	506
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275 By Doran. Relating to upland game birds; establishment of private shooting preserves. Introduced, referred	507

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276 By Gillette, Doran. Authorizing state board of education to purchase certain real estate. Introduced, referred	507
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277 By Corwin. Management of city owned public utilities in special charter cities. Introduced, referred	507
278 By Byers, Donohue, Gillette, Evans, Breen, Beardsley, Chrystal. Providing for construction of sewers and sewage disposal for protection of state waters known as Iowa Great Lakes System. Introduced, referred	507
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279 By Kimberly. Granting of franchises in cities under special charter. Introduced, referred	508
280 By Shaw. To legalize certain original notices of actions in district court. Introduced, referred	508
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281 By Augustine. To provide for supervision and regulation by board of railroad commissioners of common carriers by motor vehicles. Introduced, referred	508
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282 By Augustine, Billingsley, Donohue, Gillette. Exemptions from chain store tax. Introduced, referred	514
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283 By Hill. Eligibility of applicants for old age assistance. Introduced, referred	514
284 By Bell of Des Moines. To legalize proceedings of Concordia school district, Des Moines county. Introduced, referred	514
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285 By Pelzer. Merchantable title to real estate; limiting requirements of.		297—By Hopkins. Fees for teachers' certificates.	
Introduced, referred	514	Introduced, referred	518
Recommended for indefinite postponement	680	Recommended for passage	596
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286 By Schadt. Salary of superintendent at state sanatorium.		Passed; ayes 29, nays 1	929
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287 By Schadt. Actions for damages against municipal corporations; to protect lien on real estate acquired by execution sale.		Signed by President	994
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288 By Schadt. Restricted residence districts under zoning law.		Signed by Governor	1030
Introduced, referred	515	298 By Gillespie. Wages on public works.	
289 By Schadt. Relating to regulation and licensing of electricians; installation of automatic heaters.		Introduced, referred	518
Introduced, referred	515	299—By Moore. Bounty on wild animals.	
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290 By Guernsey, Elthon, Murray, Evans, Beardsley, Gillespie, Doran, Stevens, Baldwin. To create and establish the "Iowa State Teachers' Annuity System."		Recommended for passage	655
Introduced, referred	515	300 By Baldwin. Relating to pawnbrokers and junk dealers.	
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291 By Bell of Crawford, Bell of Des Moines. Control of intoxicating liquor by Iowa liquor control commission.		Proof of publication	772
Introduced, referred	516	Sifting recommended that bill be placed on calendar	732
292 By Gillespie. Authority of supervisors to contract for medical and dental service for the poor.		Passed; ayes 43, nays none	843
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293 By Dewey. Authorizing supervisors of Henry county to transfer funds.		Reported enrolled	969
Introduced, referred	516	Signed by President	969
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294 By Stevens, Husted. To create a state cosmetology commission.		Signed by Governor	1030
Introduced, referred	517	302 By Committee on Judiciary No. 2. To legalize proceedings of council of Cedar Rapids, Iowa.	
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295 By Doran, Guernsey, Kirketeg, Geske. Minimum salary for chief deputy sheriffs.		Messaged to House	612
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296 By Stewart, Elthon, Evans, Augustine, Gillette. Executive officers; tenure, removal board of control.		Reported enrolled	648
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		303 By Mighell, Mason. Relating to income tax.	
		Introduced, referred	519
		Recommended for amendment and passage	694
		304 By Schadt. Election of officers of credit unions.	
		Introduced, referred	519
		305 By Murray. Transportation of school children.	
		Introduced, referred	519
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		Amendment as amended adopted	1262
		Passed; ayes 33, nays 5	1263
		306 By Breen. Procedure in disbarment proceedings against attorneys and counselors at law.	
		Introduced, referred	519

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307 By Breen, Bell of Crawford. To include occupational diseases under provisions of workmen's compensation act. Introduced, referred	520
308 By Husted, Hopkins, Edwards. Permits for sale of beer; sales by hotels. Introduced, referred	520
309 By Bell of Crawford. Sale of beer except in original container. Introduced, referred	529
310 By Bell of Crawford. Relating to native wines. Introduced, referred	530
311 By Committee on Judiciary No. 2. Relating to legacies to minors. Introduced, placed on calendar.. Sifting recommended calendar.. Amendment adopted	530 1010 1157
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312 By Committee on Appropriations. An appropriation for payment of compensation in state cases under compensation law. Introduced, placed on calendar.. Withdrawn	530 823
313 By Breen. Prohibiting short wave length radios in motor vehicles except for peace officers. Introduced, referred	530
314 By Murray. Providing for appointment of parole officers. Introduced, referred	530
315 By Berg. Listing of property for taxation. Introduced, referred	538
316 By Special Tax Revision Committee. To impose tax on gross receipts from retail sales. Introduced, placed on calendar.. Amendments filed	538-681
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Passed; ayes 26, nays 2.....	801
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317 By Special Tax Revision Committee. To impose tax on use of tangible property. Introduced, placed on calendar.. Amendment filed	539 681
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Concurred	963
Passed; ayes 33, nays 11.....	964
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318 By Special Tax Revision Committee Authorizing board of assessment and review to prosecute actions in other states. Introduced, placed on calendar.. Special order	539 696
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319 By Gillespie, Shaw. Abandonment of outside water closets. Introduced, referred	539
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320 By Gillespie, Shaw. Power of cities and towns in matter of exemptions from special assessments. Introduced, referred	540
321 By Augustine, Elthon, Gillespie, Parker. To provide for posting of prices of motor vehicle fuel. Introduced, referred	540
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Passed; ayes 35, nays none.....	1163
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322 By Corwin. Relating to fuel oil tax refund on public construction work. Introduced, referred	540
323 By Millhone, Husted, Gillette, Shaw, Hill, Stevens, Hoeven. To tax income at its source. Introduced, referred	541
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324 By Hopkins. Liability of firms or persons engaged in transportation of school pupils. Introduced, referred	541
325 By Augustine. Relating to salary of county recorders. Introduced, referred	541
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326 By Augustine. Relating to chattel mortgages. Introduced, referred	541
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327 By Chrystal. Continuation of primary roads within cities.		342 By Chrystal. Selection of county official papers.	
Introduced, referred	549	Introduced, referred	570
328 By Chrystal. Relating to state conservation commission.		343 By Chrystal. To provide for creation of county park commissions.	
Introduced, referred	549	Introduced, referred	570
329 By Chrystal. Disbursement of primary road fund.		344 By Dewey. Fish and game licenses.	
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330 By Hopkins. Employment of teachers in public schools.		Sifting recommended calendar..	1132
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331 By Hill. Prevention of accidents, occupational diseases.		Amendments adopted 1271-1272-1273	
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332 By Committee on Livestock and Dairying. Relating to definition of cheese and manufacture thereof.		345 By Hopkins. Payment of court costs in cases of trusts, estates guardianships.	
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333 By Miller. Appropriation to employees of men's reformatory.		Introduced, placed on calendar..	571
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334 By Augustine. Requiring uniform description of chattels in a mortgage.		347 By Committee on Highways. To regulate custody of motor vehicle license fees going to primary road fund.	
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335 By Mason. Duties of state highway commission.		348 By Committee on Highways. Condemnation of land for road purposes.	
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336 By Gillespie. Relating to form and condition of relief.		Sifting recommended calendar..	1132
Introduced, referred	551	349 By Bell of Des Moines. To exempt from taxation draft animals used in farm work.	
337 By Gillespie. Appointment and removal of assessors.		Introduced, referred	571
Introduced, referred	551	350 By Committee on board of Control. Relating to change of name of certain state institutions.	
338 By Shaw. Relating to landlord's lien.		Introduced, placed on calendar..	572
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339 By Gillette, Corwin. Relating to licensing and taxing of motor vehicles for use of highways.		Introduced, referred	572
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340 By Berg. An appropriation for removal of police radio station KNFN.		Introduced, referred	572
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Recommended for passage.....	573	Introduced, placed on calendar..	572
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341 By Murray. Establishment of boundary between Iowa and Nebraska.		Signed by President.....	773
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355 By Committee on Judiciary No. 2. Legalizing acts of Farmers' Mutual Fire and Lightning Insurance Assn., of Winneshiek.	
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Passed; ayes 35, nays none.....	622
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 356 By Dean. Appropriations for farm improvement associations.	
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 357 By Committee on Highways. Operation of tractors or traction engines over bituminous surfaces.	
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 358 By Hill. Examination of school offices by state auditor.	
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 359 By Pelzer. Control of municipal utilities.	
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 360 By Bell of Crawford. Legalizing school election held by Beebeetown consolidated school.	
Introduced, referred.....	573
 361 By Mason. To make unlawful use of certain trucks on primary highways on Sunday.	
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 362 By Mason. Requiring reports from executives, employees of state university, colleges.	
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 363 By Mason, Bell of Crawford. Business of buying and selling of poultry; prohibiting use of same building for meat packing.	
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 364 By Bell of Crawford. Uniform textbooks; to create commission.	
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 365 By Bell of Crawford. To control distribution and sale of milk.	
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 366 By Grunewald. Satisfaction of mortgages; providing for inclusion of chattels.	
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 367 By Doran. To provide for and regulate incorporation of general welfare banks under state supervision.	
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368 By Chrystal. Legalizing election for swimming pool at Manning.	
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 369 By Chrystal. Relating to flood control; prevention of soil erosion.	
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 370 By Bell of Crawford. Operation of municipally owned utilities.	
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 371 By Chrystal. Authorizing creation of county planning commission.	
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 372 By Bell of Crawford. Relating to chain store tax.	
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 373 By Committee on Social Security. To create state department of public welfare.	
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Signed by Governor.....	
 374 By Committee on Social Security. To establish division of child welfare in department of public welfare.	
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Passed; ayes 43, nays none.....	975
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Reported enrolled.....	1401
Signed by President.....	1401
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 375 By Committee on Social Security. Relating to aid for the blind.	
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Concurred	1381
Passed; ayes 38, nays none.....	1382
Reported enrolled	1401
Signed by President.....	1401
Sent to Governor.....	1401
Signed by Governor.	
376 By Committee on Social Security. To create division of old age assistance under state department of social welfare.	
Introduced, placed on calendar..	577
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Deferred	890
Amendments filed	931
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Reported enrolled	1401
Signed by President.....	1401
Sent to Governor	1401
Signed by Governor.	
377 By Committee on Social Security. Aid to dependent children.	
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Deferred	890
Amendment filed	899
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Passed; ayes 42, nays none.....	1003
378 By Bell of Crawford. Providing for creation of public service and railroad commission.	
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379 By Committee on Social Security. For appropriation for state department of social welfare.	
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Passed; ayes 35, nays 3.....	1397
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380 By Committee on Livestock and Dairying. To define ice milk, imitation ice cream, fruit ice and milk sherbet; regulation of sale thereof.	
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381 By Committee on Livestock and Dairying. Relating to use, disposal of dead animals.	
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Passed; ayes 38, nays none.....	1153
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Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
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382 By Committee on Public Libraries. To create library certification board; regulate appointment of librarians.	
Introduced, placed on calendar.	609
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383 By Committee on Claims. An act for appropriation to E. I. Mason.	
Introduced, referred	635
Recommended for passage.....	639
Amendment adopted	811
Passed; ayes 39, nays none....	812
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384 By Committee on Claims. Appropriations to D. I. Goehring, Mrs. Kendall Burch, Willard Poland and Wallace Carr.	
Introduced, referred	635
Recommended for passage.....	639
Passed; ayes 41, nays none.....	812
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Passed; ayes 40, nays none....	1244
Reported enrolled	1315
Signed by President.....	1316
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Signed by Governor.	
385 By Committee on Claims. An act for appropriations to John Marth, George W. Smith, Mrs. S. L. Lieby, W. A. Gay, C. H. Otte, Mrs. Tillie Deater, H. R. Staats and Henry E. Meis.	
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Recommended for passage	639
Passed; ayes 34, nays none.....	818
Returned from House.....	1182
Reported enrolled	1263
Signed by President.....	1263
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Signed by Governor.	
386 By Committee on Claims. Appropriations to W. B. Lewis, M. D., Ben G. Budge, M. D., and E. F. Rambo, M. D.	
Introduced, referred	636
Recommended for passage.....	639
Passed; ayes 34, nays none.....	819
Returned from House.....	1182
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	
387 By Committee on Claims. Appropriations to Pointer Brewing Company, A. B. Hamilton, H. F. Voights, A. A. Thompson, Paul Delaplaine, E. C. Sodergren, H. R. Pratt, Russell Jensen, Wayne Fisher, Steven Saxby, F. I. Easton and Continental Baking Company.	
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Recommended for passage.....	639
Passed; ayes 34, nays none.....	820
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Reported enrolled	1263
Signed by President.....	1263
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388 By Committee on Claims. An act for appropriations to George W. Cox and Max E. King.		394 By Committee on Conserva- tion. To clarify ownership, title of all animals not pos- sessed in a legal manner; fish, game law violations.	
Introduced, referred	636	Introduced, placed on calendar.	645
Recommended for passage	640	395 By Committee on Conserva- tion. Duties of conservation commission in regard to parks.	
Passed; ayes 34, nays none	820	Introduced, placed on calendar.	645
Returned from House	1182	396 By Committee on Conserva- tion. Relating to improve- ment of state-owned lakes and streams.	
Reported enrolled	1263	Introduced, placed on calendar.	645
Signed by President	1263	397 By Committee on Conserva- tion. To create unsalaried state geographic board.	
Sent to Governor	1283	Introduced, placed on calendar.	645
Signed by Governor.		398 By Committee on Conserva- tion. Relating to fishways and dams.	
389 By Committee on Claims. An act for appropriations to Elizabeth Maasdam, Younklin Automotive Service, Otis Rec- tor, Joe Menges, Rev. F. W. McKinley, P. E. Graham, Ron- ald O. Cole, H. E. Pilon and Emmet L. Morris.		Introduced, placed on calendar.	645
Introduced, referred	636	399 By Committee on Conserva- tion. Reciprocity of states in extending hunting, fishing and trapping privileges.	
Recommended for passage	640	Introduced, placed on calendar.	646
Passed; ayes 34, nays 1	821	400 By Committee on Conserva- tion. Construction, mainte- nance and operation of dams.	
Returned from House	1182	Introduced, placed on calendar.	646
Reported enrolled	1263	401 By Committee on Conserva- tion. Appointment of special officers to enforce laws relat- ing to conservation.	
Signed by President	1263	Introduced, placed on calendar.	646
Sent to Governor	1283	402 By Committee on Motor Vehicles. To extend expira- tion of motor vehicle oper- ators' licenses.	
Signed by Governor.		Introduced, placed on calendar.	663
390 By Committee on Claims. An act for appropriation to Ivan T. Schultz, M. D., and Nelle T. Schultz, M. D.		403 By Committee on Depart- mental affairs. Relating to various fees collected by sec- retary of state.	
Introduced, referred	636	Introduced, placed on calendar.	663
Recommended for passage	640	404 By Committee on Depart- mental Affairs. Publication of reports of executive coun- cil.	
Passed; ayes 34, nays none	822	Introduced, placed on calendar.	663
Returned from House	1182	405 By Committee on Agricul- ture. Relating to license fees for hotels.	
Reported enrolled	1263	Introduced, placed on calendar.	663
Signed by President	1263	406 By Committee on Claims. For an appropriation to the Howell-Schrader Drug Com- pany.	
Sent to Governor	1283	Introduced, referred	677
Signed by Governor.		Recommended for passage	689
391 By Committee on Claims. An act for appropriations to Harry R. Denton, Vince Tel- lin, O. L. Smith, M. R. Ter- hune and W. W. Stranahan.		Passed; ayes 37, nays none	823
Introduced, referred	637	Returned from House	1183
Recommended for passage	640	Reported enrolled	1263
Passed; ayes 35, nays none	822	Signed by President	1263
Returned from House	1182	Sent to Governor	1283
Reported enrolled	1263	Signed by Governor.	
Signed by President	1263	392 By Committee on Insur- ance. Investment of funds by life insurance companies.	
Sent to Governor	1283	Introduced, placed on calendar.	637
Signed by Governor.		Amendment filed	653
392 By Committee on Insur- ance. Investment of funds by life insurance companies.		Amendments adopted	734
Introduced, placed on calendar.	637	Passed; ayes 34, nays none	734
Amendment filed	653	Returned from House	826
Amendments adopted	734	Reported enrolled	859
Passed; ayes 34, nays none	734	Signed by President	859
Returned from House	826	Sent to Governor	859
Reported enrolled	859	Signed by Governor.	957
Signed by President	859	393 By Committee on Insur- ance. Amount of capital or surplus required of foreign companies to transact busi- ness in the state.	
Sent to Governor	859	Introduced, placed on calendar.	637
Signed by Governor.		Passed; ayes 33, nays none	735
393 By Committee on Insur- ance. Amount of capital or surplus required of foreign companies to transact busi- ness in the state.		Returned from House	826
Introduced, placed on calendar.	637	Reported enrolled	859
Passed; ayes 33, nays none	735	Signed by President	859
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Recommended for passage.....	689
Referred	784
Reported without recommenda- tion	1210
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408 By Committee on Claims. For an appropriation to Ed Beeman.	
Introduced, referred	677
Recommended for passage	689
Passed; ayes 38, nays none	824
Returned from House.....	1183
Reported enrolled	1263
Signed by President	1263
Sent to Governor	1283
Signed by Governor.	
409 By Committee on Claims. For an appropriation to Rich- ard Nelson.	
Introduced, referred	678
Recommended for passage	689
Passed; ayes 35, nays none.....	825
Returned from House.....	1183
Reported enrolled	1263
Signed by President	1263
Sent to Governor.....	1283
Signed by Governor.	
410 By Committee on Claims. For an appropriation to Mid- west Finance Corporation.	
Introduced, referred	678
Recommended for passage.....	689
Passed; ayes 38, nays none.....	825
Returned from House.....	1183
Reported enrolled	1263
Signed by President	1263
Sent to Governor	1283
Signed by Governor.	
411 By Committee on Claims. For an appropriation to C. H. White, Middle States Utilities Company, Callender Telephone Company, Gretus A. S. M. S., Geraldine Sater, Palmer Plumbing Company, John F. Shea, Bituminous Paving Material Corporation, D. M. Vandellinde, and Mathie- son Insurance Agency.	
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Recommended for passage.....	690
Amendment adopted	853
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Reported enrolled	1315
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Signed by Governor.	
412 By Committee on Claims. For an appropriation to Iowa City, Iowa.	
Introduced, referred	678
Recommended for passage.....	690
Passed; ayes 39, nays none.....	833
Returned from House.....	1183
Reported enrolled	1263
Signed by President	1263
Sent to Governor	1283
Signed by Governor.	

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413 By Committee on Claims. For an appropriation to Hotel Martin, Sioux City, Iowa.	
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414 By Committee on Claims. For an appropriation to J. W. Houchin.	
Introduced, referred	678
Recommended for amendment and passage	690
Amendment adopted	833
Passed; ayes 40, nays none.....	834
Returned from House.....	1183
Concurred	1205
Passed; ayes 42, nays none.....	1205
Reported enrolled	1263
Signed by President	1263
Sent to Governor.....	1283
Signed by Governor.	
415 By Committee on Claims. For an appropriation to John Graves.	
Introduced, referred	678
416 By Committee on Claims. For an appropriation to Tama Independent School District.	
Introduced, referred	678
Recommended for passage.....	690
Passed; ayes 42, nays none.....	835
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Reported enrolled	1263
Signed by President	1263
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417 By Committee on Claims. For an appropriation to A. H. Bolton.	
Introduced, referred	679
Recommended for passage.....	690
Passed; ayes 35, nays none.....	835
Returned from House.....	1183
418 By Committee on Claims. For an appropriation to Mat Gallagher.	
Introduced, referred	679
Recommended for passage.....	691
Passed; ayes 36, nays none	836
Returned from House.....	1183
Reported enrolled	1263
Signed by President	1263
Sent to Governor.....	1283
Signed by Governor.	
419 By Committee on Claims. For an appropriation to H. W. Haskell.	
Introduced, referred	679
Recommended for passage.....	691
Passed; ayes 39, nays none	836
Returned from House.....	1184
Concurred	1206
Passed; ayes 44, nays none.....	1206
Reported enrolled	1263
Signed by President	1263
Sent to Governor.....	1283
Signed by Governor.	
420 By Committee on Claims. For an appropriation to Fred Skilling, William Durant, Mrs. William Meyers, John Kirsch, H. M. Colwell, Wil- liam C. Hawley, Joe Yetmar, Chris Olsen and C. E. Baxter.	
Introduced, referred	679
Recommended for passage.....	691
Passed; ayes 38, nays none.....	837

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Returned from House.....	1184
Reported enrolled.....	1315
Signed by President.....	1316
Sent to Governor.....	1316
Signed by Governor.	
421 By Committee on Claims. For appropriation to city of Ames, Iowa.	
Introduced, referred.....	679
Recommended for passage.....	691
Passed; ayes 37, nays none....	838
Returned from House.....	1184
Reported enrolled.....	1315
Signed by President.....	1316
Sent to Governor.....	1316
Signed by Governor.	
422 By Committee on Claims. For an appropriation to Iver Hopperstad.	
Introduced, referred.....	679
Recommended for passage.....	757
Passed; ayes 39, nays none....	840
Returned from House.....	1184
Reported enrolled.....	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	
423 By Committee on Claims. For an appropriation to Maurice Flanagan.	
Introduced, referred.....	679
Recommended for passage.....	691
Amendment adopted.....	838
Passed; ayes 38, nays none....	838
Returned from House.....	1184
Reported enrolled.....	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	
424 By Committee on Conserva- tion. Relating to obstruc- tions along shores of state waters and removal of ma- terials from beds thereof.	
Introduced, placed on calendar.	679
425 By Committee on Judiciary No. 2. To legalize proceed- ings of board and election in Palo Alto county, Iowa.	
Introduced, placed on calendar.	684
Sifting recommended calendar..	782
Deferred.....	843
Deferred.....	868
Passed; ayes 33, nays none....	930
Returned from House.....	1031
Returned to House.....	1084
Motion to reconsider prevailed.	1106
Passed; ayes 34, nays none....	1107
Reported enrolled.....	1181
Signed by President.....	1182
Sent to Governor.....	1189
Signed by Governor.	
426 By Committee on Judiciary No. 2. Qualifications of sur- ettes on bail bonds; to per- mit certain insurance com- panies to act.	
Introduced, referred.....	711
Sifting recommended calendar..	1010
Amendments filed.....	1026
Amendments adopted.....	1143
Passed; ayes 39, nays none....	1144
Returned from House.....	1291
Reported enrolled.....	1361
Signed by President.....	1361
Sent to Governor.....	1361
Signed by Governor.	

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427 By Committee on Judiciary No. 2. Adverse examination of witnesses.	
Introduced, referred.....	712
428 By Committee on Judiciary No. 2. Investment of ceme- tery funds.	
Introduced, referred.....	712
429 By Committee on Conserva- tion. Violation of navigation laws.	
Introduced, referred.....	712
430 By Committee on Claims. To make an appropriation to Jones county, Iowa.	
Introduced, referred.....	712
Recommended for passage.....	757
Amendment adopted.....	840
Passed; ayes 42, nays none....	841
Returned from House.....	1184
Reported enrolled.....	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	
431 By Committee on Claims. An appropriation to Vera D. Tripp and Will Wickett.	
Introduced, referred.....	712
Recommended for passage.....	757
Passed; ayes 37, nays none....	841
Returned from House.....	1184
Reported enrolled.....	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	
432 By Committee on Social Security. Definition of "Wages".	
Introduced, referred.....	760
Sifting recommended calendar..	860
Amendment filed.....	1026
Withdrawn.....	1086
433 By Committee on Appro- priations. Appropriation to Robert Collatt, Roy Shitley and Claude C. Taft.	
Introduced, placed on calendar.	760
Passed; ayes 41, nays none....	842
Returned from House.....	1291
Reported enrolled.....	1361
Signed by President.....	1361
Sent to Governor.....	1361
Signed by Governor.	
434 By Committee on High- ways. Financing of primary and secondary roads.	
Introduced, referred.....	765
Sifting recommended calendar..	1010
Passed; ayes 31, nays none....	1099
435 By Committee on Federal Co-ordination. Authorizing municipalities to acquire, im- prove, extend certain rev- enue-producing undertakings.	
Introduced, referred.....	782
436 By Committee on Federal Co-ordination. Authorizing cities and other public bod- ies to aid housing projects.	
Introduced, referred.....	782

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437 By Committee on Federal Co-ordination. To declare necessity of creating public bodies to be known as housing authorities.	
Introduced, referred	783
438 By Committee on Military Affairs. An appropriation for rehabilitation of the water supply system at Camp Dodge.	
Introduced, referred	783
439 By Committee on Manufacturing, Commerce and Trade. Relating to cigarettes and tobacco.	
Introduced, referred	783
Sifting recommended calendar.	860
S. F. 465 substituted.....	1017
440 By Committee on Livestock and Dairying. Relating to false labels or false claims with regard to certain articles.	
Introduced, referred	797
441 By Committee on Claims. Appropriation to Joe H. Smith; Earl Leonard and Mrs. Bonnie Frisk; and Patrick Lynch.	
Introduced, referred	808
Reported without recommendation	1210
Amendment adopted	1322
Passed; ayes 36, nays none.....	1322
Returned from House.....	1353
Reported enrolled	1386
Signed by President	1386
Sent to Governor.....	1386
Signed by Governor.....	1386
442 By Committee on Claims. For appropriation to W. L. Murphy.	
Introduced, referred	808
Reported without recommendation	1073
Passed; ayes 37, nays none.....	1093
Returned from House.....	1184
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.....	1283
443 By Committee on Claims. For appropriation to Harry L. Frankle.	
Introduced, referred	808
Recommended for passage.....	873
Passed; ayes 37, nays none.....	1041
Returned from House.....	1184
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.....	1283
444 By Committee on Claims. For appropriation to city of Des Moines to reimburse city for expenditures made in repairing and improving streets adjacent to state-owned property.	
Introduced, referred	808
Reported without recommendation	1211
Passed; ayes 34, nays none.....	1324
Returned from House.....	1354
Reported enrolled	1401
Signed by President.....	1401
Sent to Governor.....	1401
Signed by Governor.....	1401

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445 By Committee on Claims. For appropriation to W. J. Steckel.	
Introduced, referred	808
Reported without recommendation	873
Amendment adopted	1086
Failed to pass; ayes none, nays 31	1087
446 By Committee on Claims. For appropriation to Ella Talbott.	
Introduced, referred	808
Recommended for passage.....	873
Postponed	1045
Passed; ayes 39, nays 2.....	1242
Returned from House.....	1354
Reported enrolled	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.....	1386
447 By Committee on Social Security. To create system of unemployment compensation and provide fund.	
Introduced, referred	816
Sifting recommended calendar.	860
Amendments filed	898
Amendments adopted.1023-1024-1025	1026
Postponed	1026
Amendment filed	1053
Amendments adopted.....	1064-1065
Passed; ayes 43, nays none.....	1065
Returned from House.....	1374
Concurred	1375
Passed; ayes 35, nays none.....	1376
Reported enrolled	1401
Signed by President.....	1401
Sent to Governor.....	1401
Signed by Governor.....	1401
448 By Committee on Departmental Affairs. Appropriating fees to be used for educational purposes under direction of real estate commissioner.	
Introduced, referred	848
Reported without recommendation	1073
Passed; ayes 37, nays none.....	1094
Returned from House.....	1316
449 By Committee on Claims. For appropriations to John Terpstra, Walter L. Wickett and Lyle E. Davis.	
Introduced, referred	848
Recommended for passage.....	890
Passed; ayes 42, nays none.....	1087
Returned from House.....	1184
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.....	1283
450 By Committee on Conservation. Powers, duties and jurisdiction of the state conservation commission.	
Introduced, referred	848
Amendment filed	981
Sifting recommended calendar.	1010
Amendments as amended adopted	1047
Amendment adopted	1047
Amendments to amendments adopted	1048-1049

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Amendments adopted	1049-1050
Amendments filed	1053-1054
Amendments adopted	1068-1069-1070-1071-1072
Passed; ayes 38, nays none	1072
Returned from House	1144
Amends and concurs	1147-1148
Passed; ayes 40, nays none	1150
Returned from House	1185
Reported enrolled	1255
Signed by President	1255
Sent to Governor	1255
Signed by Governor	1393

451 By Committee on Social Security. To establish division of relief in the State Department of Social Welfare.	
Introduced, referred	849
Amendments filed	952
Sifting recommended calendar.	969
Amendments to amendment adopted	978, 979
Amendment adopted	979
Title amended	980
Passed; ayes 38, nays none	980

452 By Committee on Judiciary No. 2. Certain fees payable to state and counties by private corporations.	
Introduced, referred	849

453 By Committee on Judiciary No. 2. To revise laws governing conduct of business under trade name.	
Introduced, referred	850

454 By Committee on Judiciary No. 2. Relating to sale of securities and to further define the power of the Secretary of State.	
Introduced, referred	850
Sifting recommended calendar	1010
Amendment filed	1101
House File 524 substituted	1154
Withdrawn	1155

455 By Committee on Judiciary No. 2. Organization and regulation of domestic and foreign non-profit corporations.	
Introduced, referred	850

456 By Committee on Educational Institutions. To empower finance committee of state board of education to settle delinquent obligations.	
Introduced, referred	850

457 By Committee on Judiciary No. 1. Legalizing of special election in Iowa City, Iowa.	
Introduced, referred	850
Deferred	868
Amendment filed	915
Proof of Publication	957
Sifting recommended calendar	1132
House File 518 substituted	1284
Withdrawn	1285

458 By Committee on Conservation. To establish improvement districts for development of areas in Iowa and adjacent states.	
Introduced, referred	872

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459 By Committee on Public Schools. Issuance of refunding bonds by school districts.	
Introduced, referred	879

460 By Committee on Motor Vehicles. To give primary maintenance patrolmen and engineers powers of peace officers in certain instances.	
Introduced, referred	880

461 By Special Committee on Tax Revision. Taxation of incomes; refunds of sales and income tax in certain cases.	
Introduced, referred	904
Amendments filed	1026-1027
Sifting recommended calendar	1053
Committee amendments adopted	1260
Passed; ayes 28, nays 8	1261

462 By Special Committee on Tax Revision. Taxation of income; to impose tax upon certain income of nonresidents derived from sources within state.	
Introduced, referred	904
Amendment filed	1027
Sifting recommended calendar	1053
Amendment filed	1080
House File 389 substituted	1218

463 By Committee on Judiciary No. 1. To legalize proceedings of city council of Osceola, Iowa.	
Introduced, referred	905
Proof of Publication	957
Sifting recommended calendar	1010
Amendment adopted	1057
Passed; ayes 34, nays none	1057
Reported enrolled	1181
Signed by President	1182
Sent to Governor	1189
Signed by Governor	

464 By Committee on Drainage. Authorizing supervisors in secondary road bridges.	
Introduced, referred	919
Sifting recommended calendar	1132
Passed; ayes 36, nays none	1220
Returned from House	1316
Reported enrolled	1361
Signed by President	1361
Sent to Governor	1361
Signed by Governor	

465 By Committee on Manufacturing, Commerce and Trade. Tax and restrictions upon sale of cigarettes, cigarette papers and tubes.	
Introduced, referred	919
Amendment filed	1010
Substituted for S. F. 439	1017
Amendments adopted	1018
Passed; ayes 40, nays none	1018

466 By Committee on Claims. For appropriation to Johnston Consolidated School District.	
Introduced, referred	957
Withdrawn, placed on calendar	1346
Failed to pass	1348

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467 By Committee on Claims. For appropriations to R. A. Quinn.	
Introduced, referred	958
Reported without recommenda- tion	1073
Passed; ayes 35, nays none.....	1095
Returned from House.....	1185
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	

468 By Committee on Claims. For appropriation to Anna Dirksen Eggabroad.	
Introduced, referred	958
Reported without recommenda- tion	1073
Passed; ayes 38, nays none.....	1095
Returned from House.....	1185
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	

469 By Committee on Claims. For appropriation to Ray- mond L. Barr.	
Introduced, referred	958
Reported without recommenda- tion	1074
Passed; ayes 36, nays none.....	1096
Returned from House	1185
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	

470 By Committee on Claims. For appropriation to Emery Brownfield.	
Introduced, referred	958
Reported without recommenda- tion	1074
Failed to pass; ayes 28, nays 6.....	1097
Motion to reconsider filed.....	1102
Reconsidered	1348
Passed; ayes 36, nays 1.....	1349
Returned from House.....	1354
Reported enrolled	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

471 By Committee on Claims. For appropriation to J. C. Hull and Son.	
Introduced, referred	958
Reported without recommenda- tion	1074
Passed; ayes 37, nays 1.....	1097
Returned from House.....	1185
Reported enrolled	1263
Signed by President.....	1263
Sent to Governor.....	1283
Signed by Governor.	

472 By Committee on Claims. For appropriations to Leo Frazio and Broadlawns Hos- pital.	
Introduced, referred	958
Reported without recommenda- tion	1074
Amendment adopted	1097
Failed to pass; ayes none, nays 31	1098

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473 By Committee on Claims. For appropriation to Emmet F. Ivory.	
Introduced, referred	992
Reported without recommenda- tion	1074
Passed; ayes 43, nays none.....	1209
Returned from House.....	1354
Reported enrolled	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

474 By Committee on Claims. For appropriation to Luella Sherling.	
Introduced, referred	992
Reported without recommenda- tion	1074
Amendment adopted	1210
Failed to pass.....	1210
Reconsidered	1249
Passed; ayes 36, nays 11.....	1249
Returned from House.....	1354
Reported enrolled	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

475 By Committee on Claims. For appropriation to Ira Dal- ton.	
Introduced, referred	993
Reported without recommenda- tion	1075
Failed to pass.....	1227
Reconsidered	1250
Passed; ayes 39, nays 4.....	1250
Returned from House.....	1354
Reported enrolled	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

476 By Committee on Claims. For appropriation to Mrs. Emily A. Nicoll.	
Introduced, referred	993
Reported without recommenda- tion	1075
Passed; ayes 34, nays none.....	1319
Returned from House.....	1354
Reported enrolled	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

477 By Committee on Claims. For appropriations to E. R. Wald, F. D. Cox, D. H. Ander- son and B. L. Basinger, M. D.	
Introduced, referred	993
Reported without recommenda- tion	1075
Passed; ayes 34, nays none.....	1319
Returned from House	1354
Reported enrolled	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

478 By Committee on Claims. For appropriation to William M. Schneider.	
Introduced, referred	993
Reported without recommenda- tion	1075
Passed; ayes 34, nays none.....	1320
Returned from House.....	1354
Reported enrolled	1386
Signed by President.....	1386

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Sent to Governor.....	1386
Signed by Governor.	
479 By Committee on Claims. For appropriation to Willie Claussen.	
Introduced, referred	993
Reported without recommenda- tion	1075
Passed; ayes 34, nays 2.....	1320
Returned from House.....	1354
Reported enrolled	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	
480 By Committee on Claims. For appropriation to Francis Woolman.	
Introduced, referred	993
Reported without recommenda- tion	1075
Failed to pass	1321
481 By Committee on Claims. For an appropriation to John W. Abel.	
Introduced, referred	993
Reported without recommenda- tion	1076
Failed to pass.....	1181
Motion to reconsider.....	1251
Reconsidered	1341
Passed; ayes 35, nays none.....	1342
Returned from House.....	1354
Returned to House.....	1389
Returned from House.....	1389
Reported enrolled	1401
Signed by President.....	1401
Sent to Governor	1401
Signed by Governor.	
482 By Committee on Board of Control. Relating to powers and duties of superintendents of certain state institutions; providing for business man- ager of such institutions.	
Introduced, referred	993
Sifting recommended calendar..	1053
Amendment filed	1159
Amendments adopted	1228-1229
Passed; ayes 40, nays 1.....	1229
483 By Committee on Approp- riations. To establish gen- eral fund for state of Iowa for biennium.	
Introduced, placed on calendar..	1027
Special order	1052
Amendment filed	1053
Amendments filed	1080-1081-1082
Amendment filed	1101
Substitute for House File 477 substituted	1109
484 By Committee on Claims. To make an appropriation to George Mogridge.	
Introduced, referred	1043
Reported without recommenda- tion	1211
Failed to pass	1325
485 By Committee on Claims. To make an appropriation to C. W. Storms.	
Introduced, referred	1043
Reported without recommenda- tion	1211
Referred to sifting	1328

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486 By Committee on Claims. To make an appropriation to Leo J. Wegman.	
Introduced, referred	1043
Reported without recommenda- tion	1211
Referred to sifting.....	1328
487 By Committee on Claims. To make an appropriation to estate of Mrs. Alex Miller.	
Introduced, referred	1043
Reported without recommenda- tion	1211
Referred to sifting	1328
488 By Committee on Claims. To make an appropriation to Ray Murray.	
Introduced, referred	1043
Reported without recommenda- tion	1211
Referred to sifting	1328
489 By Committee on Claims. To make an appropriation to Edward L. O'Conner.	
Introduced, referred	1043
Reported without recommenda- tion	1212
Referred to sifting	1328
490 By Committee on Claims. To make an appropriation to Louis H. Cook.	
Introduced, referred	1044
Reported without recommenda- tion	1212
Referred to sifting.....	1328
491 By Committee on Claims. To make an appropriation to Louis Roddewig.	
Introduced, referred	1044
Reported without recommenda- tion	1212
Referred to sifting	1328
492 By Committee on Claims. To make an appropriation to C. F. Green.	
Introduced, referred	1044
Reported without recommenda- tion	1212
Referred to sifting.....	1328
493 By Committee on Claims. To make an appropriation to estate of John W. Foster.	
Introduced, referred	1044
Reported without recommenda- tion	1212
Referred to sifting	1328
494 By Committee on Claims. To make an appropriation to estate of J. W. Reynolds.	
Introduced, referred	1044
Reported without recommenda- tion	1212
Referred to sifting	1328
495 By Committee on Claims. To make an appropriation to B. C. Whitehill.	
Introduced, referred	1044
Reported without recommenda- tion	1213
Referred to sifting.....	1328

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496 By Committee on Claims. To make an appropriation to O. S. Von Krog.	
Introduced, referred	1044
Reported without recommenda- tion	1213
Referred to sifting.....	1328
497 By Committee on Claims. To make an appropriation to Ray M. Hanchett.	
Introduced, referred	1044
Reported without recommenda- tion	1213
Referred to sifting.....	1328
498 By Committee on Claims. To make an appropriation to R. E. Zerwick.	
Introduced, referred	1045
Reported without recommenda- tion	1213
Referred to sifting	1328
499 By Committee on Claims. To make an appropriation to H. A. Mitchell.	
Introduced, referred	1045
Reported without recommenda- tion	1213
Referred to sifting.....	1328
500 By Committee on Claims. To make an appropriation to Ray Murphy.	
Introduced, referred	1045
Reported without recommenda- tion	1213
Referred to sifting.....	1328
501 By Committee on Claims. To make an appropriation to Hazel A. Todd.	
Introduced, referred	1045
Reported without recommenda- tion	1213
Passed; ayes 36, nays none.....	1326
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor	1386
Signed by Governor.	
502 By Committee on Claims. To make an appropriation to Mr. and Mrs. Frank M. Bur- nell.	
Introduced, referred	1045
Reported without recommenda- tion	1214
Failed to pass.....	1327
503 By Committee on Cities and Towns. Relating to compen- sation of councilmen.	
Introduced, referred	1056
Sifting recommended calendar.....	1132
504 By Committee on Cities and Towns. Relating to levy of tax for park purposes.	
Introduced, referred	1056
505 By Committee on Cities and Towns. To make permanent temporary transfer of funds by city of Dubuque, Iowa.	
Introduced, referred	1077

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506 By Committee on Claims. To make appropriations to Willis and Moore, et al.	
Introduced, referred	1077
Reported without recommenda- tion	1214
Passed; ayes 36, nays 4.....	1328
Returned from House.....	1389
507 By Committee on Claims. To make appropriations to guards and turnkeys at the state penitentiary at Fort Madison.	
Introduced, referred	1078
Reported without recommenda- tion	1214
Passed; ayes 45, nays none.....	1333
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	
508 By Committee on Claims. To make appropriations to guards and turnkeys at the men's reformatory at Ana- mosa.	
Introduced, referred	1078
Reported without recommenda- tion	1214
Passed; ayes 46, nays none.....	1333
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	
509 By Committee on Claims. To make appropriation to Lydia Pearl Riesland.	
Introduced, referred	1078
Reported without recommenda- tion	1214
Failed to pass.....	1334
510 By Committee on Claims. To make an appropriation to Mills county, Iowa.	
Introduced, referred	1078
Reported without recommenda- tion	1214
Passed; ayes 39, nays none.....	1335
Recommended for passage.....	1692
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	
511 By Committee on Claims. To make appropriation to Cleon A. Feger.	
Introduced, referred	1079
Reported without recommenda- tion	1215
Amendment adopted	1335
Passed; ayes 35, nays 6.....	1335
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	
512 By Committee on Claims. To make appropriation to Key City Refrigerator Line.	
Introduced, referred	1079
Reported without recommenda- tion	1215

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Passed; ayes 43, nays none.....	1336
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

513 By Committee on Claims. To make appropriation to Grace Kountz.	
Introduced, referred	1079
Reported without recommenda- tion	1215
Failed to pass.....	1337

514 By Committee on Claims. To make appropriation to Mrs. Estella Abernathy.	
Introduced, referred	1079
Reported without recommenda- tion	1215
Failed to pass.....	1337
Reconsidered	1378
Passed; ayes 38, nays 1.....	1378
Returned from House.....	1389

515 By Committee on Claims. To make an appropriation to Citizens Savings Bank.	
Introduced, referred	1079
Reported without recommenda- tion	1215
Passed; ayes 42, nays none.....	1339
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

516 By Committee on Claims. To make an appropriation to James E. Risden.	
Introduced, referred	1079
Reported without recommenda- tion	1215
Passed; ayes 37, nays 8.....	1338
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

517 By Committee on Claims. To make an appropriation to Virgil E. Kepford.	
Introduced, referred	1079
Reported without recommenda- tion	1216
Failed to pass.....	1338

518 By Committee on Claims. To make an appropriation to the Avoca State Bank.	
Introduced, referred	1079
Reported without recommenda- tion	1216
Passed; ayes 44, nays none.....	1339
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

519 By Committee on Claims. To make an appropriation to Bezer Lodge No. 135.	
Introduced, referred	1080
Reported without recommenda- tion	1216
Amendment adopted	1340

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Passed; ayes 35, nays 2.....	1340
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

520 By Committee on Cities and Towns. Self-liquidating im- provements and the financing thereof.	
Introduced, referred	1083

521 By Committee on Judiciary No. 2. Salaries, fees and com- missions of county attorneys.	
Introduced, referred	1101

522 By Committee on Judiciary No. 2. Relating to presenta- tion, investigation, allowance and payment of claims against state.	
Introduced, referred	1101
Sifting recommended calendar..	1188

523 By Committee on Judiciary No. 2. Legallizing issuance of warrants by independent school district of Elkader, Iowa.	
Introduced, referred	1101
Proof of publication.....	1137
Sifting recommended calendar..	1159
Amendment adopted	1306
Passed; ayes 32, nays none.....	1306
Returned from House.....	1355
Reported enrolled.....	1386
Signed by President.....	1386
Sent to Governor.....	1386
Signed by Governor.	

524 By Committee on Banks and Banking. Interest on public deposits; to make cer- tain assessments against de- positories of public funds.	
Introduced, referred	1117
Sifting recommended calendar..	1132
Amendment filed	1187
House File 544 substituted.....	1217

525 By Committee on Banks and Banking. Minimum capi- talization of banks and trust companies.	
Introduced, referred	1117

526 By Committee on Claims. To make appropriation to C. O. Melyin.	
Introduced, referred	1121
Reported without recommenda- tion	1216
Failed to pass.....	1341
Reconsidered	1380
Passed; ayes 35, nays 4.....	1380
Returned from House.....	1389
Reported enrolled.....	1401
Signed by President.....	1401
Sent to Governor.....	1401
Signed by Governor.	

527 By Committee on Board of Control. Transfer of inmates of state institutions.	
Introduced, referred	1121
Sifting recommended calendar..	1132
Passed; ayes 39, nays none.....	1223

S. F.	Page	S. F.	Page
528 By Special Committee on Tax Revision. Payment of sales tax on motor vehicles.		533 By Committee on Appropriations. For an appropriation to the unemployment compensation commission.	
Introduced, referred	1150	Introduced, placed on calendar.	1239
Passed; ayes 36, nays none.....	1276	Passed; ayes 33, nays none.....	1323
Returned from House.....	1374	Returned from House.....	1355
Reported enrolled	1401	Reported enrolled	1386
Signed by President.....	1401	Signed by President.....	1386
Sent to Governor.....	1401	Sent to Governor.....	1386
Signed by Governor.		Signed by Governor.	
529 By Special Committee on Tax Revision. To repeal section 6943-f2, Code, 1935, and enact substitute.		534 By Committee on Claims. For an appropriation to George Clancy.	
Introduced, referred	1151	Introduced, referred	1239
Passed; ayes 38, nays none.....	1277	Withdrawn, placed on calendar.	1346
530 By Committee on Appropriations. To make an appropriation to enable state to participate in program of CCC, WPA and other agencies.		Amendment adopted	1347
Introduced, placed on calendar..	1151	Passed; ayes 42, nays none.....	1347
Passed; ayes 43, nays 2.....	1236	Motion to reconsider filed.....	1357
Returned from House.....	1316	Amendment filed	1357
Reported enrolled	1361	Reconsidered	1379
Signed by President.....	1361	Amendment adopted	1379
Sent to Governor.....	1361	Passed; ayes 37, nays none.....	1379
Signed by Governor.		Returned from House.....	1389
531 By Committee on Claims. To make an appropriation to O. F. Shadle.		Concurred	1391
Introduced, referred	1217	Passed; ayes 43, nays none.....	1392
Reported without recommendation	1239	Reported enrolled	1401
Passed; ayes 37, nays 1.....	1346	Signed by President.....	1401
Returned from House.....	1355	Sent to Governor.....	1401
Reported enrolled	1386	Signed by Governor.	
Signed by President.....	1386	535 By Committee on Appropriations. To provide for certification of money for annual levy of general state taxes.	
Sent to Governor.....	1386	Introduced, placed on calendar..	1361
Signed by Governor.		Passed; ayes 36, nays none.....	1371
532 By Committee on Appropriations. To make appropriations to judges of district court.		Returned from House.....	1389
Introduced, placed on calendar..	1217	Reported enrolled	1401
House File 548 substituted.....	1312	Signed by President.....	1401
Withdrawn	1313	Sent to Governor.....	1401
		Signed by Governor.	
		536 By Breen. Correction of error of House File 398 as passed by the 47th General Assembly.	
		Introduced, referred	1369

HISTORY OF HOUSE BILLS IN SENATE

HOUSE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED—109

J. R. 1, 11.

1, 4, 6, 7, 21, 23, 25, 30, 32, 36, 39, 45, 49, 51, 52, 56, 57, 61, 62, 70, 79, 82, 88, 89, 106, 107, 111, 114, 119, 128, 131, 133, 137, 143, 146, 147, 150, 155, 165, 167, 172, 173, 181, 182, 184, 186, 193, 200, 203, 211, 218, 233, 242, 253, 258, 262, 288, 290, 291, 302, 306, 307, 308, 314, 319, 329, 341, 352, 365, 380, 388, 389, 398, 413, 414, 428, 433, 454, 456, 457, 461, 475, 476, Sub. 477, 480, 483, 484, 487, 496, 501, 510, 518, 519, 523, 524, 527, 528, 531, 533, 534, 538, 540, 543, 544, 545, 548, 550.

Passed both Houses, vetoed by Governor—171.

RECORD OF EACH HOUSE BILL IN SENATE

H. F.	Page	H. F.	Page
1 By Alesch, Elliott. Creating an emergency feed loan fund for drought areas.		25 By Bulow, Judd, Rasmussen, Currie. Relating to profession of barbering; providing penalty.	
Received in Senate.....	104	Received, referred.....	285
Substituted for S. F. 37.....	104	Recommended for passage.....	369
Amended.....	104	Passed; ayes 36, nays none.....	425
Passed; ayes 41, nays none.....	106	Signed by President.....	467
Messaged to House.....	107		
Concurred.....	115	29 By Mercer. System of coordinates for designating of points on earth's surface within state.	
Refused to concur.....	116, 117	Received, referred.....	960
Signed by President.....	117		
		30 By Mercer. Appropriation to Iowa City, Iowa, for compensation for expenses incurred.	
4 By Bowers. Possession of gambling devices.		Received, referred.....	1292
Received, referred.....	226	Withdrawn, placed on calendar.....	1350
Reported without recommendation.....	680	Passed; ayes 31, nays 8.....	1377
Recommended calendar.....	860	Signed by President.....	1399
Deferred.....	1003		
Amendment filed.....	1011	32 By Engel, Dietz. To make statutes applicable to cities under special charter.	
Deferred.....	1017	Received, referred.....	285
Passed; ayes 32, nays 4.....	1040	Recommended for passage.....	370
Signed by President.....	1056	Amendments filed.....	582
		Amendment adopted.....	719
5 By Bowers. Budget estimates and time of hearing.		Passed; ayes 39, nays none.....	719
Received, referred.....	217	Signed by President.....	832
Referred.....	248		
		33 By Yager. Legalizing election in town of Milford, Iowa.	
6 By Engel, Dietz. Relating to interstate bridges.		Proof of publication.....	195
Received, referred.....	210	Received, referred.....	285
Substituted for S. F. 69.....	219	Reported without recommendation.....	581
Passed; ayes 46, nays none.....	220	Amendment filed.....	625
Signed by President.....	255	Motion to withdraw bill from committee failed.....	1020
		Motion to reconsider filed.....	1026
7 By Engel, Dietz. Printing of ballots.			
Received, referred.....	339	36 By Maniece. Free distribution of Codes and other legal publications.	
Recommended for passage.....	339	Received, referred.....	674
Passed; ayes 31, nays none.....	363	Sifting recommended calendar.....	782
Signed by President.....	397	Passed; ayes 41, nays none.....	846
		Signed by President.....	880
21 By Keeney, Lovrien. Text-books in public schools.		39 By Davis. Relating to support of insane.	
Received, referred.....	246	Received, referred.....	674
Recommended for passage.....	264	Sifting recommended calendar.....	782
Deferred.....	342	Passed; ayes 38, nays none.....	855
Passed; ayes 34, nays none.....	366	Signed by President.....	880
Signed by President.....	397		
23 By Rutherford. Indebtedness of drainage districts.			
Received, referred.....	247		
Recommended for passage.....	419		
Passed; ayes 40, nays none.....	613		
Signed by President.....	645		

H. F.	Page
43 By Johnson of Buena Vista. Taxation of public securities. Received, referred	247
Reported without recommenda- tion	527
45 By Johnson of Buena Vista. Relating to maximum water rate of Storm Lake, Iowa. Received, referred	172
Recommended for passage.....	183
Passed; ayes 41, nays none.....	192
Signed by President.....	217
49 By Curtis, Kuester, Ruther- ford, Love. Auditing of finan- cial records. Received	270
Recommended for passage.....	623
Passed; ayes 35, nays none.....	733
Signed by President.....	773
51 By Rasmussen. Relating to civil service employees of cities. Received, referred	637
Recommended for passage.....	654
Sifting recommended calendar..	860
Passed; ayes 42, nays 1.....	1009
Signed by President.....	1030
52 By Lovrien. Power of cities and towns to levy special taxes. Received, referred	399
Recommended for passage.....	579
Sifting recommended calendar..	1010
Passed; ayes 35, nays none.....	1152
Signed by President.....	1189
56 By Peisen. Purchase of land and buildings for hospitals. Received, referred	829
Sifting recommended calendar..	1010
Passed; ayes 33, nays none.....	1058
Signed by President.....	1132
57 By Peisen. Relating to un- fair discrimination and to in- clude "commercial services." Received, referred	674
Sifting recommended calendar..	814
Amendment adopted	897
Passed; ayes 36, nays none.....	897
Signed by President.....	981
58 By Davis. Relating to claims of the state against counties. Received	226
Referred	230
Recommended for passage.....	487
61 By Hickenlooper. Bus and motor transportation. Received, referred	284
Amendment filed	436
Substituted for S. F. 108.....	631
Amendment adopted	631
Passed; ayes 41, nays none.....	632
Signed by President.....	720
62 By Lookingbill. A legalliz- ing act relating to Story county, Iowa. Received, referred	210
Recommended for passage.....	222
Proof of publication.....	224
Passed; ayes 46, nays none.....	235
Signed by President.....	255

H. F.	Page
70 By Lovrien. Abandonment of railway stations. Received, placed on calendar..	830
Substituted for S. F. 30.....	830
Passed; ayes 40, nays none.....	853
Signed by President.....	880
79 By Dykhouse. Relating to noxious weeds. Received, referred	609
Sifting recommended calendar..	1132
Passed; ayes 35, nays none.....	1221
Signed by President.....	1255
82 By Stewart. Powers of hos- pital trustees. Received, referred	638
Sifting recommended calendar..	782
Passed; ayes 26, nays none.....	851
Signed by President.....	880
83 By Alesch. Requiring that records of any state office be open to inspection; exception. Received, referred	609
87 By Pine, Yager. Providing for artisan's lien, enforce- ment thereof. Received, referred	284
Amendment filed	658
Sifting recommended calendar..	860
Amendments adopted	998-999
Consideration postponed	999
Amendment filed	1010
88 By Hathaway. Officers and employees under board of control. Received, referred	674
Sifting recommended calendar..	782
Deferred	851
Passed; ayes 39, nays none.....	869
Signed by President.....	981
89 By Reilly. Larceny in night time. Received, referred	285
Sifting recommended calendar..	782
Passed; ayes 35, nays none.....	858
Signed by President.....	880
92 By Knudson. Estrays and trespassing animals. Received, referred	609
94 By Strickler. Relating to municipal bands. Received, referred	455
Recommended for passage.....	654
99 By Lookingbill, Dreessen. Relating to general execution for balance. Received, referred	284
Amendment filed	583
Reported without recommenda- tion	641
103 By Davis. Good of Boone. Relating to number of votes for nomination at primary elections. Received, referred	846
104 By Morrow. Defining right to transport non-resident pupils. Received, referred	674

H. F.	Page
105 By Shifflett. Relating to thresherman's or cornsheller's lien.	
Received, referred	674
106 By Keeney, Elliott, Whit- ney. Relating to use of school buses.	
Received, referred	234
Recommended for amendment and passage	298
Amendment adopted	345
Passed; ayes 43, nays none.....	345
Signed by President.....	397
107 By Hickenlooper, Yager, Burma, Ross, Morrow, Wehling, Hultman, O'Neill. Ex- penses of firemen attending fire schools.	
Received, referred	609
Sifting recommended calendar..	1010
Passed; ayes 38, nays none.....	1154
Signed by President.....	1189
111 By Yager, Dykehouse. Bounties on crows.	
Received, referred	675
Sifting recommended calendar..	732
Passed; ayes 38, nays none.....	858
Signed by President.....	880
113 By Hickenlooper, Mercer. Relating to audits of state departments, counties, cities and towns.	
Received, referred	675
114 By Brown. Taxes for im- provements in parks and cemeteries.	
Reported without recommenda- tion	692
Sifting recommended calendar..	1132
Passed; ayes 36, nays none.....	1305
Signed by President.....	1386
118 By Beckler. Relating to justice of the peace courts.	
Received, referred	1166
119 By Love. Extension of time in which to pay taxes without penalty.	
Received, referred	881
Sifting recommended calendar..	1010
Passed; ayes 33, nays none.....	1043
Signed by President.....	1056
124 By Engel, Yager, Elliott. Authorizing the incorpora- tion of non-profit hospital service plans; granting tax exemption thereto.	
Received, referred	1104
128 By Sours. Relating to school census.	
Received, referred	286
Substituted for S. F. 120.....	384
Passed; ayes 39, nays none.....	385
Signed by President.....	467
131 By Judd, Bulow, Hours for firemen.	
Received, referred	610
Sifting recommended calendar..	1188
Passed; ayes 37, nays none.....	1308
Signed by President.....	1386

H. F.	Page
133 By Dancer. To change name of Board of Railroad Commis- sioners.	
Received, referred	675
Sifting recommended calendar..	782
Deferred	852
Amendment filed	860
Amendment filed	876
Amendments adopted	920
Passed; ayes 28, nays none.....	920
Insists	1014
Conference committee appointed	1014
Report received	1123
Report adopted; concurred.....	1138
Passed; ayes 27, nays none.....	1139
Signed by President.....	1189
137 By Brown. Rights of cities to provide site in public grounds for public art or library buildings.	
Received, passed on file.....	610
Passed; ayes 38, nays none.....	617
Signed by President.....	645
139 By Johnson of Buena Vista. Judgments in actions on us- urious contracts.	
Received, referred	675
143 By Johnson of Hancock. License fees for hotels and restaurants, movable lunch stands.	
Received, referred	960
Sifting recommended calendar..	1010
Passed; ayes 38, nays 1.....	1156
Signed by President.....	1189
146 By Strickler. Retirement systems for policemen and firemen.	
Received, referred	1172
Sifting recommended calendar..	1188
Passed; ayes 35, nays none.....	1310
Signed by President.....	1386
147 By Committee on Greater Iowa. Authorizing county su- pervisors to purchase agri- cultural lime for sale to farmers.	
Received, referred	367
Recommended for passage.....	401
Amendments filed	757
Amendments adopted	766, 767, 768
Passed; ayes 26, nays 18.....	769
Signed by President.....	832
150 By Wood of Monroe. Au- thorizing Monroe county, Iowa, to pay claim against road fund.	
Proof of publication	361
Received, referred	584
Withdrawn, placed on calendar	619
Passed; ayes 36, nays none.....	620
Signed by President.....	645
155 By Kohlhaas, Hickenlooper, Hultman, Christoffersen. Building and loan associa- tions and investments there- in.	
Received, referred	675
Substituted for S. F. 153.....	775
Passed; ayes 43, nays none.....	777
Signed by President.....	832

H. F.	Page
159 By Blue, Hoegh, Dreessen. Extending period of redemption of homesteads until March 1, 1939.	
Received, referred	321
Amendment filed	334
163 By Weichman, Moore of Harrison, Gardner. Relating to social security.	
Received, referred	676
165 By Strickler, Moore of Woodbury, Johannes. Pro- viding for establishment of benefited water districts.	
Received, referred	1033
Sifting recommended calendar	1132
Passed; ayes 27, nays none	1304
Signed by President	1386
167 By Johnson of Hancock. Recording of federal social security numbers.	
Received, referred	676
Sifting recommended calendar	1053
Passed; ayes 40, nays none	1279
Signed by President	1386
171 By Sours. Relating to re- ports for official register.	
Received, referred	688
Sifting recommended calendar	1010
Amendment filed	1026
Passed; ayes 35, nays none	1141
Signed by President	1189
172 By Knudson. Licensing of public shows.	
Received, referred	960
Sifting recommended calendar	1010
Passed; ayes 34, nays none	1156
Signed by President	1189
173 By Committee on Mines and Mining. Opening of coal mines; providing for issuance of license.	
Received, referred	285
Substituted for S. F. 170	379
Passed; ayes 42, nays none	379
Signed by President	467
181 By Keeney. Vote in special elections for county public hospitals.	
Received, referred	1166
Sifting recommended calendar	1188
Passed; ayes 34, nays none	1311
Signed by President	1386
182 By Brown. Estimates for tax budgets in cities over 100,000 population.	
Received, referred	677
Sifting recommended calendar	1010
Amendment adopted	1142
Passed; ayes 33, nays none	1143
Signed by President	1189
184 By Fuelling, Bulow. Relat- ing to powers of cities and towns.	
Sifting recommended calendar	1053
Substituted for Senate File 161	1141
Passed; ayes 37, nays none	1142
Signed by President	1189

H. F.	Page
186 By Committee on Public Health. Relating to embalm- er; to define.	
Received, referred	638
Amendment filed	681
Sifting recommended calendar	1010
Amendment filed	1118
Amendment filed	1187
Amendment as amended adopted	1256
Passed; ayes 29, nays 2	1257
Returned to House	1362
Signed by President	1399
191 By Brown. Conveyance of certain real estate to city of Des Moines.	
Received, referred	399
193 By Committee on Judiciary. Registration of securities.	
Received	532
Recommended for passage	581
Sifting recommended calendar	860
Deferred	1017
Passed; ayes 31, nays none	1037
Signed by President	1056
200 By Committee on Appro- priations. Appropriation for payment of compensation in state cases under workmen's compensation law.	
Received, referred	584
Recommended for passage	691
Passed; ayes 38, nays none	823
Signed by President	880
203 By Hoegh. Legalizing ac- tion board of supervisors, Lu- cas county, Iowa.	
Received	533
Withdrawn, placed on calendar	619
Passed; ayes 37, nays none	619
Signed by President	645
211 By Committee on Judiciary. Service of process upon a non-resident attending trial.	
Received, referred	610
Sifting recommended calendar	1053
Amendment filed	1253
Passed; ayes 29, nays 16	1279
Signed by President	1290
218 By Yager, Kohlhaas, Blue, Johnson of Buena Vista, Moore of Woodbury, Pine. To license and regulate persons engaged in dealing in new and used motor vehicles within state.	
Received, referred	1172
Sifting recommended calendar	1188
Passed; ayes 40, nays none	1276
Signed by President	1290
219 By Committee on Emer- gency Legislation. An emer- gency act relating to sale of real estate by contract.	
Received, referred	339
Recommended for indefinite postponement	401
Indefinitely postponed	406
224 By Committee on Conserva- tion of Resources. Duties of Conservation Commission in regard to parks.	
Received, referred	677

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233 By Committee on Emergency Legislation. Statutory exemption from execution of residents who are heads of families.	
Received, referred	367
Recommended for indefinite postponement	401
Report rejected; ayes 18, nays 26	407
Passed; ayes 29, nays 14.....	411
Messaged to House.....	412
Signed by President.....	412
241 By Committee on Board of Control. Relative to change of name for state institution at Glenwood, state hospital at Woodward.	
Received, referred	688
242 By Gallagher. Reciprocal agreements with other states in regard to persons on parole or probation.	
Received, referred	829
Sifting recommended calendar..	860
Passed; ayes 28, nays none.....	924
Signed by President.....	981
244 By Committee on Conservation of Resources. Development of conservation areas in Iowa and adjacent states.	
Received, referred	688
253 By Lookingbill. Power of cities and town to levy taxes to build, maintain free public libraries.	
Received, referred	720
Amendment filed	860
Sifting recommended calendar..	1188
Amendment adopted	1240
Passed; ayes 35, nays none.....	1240
Signed by President.....	1290
258 By McEnaney. Chief of fire department in cities under manager plan.	
Received, referred	1033
Sifting recommended calendar..	1132
Passed; ayes 31, nays none.....	1302
Signed by President.....	1386
262 By Treimer. Legalizing bonds issued by independent school district of Hartley.	
Received, referred	961
Sifting recommended calendar..	1010
Passed; ayes 37, nays none.....	1152
Signed by President.....	1189
267 By Lovrien. Relating to park commissioners and levying of tax for park purposes.	
Received, referred	1195
288 By Fishbaugh. Operation of news stands in court houses by veterans.	
Received, referred	829
Sifting recommended calendar..	860
Passed; ayes 27, nays none.....	921
Signed by President.....	981
290 By Reilly. Legalizing establishment of swimming pool in Dubuque, Iowa.	
Received, referred	610
Proof of publication	731
Substituted for S. F. 273.....	738
Passed; ayes 27, nays none.....	739
Signed by President.....	773

H. F.	Page
291 By Christoffersen. Legalizing acts of city council of Cedar Falls, Iowa.	
Received	584
Withdrawn, placed on calendar	613
Passed; ayes 35, nays none.....	614
Signed by President.....	645
302 By Goode of Davis. Civil liability of broadcasting stations for radio defamation.	
Received, referred	1033
Sifting recommended calendar..	1132
Passed; ayes 39, nays none.....	1231
Signed by President.....	1290
303 By Bulow, Judd. Beer and malt liquors; providing for inspection.	
Received, referred	1195
306 By Keefe. Legalizing action of supervisors, Webster county, Iowa.	
Proof of publication.....	602
Received, referred	638
Sifting recommended calendar..	782
Passed; ayes 41, nays none.....	845
Signed by President.....	880
307 By Latchaw, Hickenlooper, Foster of Cedar, Stewart. Public school facilities for children in licensed boarding houses.	
Received, referred	1172
Sifting recommended calendar..	1188
Passed; ayes 30, nays none.....	1310
Signed by President.....	1386
308 By Latchaw. Legalizing action of supervisors of Muscatine county, Iowa.	
Received, referred	688
Proof of publication	731
Substituted for S. F. 195.....	735
Passed; ayes 31, nays none.....	736
Signed by President.....	773
314 By Dykhous. Authorizing certain towns to levy additional tax for amount due on electric light contracts.	
Received, referred	677
Sifting recommended calendar..	782
Passed; ayes 41, nays none.....	844
Signed by President.....	880
Proof of publication certified..	1029
319 By Manice. Compensation of county officers.	
Received, referred	1027
Sifting recommended calendar..	1132
Passed; ayes 29, nays none.....	1302
Signed by President.....	1386
329 By Hoegh. Conveyance to certain land in Lucas county, Iowa.	
Received, referred	688
Sifting recommended calendar..	782
Passed; ayes 43, nays none.....	843
Reported enrolled	1133
Signed by President.....	880
341 By Committee on Emergency Legislation. Notice on application for extension of right of redemption.	
Received, referred	542
Recommended for passage.....	543
Sifting recommended calendar..	814
Passed; ayes 28, nays none.....	995
Messaged to House.....	995
Signed by President	1030

H. F.	Page
342 By Committee on Emergency Legislation. Legalizing of certain court orders under provisions of Senate File No. 16 of 47th General Assembly. Received, referred	533
Recommended for passage.....	543
Amendment filed	729
352 By Knudson. Identification of speed corn. Received, referred	1100
Sifting recommended calendar.....	1132
Passed; ayes 32, nays none.....	1303
Signed by President.....	1386
365 By Strickler. Authority to supervisors to contract for medical, dental service for poor. Received, referred	1013
Amendment filed	1117
Sifting recommended calendar.....	1132
Passed; ayes 32, nays none.....	1301
Signed by President.....	1386
380 By Wood of Monroe, Hoegh. Blasting of coal in coal mines. Received, referred	829
Sifting recommended calendar.....	1053
Passed; ayes 38, nays 1.....	1259
Signed by President.....	1290
388 By Committee on Public Health, Relating to practice of podiatry. Received, referred	1166
Sifting recommended calendar.....	1188
Amendment adopted	1230
Passed; ayes 40, nays none.....	1230
Signed by President.....	1290
389 By Curtis, Frizzell, Kuester, Hoegh, Scott of Fayette, McEnaney, Shifflett, Moore of Taylor, Johannes, Dreesen, Riddle, Sours, Blue. Relating to taxing of income at its source. Received, referred	1172
Substituted for Senate File 462.....	1218
Amendment filed	1253
Amendments adopted	1274
Passed; ayes 31, nays 1.....	1275
Signed by President.....	1386
398 By Strickler. Relating to newspapers; duties of state printing board. Received, referred	1028
Sifting recommended calendar.....	1132
Passed; ayes 36, nays none.....	1232
Signed by President.....	1290
413 By Dodds. Legalizing proceedings of Concordia school district, Des Moines county. Received, referred	754
Sifting recommended calendar.....	782
Passed; ayes 37, nays none.....	802
Signed by President.....	832
414 By Lovrien. Legalizing actions of city clerk, city council of Humboldt, Iowa. Proof of publication certified..	815
Received, referred	846
Sifting recommended calendar.....	1010
Passed; ayes 39, nays none.....	1109
Signed by President.....	1132

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428 By Moore of Harrison. Legalizing of election by Beetown school district, Harrison and Pottawattamie counties. Received, referred	720
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454 By Dietz. Relating to official newspapers and selection thereof. Received, referred	1033
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456 By Johnson of Hancock, Lookingbill. Authorizing state board of education to purchase certain real estate for experimental farm. Received, substituted for Senate File 276	1196
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483 By Committee on Military Affairs. To make appropriation for rehabilitation of water supply system at Camp Dodge.	
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496 By Committee on Old Age Assistance. Suspension of taxes on property of recipients of old age assistance.	
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504 By Committee on Liquor Control. Relating to beer and malt liquors; licensing, regulation, sale thereof.	
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518 By Committee on Judiciary Legalizing special election in Iowa City, Iowa.	
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Attorneys, disbarment proceedings against, procedure for. 274, Doran.
 Attorneys, disbarment proceedings against. 306, Breen.

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COX, GEORGE W.—

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Attorneys, counselors at law, procedure in proceedings against. 274, Doran.
 Attorneys, counselors at law, proceedings against. 306, Breen.

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GRASSHOPPERS—

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HASKELL, H. W.—

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HAWLEY, WILLIAM C.—

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- To encourage ownership of. 1, Shaw, Dewey, Bell of Crawford, Driscoll, Berg, Mason, Zeigler, Goetsch.
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- Sale of beer by. 308, Husted, Hopkins, Edwards.
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- Public bodies, corporate and politic, to create. 437, federal co-ordination.

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Committee assignments.....	81, 82, 83, 84, 86, 608, 1014
Petitions presented	130,
280, 326, 327, 360, 390, 529, 599, 600, 661, 742, 759, 815	
Amendments offered.....	876, 877, 982, 987, 1118, 1256
Resolutions offered	597
Motions made.....	780, 781, 852, 919, 920, 991, 1013, 1138, 1361
Asked unanimous consent	447, 520, 999, 1000
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ELLIS, FRANK E.—Senator Twenty-third District.

Committee assignments.....	81, 82, 83, 84, 86, 1014
Petitions presented.....	390, 438, 548, 626, 772, 1055, 1120
Amendments offered	1123
Motions made	76, 544, 814
Leave of absence granted.....	416, 429, 584

ELTHON, LEO—Senator Forty-first District.

Bills introduced—Nos. 48, 84, 116, 146, 149, 162, 188, 210, 228, 233, 258, 290, 296, 321.	
Committee assignments	
12, 54, 81, 82, 83, 84, 86, 210, 248, 784, 1233, 1392	
Petitions presented	311, 417, 479, 480, 644, 815
Amendments offered	103, 249,
496, 534, 583, 731, 754, 839, 1059, 1069, 1081, 1091, 1109,	
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EVANS, K. A.—Senator Eighth District.

Bills introduced—Nos. 99, 278, 290, 296.	
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Motions made	232, 536, 537, 754, 756, 1035, 1036, 1191
Asked unanimous consent.....	343, 377, 490, 538, 1350
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Bills introduced—Nos. 65, 100, 109, 110, 153, 295.

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GILLESPIE, JAMES J.—Senator Thirtieth District.

Bills introduced—Nos. 20, 51, 101, 112, 127, 128, 154, 163, 176, 177, 180, 190, 204, 225, 247, 248, 259, 260, 290, 292, 298, 319, 320, 321, 336, 337.

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GILLETTE, LESTER S.—Senator Forty-seventh District.

Bills introduced—Nos. 3, 82, 89, 91, 96, 116, 155, 156, 223, 258, 276, 278, 282, 296, 323, 339.	
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Petitions presented	294, 599, 600, 699, 759, 956, 1120, 1137
Amendments offered.....	183, 184, 278, 466, 477, 492, 511, 513, 544, 559, 898, 981, 1026, 1047, 1070, 1081, 1091, 1207, 1272
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Leave of absence granted	360, 374, 903

GOETSCH, SAM D.—Senator Forty-second District.

Bills introduced—Nos. 1, 63, 184.	
Committee assignments	54, 81, 82, 83, 84, 87, 1233
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Bills introduced—No. 124; J. R. 4.

GRUNEWALD, HENRY J.—Senator Forty-fifth District.

Bills introduced—Nos. 89, 366.	
Committee assignments	81, 82, 83, 84, 87, 789, 859
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Motions made	766, 769, 770, 1289
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GUERNSEY, HUGH G.—Senator Third District.

Bills introduced—Nos. 14, 75, 76, 208, 226, 290, 295.	
Committee assignments 60, 82, 83, 84, 87, 248, 278, 353, 396	
Petitions presented	77, 201, 336, 417, 480, 528, 831
Amendments offered	184, 206, 681, 1006, 1131
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Appointed delegate	75
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HILL, G. R.—Senator Thirty-seventh District.

Bills introduced—Nos. 15, 16, 29, 30, 31, 32, 67, 68, 114, 115, 152, 203, 204, 283, 323, 331, 358.

Committee assignments	81, 82, 83, 87, 210, 489, 807
Petitions presented	326, 375,
440, 480, 504, 505, 599, 602, 642, 660, 698, 759, 772, 957	
Amendments offered	146, 160, 164
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717, 729, 771, 973, 1070, 1118, 1130, 1186, 1192, 1194, 1195, 1198	
Motions made	150, 167, 169, 195, 234,
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HOEVEN, CHARLES B.—Senator Forty-ninth District.

Bills introduced—Nos. 18, 19, 37, 43, 44, 45, 46, 71, 86, 258, 323.

Committee assignments	81, 82, 83, 84, 87, 248, 278, 710, 1350, 1387
Petitions presented	154, 175, 186, 223, 266, 280,
326, 336, 389, 390, 416, 429, 430, 528, 600, 601, 643, 682	
Amendments offered	544, 566, 755, 898, 899, 910, 1024, 1261
Resolutions offered	455, 597
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Asked unanimous consent	340, 365, 521, 740, 914, 981, 1107, 1221

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HOPKINS, GEORGE M.—Senator Seventeenth District.

Bills introduced—Nos. 4, 64, 84, 89, 93, 94, 101, 120, 197, 224, 225, 272, 297, 308, 324, 330, 345.

Committee assignments	5, 15, 81, 82, 83, 84, 87, 743, 1400
Petitions presented	280, 311, 360, 374, 390,
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Committee assignments	81, 82, 83, 84, 87, 108, 608, 710, 743
Petitions presented	601, 760, 831, 832
Amendments offered	179, 264,
306, 334, 686, 787, 895, 1109, 1110, 1127, 1186, 1199, 1252, 1262	
Resolutions offered	597
Motions made	178, 179, 233, 234, 343, 344, 628, 733, 754, 774, 791,
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Committee assignments	15, 81, 82, 83, 84, 87, 353, 388, 916, 1233
Petitions presented	91, 480, 505, 528, 626, 643, 1120
Amendments offered.....	293, 295, 305, 372, 510, 534, 862,
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KIMBERLY, D. W.—Senator Twenty-first District.

Bills introduced—Nos. 69, 100, 102, 129, 172, 243, 269, 279.

Committee assignments										
.....5, 81, 82, 83, 84, 87, 248, 408, 710, 916, 1350										
Petitions presented	439,	505,	772,	992						
Amendments offered	582,	719								
Resolutions offered										597
Motions made	127,	179,								
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KIRKETEG, O. J.—Senator Sixth District.

Bills introduced—Nos. 183, 295, 301.

Committee assignments	12,	81,	82,	83,	84,	87				
Petitions presented	201,	202,	661							
Amendments offered	877,	982,	987							
Resolutions offered										597
Motions made	739,	811,	842							
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LUNDY, HUGH W.—Senator Fifteenth District.

Bills introduced—Nos. 101, 104, 123, 203, 230.

Committee assignments 12, 54, 81, 82, 83, 84, 88, 789, 833										
Petitions presented	223,	548,	683,	1012,	1029					
Amendments offered	324,	341,	501,	561,	1026,	1060,	1061,	1160,	1280	
Resolutions offered										597, 832
Motions made	12,	257,	258,	341,	342,					
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LEVIS, H. V.—Senator Fourth District.

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Committee assignments	81,	82,	83,	84,	88,	248,	258,	278,	396,	418,	623,	833
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Petitions presented	374, 438, 440, 601, 742
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Motions made	139, 150, 261, 619, 629, 630, 747, 803, 809, 810, 843, 897, 898, 908, 961, 963, 964, 1035, 1230, 1231, 1258, 1259, 1285, 1286, 1331
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Petitions presented	77, 223, 311, 374, 440, 643, 730, 760
Amendments offered	117, 122, 566, 787, 840, 853, 1080, 1097, 1102, 1117, 1128, 1177, 1187, 1258, 1335, 1340, 1372
Resolutions offered	323, 597
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MIGHELL, WINFRED—Senator Forty-sixth District.

Bills introduced—Nos. 37, 101, 131, 211, 261, 303.	
Committee assignments	81, 82, 83, 84, 88, 210
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Amendments offered	159, 237, 356, 357, 658, 668, 1245
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Bills introduced—Nos. 207, 333.	
Committee assignments	4, 12, 81, 82, 84, 88
Petitions presented	627
Amendments offered	1053, 1067, 1207, 1366
Resolutions offered	597
Motions made	5, 488, 489, 611, 1070
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MILLHONE, PAUL L.—Senator Seventh District.

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Committee assignments	5, 12, 81, 82, 83, 84, 88, 489
Petitions presented	294, 438, 439, 529, 600, 730, 879
Amendments offered	264, 330, 413, 544, 593
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